

March 24, 2011

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, March 24, 2011 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Sweeton called the meeting to order at 7:30 p.m.

ATTENDANCE: Supervisor Michael Sweeton
Councilman Floyd DeAngelo
Councilman Leonard DeBuck
Councilman James Gerstner
Councilman Mickey Shuback

Town Attorney, John Hicks
Police Chief, Thomas F. McGovern, Jr.

ACCEPTANCE OF MINUTES:

1. Regular Meeting, 03/10/11

Motion Councilman DeAngelo, seconded Councilman Shuback to accept the minutes as written from the Regular Meeting held on March 10, 2011.

Motion Carried (5 ayes, 0 nays)

CORRESPONDENCE:

DENISE COEN – Head Bus Driver, Town of Warwick Dial-A-Bus – Letter to the Supervisor announcing her resignation effective April 1, 2011.

THOMAS F. MCGOVERN, JR. – Police Chief, Town of Warwick Police Department – Memo to the Town Board requesting a budget transfer for a check in the amount of \$687.60 from Liberty Mutual be transferred into the Police Department Auto Maintenance Budget Line B02-3120.403.

JOHN GRANEY – Chairman, Village of Warwick Zoning Board of Appeals, 77 Main Street, Warwick, NY 10990 – A public hearing before the Board of Appeals of the Village of Warwick will be held on the 21st day of March, 2011 at 7:00 p.m. at 77 Main Street, Village of Warwick, New York to consider the following applications: Village View Estates LLC and Warwick Valley Dental.

WILLIAM J. RUDGE – Natural Resources Supervisor, New York State Department of Environmental Conservation, Office of Natural Resources, Region 3, 21 South Putt Corners Road, New Paltz, NY 12561 – Letter to the Supervisor recommending the use of milfoil weevils to control the growth of milfoil in Glenmere Lake. These native insects are available commercially and would have no impact on the northern cricket frogs.

KENNETH HENDERSON – The Country Dream Restaurant, 258 Pine Island Turnpike, Warwick, NY – Notice to the Town Clerk stating their intent to renew their wine and beer license.

MICHAEL R. PILLMEIER – Chairman, Orange County Legislature, Goshen, NY – Letter to the Supervisor informing him that the Town has been awarded a grant up to \$49,810.00 from the Orange County Energy Efficiency Conservation Block Program.

BOARD’S DISCUSSION ON CORRESPONDENCE

Supervisor Sweeton stated that the DEC has notified us that they will not allow carp to be used to manage the weeds in Glenmere, so we’re on to the next possibility.

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

<u>WORK BEING DONE</u>	<u>LOCATION</u>	<u>REASON FOR WORK</u>
CULVERT PIPES	Brady Rd.	Replace 30 ft. of 15 in.
DITCH WORK	Dekay Rd.	Clean ditches
BRUSH PICK UP	Town wide	As needed
BALL FIELDS	Union Corners Rd.	Prepping fields for 2011 season
POT HOLES	Town wide	As needed
SANDING	Mountain areas	Sand roads on 3/21/11
ROAD SIGNS	Town wide	As needed
MAIL BOXES	Town wide	As needed
TOWN PARK	All parks	Opening for 2011 season

COUNCILMAN DE ANGELO REPORT

1. For the month of February the Post Report is as follows: Greenwood Lake had 187 calls, the Town outside the Village we had 814 calls, Pine Island 247 calls and the Village of Warwick had 615 calls for a total of 1,863 calls for the month of January.

2. I received an email from Lieutenant Maslanka regarding our K9 dog Riley on Wednesday, March 9, 2011 Officer Kevin Halsey and K9 Riley attended the United States Police K9 Association Narcotics Certification Trials for Region 7. They were hosted by the Town of New Windsor Police Department and 26 teams from New York participated. The trials tested the dog’s ability to locate narcotics in various

locations in rooms and vehicles. The dogs are tested on their ability to detect the odor and pinpoint it's location as well their handlers being able to place their K9 partner in the proper location to detect the odors. K9 Riley and Officer Halsey placed third with a score of 197.67 points out of a possible 200 points. This qualifies the Warwick Police Department K9 Unit to obtain national certification at the USPCA National Certifications Trials being held on May 22 until May 25, 2011 in Pearl Mississippi. Officer Halsey and K9 Riley will be attending as a representative at the expense of Region 7. I want to make sure Chief you thank Officer Halsey and K9 Riley with a dog biscuit and congratulate them.

3. I had a call today from the Warwick Valley Humane Society and they are severely over crowded. What we need is some of our citizens to take heart and adopt either a dog or cat and take them home to a good home. They also need their donations to repair their kennel which fell down in the storm. They need volunteers if you have some free time helping out with the animals and repairs if you're handy and you have some time. They also have their wish list of bleach, paper towels, simple green, friskies pate dinners for cats and kittens, shop rite canned chicken for cats, dog biscuits, feline pine litter, laundry detergent, small ceramic cat dishes, garbage bags and they don't need dry dog food because they have an arrangement with Science Diet. Again if you have time or room in your home I would suggest you adopt a cat or dog.

4. Saturday evening at 7:30 p.m. there is an Acapella doo wop benefit concert at the Greenwood Lake American Legion. The donation is \$10.00 and the proceeds of the concert will be used for the 4th of July fireworks display on the lake.

COUNCILMAN DE BUCK REPORT

1. Recently there was an ATV incident within our Cascade Lake Park and I would just like to alert the public again that this 570 acre mountainous park is off limits to motorized vehicles, so please do not operate your ATV in this park. The trails in this park are for hikers only.

COUNCILMAN GERSTNER REPORT

1. I would like to thank and congratulate the winners of all the recent village elections and wish all the victors well and we are here to support them any way that we can.

2. The Raymond Hose Fire Company will be having their salmon or pasta dinner tomorrow evening from 5:00 p.m. until 7:00 p.m. at 200 West Street.

COUNCILMAN SHUBACK REPORT

1. The month of March has been busy with sanding and salting the roads. Again there is a lot of overtime. We spent \$3,570 for sand, \$17,400 for salt and \$11,660 for overtime for the month of March which brings the total to \$251,991.00. We have spent all the money we have for snow removal.

2. The Dial-A-Bus has changed some of their hours. The Walkkill run on Tuesday through Friday and Saturday its 7:45 a.m. until 2:15 p.m. that stays the same, the fix it's 7:30 a.m. until 3:00 p.m. Tuesday through Saturday it stays the same, Greenwood Lake is now 8:00 a.m. until 4:30 p.m. Monday through Friday and the Pine Island and Florida run is 10:30 a.m. until 7:00 p.m. Monday through Friday. The report came with the new changes.

Supervisor Sweeton – Thank you and we'll get those schedules publicized for the public. We had a lot of requests to run some of the runs later in the day so that some of our riders could have the opportunity to have dinner in one of the villages and now they will have the opportunity to do that.

SUPERVISOR'S REPORT

1. On Tuesday along with the attorney representing the 13 municipalities from Orange County we met in Albany with senior staff from the public service commission to press our case against granting O&R Utilities their requested 22 to 40% rate increase that will affect all businesses, residents and municipalities in the service area. We reiterated that O&R's sales verses revenue models do not match, that their capital plan for the past three years which has been funded by rate payers was not completed, so it was really unnecessary at this time for them to ask for additional capital and a rate increase. We stressed the job and business killing affect of any rate increase at this time. The case now is placed before the administrative law judges of the public service commission who will likely render a decision in April at which time the senior staff of the PSC will have to recommend a course of action for the commissioners. The town and its villages in Warwick along with 15 other towns, villages and 2 cities in Orange County have fought this fight for our residents and we are hopeful that we will prevail and if not eliminating the rate increase at least minimizing it.

2. Orange & Rockland is going to be implementing their transmission line vegetative management work this spring. It is going to begin on our about the 21st of March and it will be conducted by Lewis Tree which is a contractor. They are going to be working under the transmission lines which these are the big power lines not the normal roadside stuff. They will be in the area of Chardavoyne Road, Pine Drive, Little York Road, Little Brooklyn, Burt Lane and Pine Island Turnpike. This vegetative management plan that O&R has had approved by the PSC is a little more extensive then they've done under their right-of-way in years past. Their plan calls for them to remove all incompatible species under the transmission lines and essentially that means in many cases removing fairly large trees or trees that potentially in time could be large, so there's a lot of more extensive clearing then in time past. Last year we had a little trouble in the Chester area and a little bit in the Warwick area with this policy. We met with O&R and they were very responsive. They have come up with a new plan on how to notify residents that could be affected to get them on board and understanding what work they are suppose to be doing. Again the plan is a plan that the PSC has approved. We have requested and the PSC is currently reviewing that plan to ask whether it needs to be quite as extensive as O&R is making it and that we still have to wait for them to let us know.

3. I want to remind everyone again that the Warwick Valley Expo is going to be held on April 9th a Saturday from 10:00 AM until 4:00 PM at the Warwick Valley Middle School. It's a great opportunity, it's free to the public to come and meet all 300 to 400 vendors that are local businesses, so you get a chance to see local businesses in our area that you might not be aware of. They are also going to have a

technology forum that day and if you want more information on it you can call the Chamber at 986-2720.

4. I'm also pleased to announce tonight that we received an energy grant through the Orange County Legislature and I want to thank specifically the chairman Michael Pillmeier who is a Warwick resident for spearheading this project. We are the recipients of \$49,810.00 in grant money which will go to an upgrade of all of the lighting fixtures here at Town Hall to more energy efficient ones, replacement of all the windows in Town Hall which are 20 some years old for more energy efficient ones as well as the installation of a solar hot water heater for the building, so we are very excited about that and it's a fully funded federal grant money passed through the County. We thank them again for sharing that with municipalities and we look forward to getting those done. We should save somewhere between 25% and 35% of our energy costs through these retrofits, so we are very happy about that and I want to thank them again.

5. Supervisors Corner is published each week in the Warwick Dispatch, with excerpts printed in the Warwick Advertiser

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

There were no comments or questions on the agenda items.

NEW BUSINESS:

#R2011-106 BUDGET TRANSFER – POLICE DEPARTMENT

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt the following Police Department budget transfer:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Check from Liberty Mutual for damages to police vehicle	Auto Maintenance (B02.00.3120.403)	\$687.60

Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

#R2011-107 ACCEPT RESIGNATION – DENISE COEN

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to accept the resignation of Denise Coen, Head Bus Driver, effective April 1, 2011.

Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton thanked her for her service and wished her well.

**#R2011-108 AUTHORIZATION TO SIGN 2010 SERVICE AWARD PROGRAM
CERTIFICATE – WARWICK COMMUNITY AMBULANCE SERVICE**

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to authorize the Supervisor to sign the 2010 Service Award Program Certificate form for the

Warwick Community Ambulance Service.

Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

#R2011-109 AUTHORIZATION TO SIGN 2011 CONTROL OF DOGS CONTRACT WITH THE WARWICK VALLEY HUMANE SOCIETY

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to authorize the Supervisor to sign a contract with the Warwick Valley Humane Society for the control of dogs in the Town of Warwick for 2011.

Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

#R2011-110 ADOPT POLICY FOR HOLDING SPECIAL EVENTS AT THE THOMAS P. MORAHAN WATERFRONT PARK

Motion Councilman DeBuck, seconded Councilman Gerstner to adopt a resolution to adopt a policy for holding Special Events at the Thomas P. Morahan Waterfront for the 2011 season.

Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that the Board has worked this out because they have had several requests primarily weddings plus receptions to be held at the Waterfront Park, so we are going to try this. This will be in the non beach season time, so prior to and after the beach season and we adopted a policy which will handle all of the insurance issues and we are going to see how it works for this year and if it works it's a great spot for a wedding, so we'll see what happens.

#R2011-111 ADOPT TOWN OF WARWICK'S HEALTH INSURANCE PLAN CHANGE

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to change the Town of Warwick health insurance plan from the NYSHIP Empire to NYSHIP Excelsior Plan effective May 1, 2011.

Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that the Town has been working since last budget year on how do reduce costs. I want to commend Councilman DeAngelo who spent countless hours with a local resident to look at all the alternatives that we can try to find a way to save money on to health insurance costs. We have come up with a plan that will use the NYSHIP Excelsior Plan which is in the same NYSHIP system we currently use in conjunction with a company called the Difference Card which will keep the benefit levels the same for our employees, however it will save the Town an estimated \$150,000 a year in insurance costs. We're very hopeful that this will work well and again I want to commend Councilman DeAngelo for all his work on this and this will go a long way in helping us with budget issues.

**#R2011-112 ORDER SETTING PUBLIC HEARING – ESTABLISH FAIRGROUNDS
WATER DISTRICT**

**Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt the following
resolution:**

In the Matter	
of	
The Petition to Establish the Fairgrounds Water District in the Town of Warwick, Orange County, New York.	ORDER SETTING PUBLIC HEARING

WHEREAS, a written petition, dated March 16, 2011, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Warwick, Orange County, New York, for the establishment of the Town of Warwick Fairgrounds Water District in said Town, to include +/- 45.312 acres, more particularly described in Schedules “A” and “B” annexed to this order; and

WHEREAS, the improvements proposed are in accordance with and described in the map, plan and report made a part of such petition, and now on file in the Office of the Town Clerk of said Town; and

WHEREAS, the maximum amount proposed to be extended for the improvements by the District, as stated in the said petition, is zero (\$0.00) dollars, it being the intention that the entire cost of the improvements is to be paid by the petitioners or their successor; and

WHEREAS, the cost for the improvements to the typical property to be levied by the district will be zero (\$0.00) dollars, since the petitioners will be responsible for construction of the improvements and reasonable costs for hook up to the system and there are no residential properties within this proposed district; and

WHEREAS, the estimated user fees and fees for operation and maintenance that will be assessed to the owners of the two commercial lots are \$4,400 for Lot 1 and \$6,600 for Lot 2; now, therefore, it is hereby

ORDERED, that a meeting and public hearing of the Town Board of the Town of Warwick shall be held at the Town Hall, located at 132 Kings Highway, Warwick, New York on April 14, 2011, at 7:00 p.m., to consider the said petition and to hear all persons interested in the subject thereof, concerning the same, and for such other action on the part of said Town Board with relation to the said petition as may be proper or required by law.

The Town of Warwick will make every effort to assure that the hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

Dated: March 24, 2011

Roll Call Vote:

Supervisor Michael Sweeton aye
Councilman James Gerstner aye
Councilman Floyd DeAngelo aye

Councilman Leonard DeBuck aye
Councilman Mickey Shuback aye

Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that this is the water system that's adjacent to the Fairgrounds. The Town runs the sewer system and we had an offer of dedication to run the water system at such time as we chose and that's what this is going to do and this is serving just that commercial property area currently known as Fairgrounds 1 and Fairgrounds 2.

#R2011-113 RESCIND RESOLUTION #R2011-94 – ACCEPTANCE OF FENCING BID FOR POLICE IMPOUND YARD

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to rescind #R2011-94 – ACCEPTANCE OF FENCING BID FOR POLICE IMPOUND YARD due to an incomplete bid submitted by Kuperus Custom Fence, Inc. and to accept the next highest bid from Ketchum Fencing, Inc., 19 Borden Street, Otisville, NY 10963 in an amount not to exceed \$7,680.00.

Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated in reviewing the bids we recognized the low bidder of four thousand and change only bid on half the fence, so that wasn't going to do us much good. This is an impound lot and we are moving to the next bidder which is the only fair process to do.

#R2011-114 ACCEPT ORANGE COUNTY ENERGY EFFICIENCY CONSERVATION BLOCK GRANT

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to accept the Orange County Energy Efficiency Conservation Block Grant funding award in an amount up to \$49,810.00 and to comply with all subawardee terms and conditions including all federal requirements.

Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

BILLS: Motion Councilman DeBuck, seconded Councilman Shuback to pay the bills as audited. Motion Carried (5 ayes, 0 nays)

PRIVILEGE OF THE FLOOR (GENERAL)

There were no comments or questions under privilege of the floor.

ADJOURN: Motion Councilman DeBuck, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 7:50 p.m.
03-24-11 cp.

Marjorie Quackenbush, Town Clerk

