

March 27, 2014

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, March 27, 2014 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 Russell Kowal
Councilman James Gerstner
Councilman Mickey Shuback

Town Attorney, Jay Myrow
DPW Commissioner, Jeff Feagles
Police Sergeant, Edward Mullins

ACCEPTANCE OF MINUTES

1. Public Hearing, March 13, 2014 – Extension of Pine Island Water District
2. Public Hearing, March 13, 2014 – Construction of Road Improvements
3. Regular Meeting, March 13, 2014

Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the Public Hearing for the Extension of the Pine Island Water District, the Public Hearing for the Construction of Road Improvements and the Regular Meeting held on March 13, 2014. Motion Carried (5 ayes, 0 nays)

CORRESPONDENCE:

ROBERT AND THERESA BENJAMIN – 51 Kosuga Lane, Pine Island, NY 10969 – Letter to the Supervisor asking for his help in getting a fair and just hearing on the proposed Pine Island Cell Tower initiative. They also ask that any discussion/hearings on the cell tower are prominently posted on the Towns agenda calendar and they hope that you would meet with them and a few interested residents to discuss this matter.

KAREN E. BOWER – Warwick Valley High School Crew Team, 30 Forest Drive, Greenwood Lake, NY 10925 – Letter to the Supervisor and Town Board requesting approval from the Town Board to use the Thomas P. Morahan Waterfront Park for their annual Crew Regatta to be held on May 15th from 2:00 P.M. until 8:00 P.M.

SPRUCE MOUNTAIN, INC. – P.O. Box 456, Bloomingburg, NY 12721 – Letter to the Building Inspector asking to be added to our list of qualified inspectors performing Energy Star compliance testing.

ELIZABETH HARMON – 40 Marsh Hill Rd., Putnam Valley, NY 10579 – Special Event Permit form submitted for Town Board approval to use Town roads to

hold a Memorial Day HERO'S Run in memory of LTC Jaimie E. Leonard. Funds collected from this event will go into a scholarship fund established in her memory.

BOARD'S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

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>
CATCH BASINS	Crystal Farm Rd.	Repair basins
TREE WORK	Knollcroft Terrace	Trim trees
	Old Dutch Hollow Rd.	Clear roadsides
POT HOLES	Town wide	As needed
ROAD REPAIR	Amity Ct.	Clean up blacktop
	Wisner Ct.	Clean up blacktop
ROAD SIGNS	Town wide	As needed
MAIL BOXES	Town wide	As needed

ENVIRONMENTAL CONSULTANTS REPORT

COUNCILMAN DE ANGELO REPORT

1. The Greenwood Forest Farms Association is having a luncheon on Saturday, April 12th from 10:00 a.m. until 2:00 p.m. and they are honoring the Orange County Clerk Annie Rabbitt and Mr. & Mrs. Bernardo Risorio at the Warwick Valley Country Club. The tickets are available for \$45 per person and you can make a reservation by calling 845-544-7264.

COUNCILMAN KOWAL REPORT

1. Believe it or not spring is here. Our parks are starting to get active and we are going to turn the water on at our Union Corners Park and start irrigating that and hopefully get the fields groomed up for the athletic fields there.

2. This time of year I always ask the people out in the farming areas to be a little aware since it starts the busy season of planting and all the farmers are out there getting their equipment ready and getting out to the fields and back. They are slow moving machinery so please have a little patience for them because they are just trying to do their job too.

COUNCILMAN GERSTNER REPORT

1. On April 3rd, Thursday Engine #3 will be having a roast beef dinner at South Street Extension starting at 6:00 p.m. and on April 13th from 7:00 a.m. until 3:00 p.m. the Pine Island Fire Department will be having their country breakfast on County route 1 in Pine Island.

COUNCILMAN SHUBACK REPORT

1. The Highway Department has been doing some patching on the roads. They are using cold patch and it doesn't last so hopefully in the next couple of weeks the plant will open up and we will be able to get blacktop material.

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. Bid opening on Wednesday, March 26, 2014 at 3:00 P.M. for a 2014 Street Sweeper.
Bids were received from:

Gannon Municipal Equipment, Inc.
333E. 23rd St.
New York, NY 10010
Tel.# (212) 679-6719

Bid Amount: **\$251,545.00**
Manufacturer's 5 yr. Parts & Labor Warranty: **\$8,900.00**
J. Deere 5 yr/5000 hr. Engine Warranty: **\$1,600.00**
Trade – In Allowance: **\$10,000.00**

W.E. Timmerman Co., Inc.
3554 Route 22 West P.O. Box 71
Whitehouse, NJ 08888
Tel.# (908) 534-4126

Bid Amount: **\$271,000.00**
Manufacturer's 3 yr. Parts & Labor Warranty: **\$3,535.00**
J. Deere 5 yr/5000 hr. Engine Warranty: **\$1,890.00**
Trade – In Allowance: **\$10,000.00**

2. Requests for Proposals for a heavy-duty aerator for the parks were received from:

Double D Turf, LLC
86 Bergen Mills Rd.
Monroe Township, NJ
Bid Amount: **\$7,475.00**

TurfTime Equipment, LLC
800 Railroad Ave.
New Holland, PA 17557
Bid Amount: **\$6,695.00**

Value Turf, LLC
130 Cadman Dr.
Williamsville, NY 14221
Bid Amount: **\$8,028.00**

Supervisor Sweeton – For the Boards information the two bids that came in on the sweeper they need to be evaluated because it is not clear that the lowest bid is actually a comparable bid to what was requested. I'm going to give Attorney Myrow the bids to have him go over them and give us an opinion. In the event that we are going to accept the higher bid you have to be able to justify that fact, so he'll be doing that for us. Then hopefully we can take action at the next board meeting.

SUPERVISOR'S REPORT

1. The Community Preservation Fund receipts for February were \$33,181.50 which brings the total in the fund to date to \$3,455,270.16.

2. I was approached by the 4-H Club from the Pine Island area to alert me to a

project that they would like to do in the Pine Island park called “The Little Free Library Project” it’s a small kiosk that they would like to place in the park where children can come and exchange books and take books out. I thought it was a good idea and they would like support from the Board if that’s ok with you guys I have to get back in touch with the leader of that.

3. The Warwick Little League Parade will be on April 5th at 10:00 a.m. leaving from the Village Hall area and will march down to the Memorial Park to kickoff the Little league Season which will be fun. Hopefully the weather will be nice by then.

4. The Friends of the Hathorn House is a committee that is starting an effort to preserve the Hathorn House which was owned by Colonel Hathorn who played in a major roll in the Battle of Minisink and the Militia here in the Town of Warwick. That committee is meeting for the first time on Sunday, March 30th at 1:00 p.m. at the Albert Wisner Library. If you are interested in a project like that and would like to help please stop by on March 30th at 1:00 p.m.

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

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

Richard Murtie – Resident, Town of Warwick, NY – What’s the current year of the street sweeper we currently have in service now, do you know off hand?

Supervisor – I don’t know off the top of my head, no. Commissioner do you know the age?

Commissioner Feagles – I’m pretty sure it’s an 02 or 03 but I could double check, I’m not sure.

Supervisor Sweeton – If you check with the office tomorrow we’ll get you the number for sure.

Richard Murtie – I don’t know if you all remember 6 or 7 years ago when the other street sweeper burned up in the town barn. Is there insurance money going toward this purchase as well or no?

Supervisor Sweeton – No. The new one? No.

Richard Murtie – Towards the new one.

Supervisor Sweeton – No.

Richard Murtie – So this is basically going to be tabled until the next meeting?

Supervisor Sweeton – Correct.

Richard Murtie – Thank you.

Supervisor Sweeton – You're welcome.

NEW BUSINESS:

**#R2014-112 SCHEDULE PUBLIC HEARING – PROPOSED LOCAL LAW TO
ADD CHAPTER 11 TO THE TOWN CODE OF THE TOWN OF
WARWICK – CREDIT CARD PAYMENTS**

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to schedule a public hearing to consider a proposed Local Law adding Chapter 11 to the Town Code of the Town of Warwick entitled "Credit Card Payments." Said public hearing to be held on Thursday, April 10, 2014, at 7:15 p.m., or as soon thereafter as the matter may be heard at the Town Hall, 132 Kings Highway, Town of Warwick.

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

Discussion: Supervisor Sweeton stated that this is a necessary first step to follow up with the resolution that's coming to solicit services from an electronic payment processing company to allow the town offices to accept credit cards for fees and payments in the building department and for online payments as well. We are actually doing a chapter in the code that will allow that first and that's what the subject of that hearing is.

#R2014-113 APPOINTMENT OF BEACH MANAGER – CAROL BENNETT

Motion Councilman Kowal, seconded Councilman Shuback to adopt a resolution to appoint Carol Bennett as Beach Manager for the 2014 beach season at a rate of pay of \$14.00 per hour.

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

Discussion: Supervisor Sweeton stated that Deputy Commissioner Roe and I interviewed her and she's got the water safety experience. She's an instructor and she will be a really valuable asset to manage the beach this coming season.

**#R2014-114 AUTHORIZATION TO SOLICIT BIDS – ELECTRONIC PAYMENT
PROCESSING SERVICES**

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to solicit bid proposals for electronic payment processing services. Notice to bidders and bid specifications may be obtained from the Town Clerk's office beginning April 2, 2014. Said bids to be opened Wednesday, April 23, 2014 at 12:00 p.m. at the Town Hall, 132 Kings Highway, Town of Warwick.

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

**#R2014-115 AMEND RESOLUTION #R2012-261 – AUTHORIZATION TO ADD
PARCELS TO THE COMMUNITY PRESERVATION PROJECT
PLAN**

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to amend resolution #R2012-261 to change parcel #45-1-45.41 to read #44-1-45.41. The Town Clerk is directed to forward a copy of the amended resolution to each of the following: Commissioner, New York State Department of Environmental Conservation, Commissioner, New York State Department of Agriculture and Markets, and Commissioner, Office of Parks, Recreation and Historic Preservation. Motion Carried (5ayes, 0 nays) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that this is to correct a typo error because there is no parcel number 45-1-45.41 it is in fact 44-1-45.41.

#R2014-116 ACCEPT BID FOR HEAVY – DUTY AERATOR

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to accept a bid from TurfTime Equipment, LLC, 800 Railroad Ave., New Holland, PA 17557 for a heavy-duty aerator in an amount not to exceed \$6,695.00. The Town of Warwick Soccer League will be splitting the cost of this aerator with the Town therefore, the total cost to the Town is \$3,347.50. Motion Carried (5ayes, 0 nays) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton thanked the soccer league and stated that they have partnered many, many times to supply a contribution to equipment purchases that have benefitted everyone in the parks and we thank them for that.

#R2014-117 PROCLAMATION – PREVENTION OF ANIMAL CRUELTY MONTH

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt the following resolution:

WHEREAS, the Warwick Town Board, the citizens of the Town of Warwick and the Warwick Valley Humane Society are concerned with the humane treatment of animals, and

WHEREAS, the kind and humane treatment of animals has a strong correlation to the kind and humane treatment of people, and

WHEREAS, animal cruelty is proven to directly parallel violent and criminal acts on people, and

WHEREAS, together with the Warwick Valley Humane Society, the Town of Warwick urges the vigorous enforcement of existing animal cruelty laws and want to make the public more aware of these laws in hopes of eliminating cruelty to all animals, wild or tame, and

WHEREAS, the month of April has been established as “Prevention of Animal Cruelty Month”

NOW, THEREFORE, I, Michael Sweeton, Supervisor of the Town of Warwick, do hereby proclaim April 2014 “PREVENTION OF ANIMAL CRUELTY MONTH” and call upon all residents to treat any and all animals with kindness,

consideration and respect, and to report the abuse, neglect and cruelty of all animals to law enforcement agencies or to the Warwick Valley Humane Society.

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

**#R2014-118 PROCLAMATION – INTERNATIONAL DAY OF CONGENITAL
DIAPHRAGMATIC HERNIA AWARENESS – APRIL 19, 2014**

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

WHEREAS, one in every 2,500 pregnancies are diagnosed with a congenital diaphragmatic hernia (CDH); and

WHEREAS, since 2000, it is estimated that over 500,000 babies have been born with CDH; however, only 50 percent of those babies survived; and

WHEREAS, CDH is as common as spina bifida and cystic fibrosis; however, very few people know about it or are aware of it; and

WHEREAS, 1,600 babies are born with CDH in the United States each year; and

WHEREAS, there are many people living in Orange County, NY who have been diagnosed with and have survived their CDH; although many families in Orange County, NY have endured the horrible pain and grief associated with the loss of loved ones with CDH; and

WHEREAS, those with CDH often endure multiple surgeries, gastric and intestinal problems, developmental delays, and may require respiratory and medicinal support for years; and

WHEREAS, raising awareness of this congenital defect will help bring about acceptance and support for those suffering with it and will help advocate for urgently needed medical research and advances;

NOW THEREFORE, I proclaim April 19, 2014 as the “Day of Congenital Diaphragmatic Hernia Awareness.”

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

Supervisor Sweeton – I would like someone who was actually diagnosed with CDH to come forward with her parents. This is Shay Cuomo with her parents Jennifer and Andrew. Shay is one of the lucky ones; she was diagnosed with this and underwent many surgeries and treatments. Now is a very healthy and loveable young lady. We are honored today to present you with a proclamation.

**#R2014-119 AUTHORIZATION TO SOLICIT BIDS – CONSTRUCTION
MANAGEMENT SERVICES FOR WARWICK PUBLIC TRANSIT
GARAGE**

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to solicit bid proposals for construction management services for the Warwick Public Transit Garage. Notice to bidders and bid specifications may be

obtained from the Town Clerk's office beginning April 2, 2014. Said bids to be opened Friday, May 2, 2014, at 12:00 p.m. at the Town Hall, 132 Kings Highway, Town of Warwick.

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

Discussion: Supervisor Sweeton stated that this is a project that we've been working on with the County and this is being funded through federal transportation funds the County has and they've allocated for this project. This will be a building down essentially behind the recycling center that will house the Warwick Transit Bus System. We are one of the largest bus services of the Dial-A-Bus System. We serve other communities and also manage the Blooming Grove System for them for a fee. This project has been long over due but working with the County we had to make sure we complied with all FTA requirements etc. on the bidding. This bid is for the construction management firm and then they will make sure that the bids for the construction comply with the FTA and then that will go out to bid.

**#R2014-120 AUTHORIZATION FOR USE OF THOMAS P. MORAHAN
WATERFRONT PARK FOR ANNUAL CREW REGATTA**

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to authorize the use of the Thomas P. Morahan Waterfront Park from 2:00 p.m. to 8:00 p.m. on Thursday, May 15, 2014 to the Warwick Valley High School Crew Club for their annual Crew Club Regatta subject to adequate port-a-johns, traffic control, certified lifeguards, safety launch boats, trash removal and overflow parking plans. A Certificate of Insurance is on file in the Town Clerk's Office.
Motion Carried (5ayes, 0 nays) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that this is for crew clubs all over the county that come for this and they love the beach area for this.

**#R2014-121 APPROVAL TO ADD SPRUCE MOUNTAIN, INC. TO LIST OF
QUALIFIED ENERGY STAR COMPLIANCE SPECIALISTS**

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to add Spruce Mountain, Inc. to the Town's list of qualified Energy Star Compliance Specialists.
Motion Carried (5ayes, 0 nays) Supervisor declared this resolution duly adopted.

**#R2014-122 SCHEDULE PUBLIC HEARING – PROPOSED LOCAL LAW TO
AMEND CHAPTER 164, “ZONING” OF THE TOWN CODE OF THE
TOWN OF WARWICK**

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to schedule a public hearing to consider a proposed Local Law to amend Chapter 164, “Zoning” of the Town Code of the Town of Warwick to provide corrections, clarifications and modifications to the Town's Sign Regulations, Stormwater Management Regulations and Zoning Map. Said public hearing to be held on Thursday, April 24, 2014, at 7:15 p.m., or as soon thereafter as the matter may be heard at the Town Hall, 132 Kings Highway, Town of Warwick.
Motion Carried (5ayes, 0 nays) Supervisor declared this resolution duly adopted.

#R2014-123 SPECIAL EVENT PERMIT – MEMORIAL DAY HERO'S RUN –

SCHOLARSHIP FUND

Motion Councilman DeAngelo, Councilman Gerstner to adopt a resolution granting approval to Elizabeth Harmon for use of Town roads to hold a Memorial Day HERO'S Run (5K, 10K & Kid's Run) in memory of LTC Jaimie E. Leonard to be held Saturday, May 24, 2014 from 9:00 a.m. to 1 p.m. A Certificate of Insurance is on file in the Town Clerk's Office. Funds collected from this event are going in a scholarship fund established in her memory.

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

Discussion: Supervisor Sweeton stated that Jaimie was a young Warwick resident who lost her life in service to our country and we're happy to permit this.

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

PRIVILEGE OF THE FLOOR (GENERAL)

Paula Cornine – Resident, Town of Warwick, NY – I was just wondering about the authorization for the use of the Waterfront Park for the Crew Team said they need traffic people. Do they pay for all of this?

Supervisor Sweeton – They stage there and they pay for anything else. If they need a police officer or whatever they pay for the service.

Paula Cornine – Thank you.

**ADJOURN: Motion Councilman DeAngelo, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 7:50 p.m.
03-27-14 CP.**

Marjorie Quackenbush, Town Clerk