

May 8, 2014

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, May 8, 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 – Absent
Councilman Russell Kowal
Councilman James Gerstner
Councilman Mickey Shuback

Deputy DPW Commissioner, William Roe
Police Chief, Thomas F. McGovern Jr.

ACCEPTANCE OF MINUTES

1. Public Hearing, April 24, 2014
2. Public Hearing, April 24, 2014
3. Regular Meeting, April 24, 2014

Motion Councilman Shuback, seconded Councilman Gerstner to accept the minutes as written from the Public Hearings held on April 24, 2014 and the Regular Meeting held on April 24, 2014. Motion Carried (4 ayes, 0 nays & 1 absent – Councilman DeAngelo)

CORRESPONDENCE:

BRENDA ASTORINO – Secretary, Town of Warwick Dept. of Public Works – Memo to the Town Clerk requesting that David Palaj be appointed as a part time seasonal DPW laborer as per the request of Jeff Feagles, DPW Commissioner.

LAUREN KIRKMAN – RMC Municipal Clerk, Township of Vernon – The Town Clerk received Resolution #14-69 adopted by the Council of the Township of Vernon at their regular meeting held on April 28, 2014 at 7:30 p.m. entitled “SUPPORT OF WATER TAX TO FUND THE LOSS OF LAND EQUITY FOR PROPERTY OWNERS IN THE HIGHLANDS REGION.”

JOANNE WILCOX – Bookkeeper, Town of Warwick – The Town of Warwick received a check from the Warwick Soccer Club in the amount of \$3,347.50 which represents ½ of the cost of the new aerator which was recently purchased from Turftime Equipment. A Memo was submitted to the Town Board requesting a budget transfer from Misc. Revenues (A00.2770) to Park Equipment (A00.7110.200) in the amount of \$3,347.50.

BOARD’S DISCUSSION ON CORRESPONDENCE

Supervisor Sweeton stated that we received a check for half of the cost of the new aerator from the Warwick Soccer Club and we thank them for that.

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>
CULVERT PIPES	Old Forge Rd.	Replace 80 ft. of 15 in. pipe
CATCH BASINS	Kosuga Ln.	Repair basin
DRAINAGE	Brady Rd.	Clean ditches
TREE WORK	Hoyt Rd.	Remove branches
POT HOLES	Town wide	As needed
WATER DEPT.	Indian Park	Repair summer system

ENVIRONMENTAL CONSULTANTS REPORT

COUNCILMAN DE ANGELO REPORT – Absent

Chief McGovern – We applied through the State Attorney Generals office for the Nasal Narcan program which allows us to get those kits in town and we will be reimbursed for the cost of those kits, which have been useful on the streets. There is training involved for the police officers to be able to reverse the effects of a heroin or opium overdose and hopefully bring the patient back enough so when the proper medical personnel get there they will do a better job and maybe save a couple of lives. I think it's a good thing and the application has been submitted and approved so I guess we'll know a little bit later on if the full amount we asked for will be granted. I also want to mention that Officer Cossentino and his dog Tank on the 27th of April were asked by the State Police to respond up to Middletown and assist them in tracking some folks who ran from a car stop. The dog tracked into the woods with Officer Cossentino but was unable to locate the persons involved although the dog did recover a handgun that was involved with his keen nose. The State Police were happy and we are very proud of him. I just wanted to let you know that dog has some nose on him.

Supervisor Sweeton – Give our thanks to Officer Cossentino as well and the puppy, I appreciate it. Thank you.

COUNCILMAN KOWAL REPORT

1. With the better weather our parks are starting to shape up. Everything is getting green out there. The sod that we put down a couple of weeks ago at the baseball field in Greenwood Lake is rooting very well and should be ready in a week or so to be put to use and we had very favorable weather for it. The beach is

shaping up nicely, it's not open yet but things are looking good everywhere. I want to thank our DPW for doing a good job sprucing things up. We had a very late spring and not much time to get things in shape but they stepped up and got everything done.

Councilman Shuback – I was with Russ this afternoon and we went to look at it and it surprised me how well it rooted out. A week from tomorrow they can play on it.

Supervisor Sweeton – Thank you, I appreciate that. The beach does open Memorial Day Weekend for weekends only through June 22nd when the school gets out. The parking lot project should start next week as well and that was through a grant through Senator Bonacic and we are working with the village on that.

Councilman Kowal – That will be the permeable pavement surface on that.

Supervisor Sweeton – It won't be permeable, but what we went with is a rain garden basin because we didn't have the resources for the permeable pavers.

COUNCILMAN GERSTNER REPORT

1. As Councilman Kowal stated and thanks to Deputy Commissioner Roe and the crew the parks are in great shape. Our recreation leagues are out there using them and having a great time. I appreciate all the hard work from the guys to get them up and going. The leagues are kicking in full swing.

Supervisor Sweeton – You and I were out there last Saturday and we couldn't get a parking place.

Councilman Gerstner – I mentioned to the Supervisor and the Chief that we almost might need a traffic officer at the entrance to the athletic field because it's tough to get out of that place.

Supervisor Sweeton – It's heavily used on the weekends.

COUNCILMAN SHUBACK REPORT

1. All I have to add is I've had people tell me there are a lot of potholes on town roads. Some are on state and county roads, not all in the town, however there are a lot. I know the road I live on there's at least a half a dozen but you have to be patient because eventually they will get around to everybody. They are maintaining the roads that are used the most first and sometime in the next month I hope they catch up.

Councilman Kowal – Plus I don't think the asphalt plants are working everyday because I go by there frequently and I see it's not in operation some days. That's the only one in the area so if that one is down you can't get the asphalt to fill the potholes to begin with.

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. **Fees Collected – Month of April, 2014** – Wickham Lake Permit Fees, Resident, \$120.00; Wickham Lake Permit Fees, Non-Resident, \$90.00; Wickham Lake Additional Stickers, \$46.00; Wickham Lake Permit Renewals-Resident, \$420.00; Wickham Lake Permit Renewals, \$180.00; Film & Video Production Permit Fees, \$500.00; Copies of Maps, \$20.00; Certified Marriages, \$90.00; Photocopies, \$60.00; Postage, \$1.61; Returned Check Fee, \$20.00; Peddler Permit, \$100.00; Taxicab Permit, \$15.00; Use of Kitchen Fees, \$150.00; Interest in Checking Account for Month of March, \$0.12; Dog Impoundment Fees, \$350.00; Town Park Pavilion Fees, \$75.00; Athletic Field Fee, \$50.00; Marriage License Fees, \$175.00; Bell Jar Permits, \$10.00; Conservation Licenses, \$112.18; Dog Licenses Issued/Renewed, \$2,132.00; Use of Room Fees, \$380.00; Registrar Fees, \$330.00; Waterfront Park Wedding Permit Fee, \$30.00; Town Park Deposits, \$250.00; Little League Field Deposit, \$200.00. **Total Fees Collected: \$10,345.73**

2. **Fees Paid - Month of April, 2014** – NYS Dept. of Health for Marriage Licenses, \$225.00; NYS Dept. of Ag & Markets for Spay/Neuter Program, \$261.00; NYS Dept. of Environmental Conservation for Conservation Licenses, \$2,287.82; State Comptroller for Bell Jar Permits, \$15.00; Village of Greenwood Lake for Registrar Fees, \$30.00; Village of Warwick for Registrar Fees, \$1,600.00. **Total Fees Paid to Supervisor, \$5,926.91**

SUPERVISOR'S REPORT

1. CPF Update - I do not have any monthly receipts for the CPF yet for this month. The County Clerks office have been a little slow in getting those turned around, so we'll report on it at the next meeting.
2. 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:

#R2014-140 ESTABLISH LEAD AGENCY – AMENDING THE CODE OF THE TOWN OF WARWICK CHAPTER 164, “ZONING”

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

WHEREAS, the Town Board of the Town of Warwick is considering adoption of a Local Law Amending the Town Zoning Law entitled Local Law No 4 of 2014, and

WHEREAS, an Environmental Assessment Form (EAF) dated May 1, 2014 was prepared to address the potential environmental effects of the action, and

WHEREAS, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Town Board has determined that the proposed action is a Type 1 action, and

WHEREAS, after examining the EAF, the Town Board has determined that there are no other involved and/or federal agencies on this matter.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby declares itself Lead Agency for the review of this action.

BE IT FURTHER RESOLVED, that a Determination of Significance will be made at such time as all information has been reviewed by the Town Board to enable it to determine whether the action will or will not have a significant effect on the environment.

**Motion Carried (4 ayes, 0 nays, 1 absent – Councilman DeAngelo absent)
Supervisor declared this resolution duly adopted.**

#R2014-141 NEGATIVE DECLARATION – AMENDING CHAPTER 164 OF THE CODE OF THE TOWN OF WARWICK, “ZONING”

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

WHEREAS, the Town of Warwick Town Board is the SEQR Lead Agency for conducting the environmental review of a proposed adoption of a Local Law amending the Zoning Law of the Town of Warwick, Orange County, New York, and

WHEREAS, there are no other involved agencies pursuant to SEQR, and

WHEREAS, the Town Board has reviewed an Environmental Assessment Form (EAF) for the action dated May 1, 2014, the probable environmental effects of the action, and has considered such impacts as disclosed in the EAF.

NOW THEREFORE BE IT RESOLVED, that the Town Board adopts the findings and conclusions relating to probable environmental effects contained within the attached EAF and Negative Declaration and authorizes the Supervisor to execute the EAF and file the Negative Declaration in accordance with the applicable provisions of law, and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to take such further steps as might be necessary to discharge the Lead Agency’s responsibilities on this action.

**Motion Carried (4 ayes, 0 nays, 1 absent – Councilman DeAngelo absent)
Supervisor declared this resolution duly adopted.**

#R2014-142 ADOPT LOCAL LAW #4 OF 2014 – AMENDING THE CODE OF THE TOWN OF WARWICK CHAPTER 164, “ZONING”

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

WHEREAS, a Local Law to amend the Code of the Town of Warwick, Chapter 164-“Zoning” Sections 43.1, 47.10 and 47.32 was introduced on March 27, 2014, and

WHEREAS, a public hearing was held as required by law on April 9, 2014 to consider the adoption of said local law, and

WHEREAS, the Town Board has considered all comments received and has determined that the adoption of the said local law is in the public interest,

NOW, THEREFORE BE IT RESOLVED that the said local law to is hereby adopted and same shall go into effect as provided by law.

Motion Carried (4 ayes, 0 nays, 1 absent – Councilman DeAngelo absent) Supervisor declared this resolution duly adopted.

#R2014-143 APPOINTMENT OF PART TIME SEASONAL DPW LABORER – DAVID PALAJ

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to appoint David Palaj as a part time seasonal DPW laborer at a rate of pay of \$10.50 per hour effective May 10, 2014.

Motion Carried (4 ayes, 0 nays, 1 absent – Councilman DeAngelo absent) Supervisor declared this resolution duly adopted.

#R2014-144 SCHEDULE PUBLIC HEARING – PROPOSED LOCAL LAW AMENDING THE CODE OF THE TOWN OF WARWICK, CHAPTER 106, “PARKS”

Motion Supervisor Sweeton, seconded Councilman Kowal to adopt a resolution to schedule a public hearing to consider a local law amending Chapter 106 of the Code of the Town of Warwick entitled “Parks.” Said public hearing to be held on Thursday, May 22, 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 (4 ayes, 0 nays, 1 absent – Councilman DeAngelo absent) Supervisor declared this resolution duly adopted.

#R2014-145 2015 HUD PROJECTS

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution that the Town of Warwick is hereby submitting the following applications for consideration under the FY-15 Urban County Consortium Community Development Program and that the Chief Elected Official or Executive Officer is hereby authorized to submit these applications. They further certify that they have read and understood the Orange Urban County Consortium Community

Development Guidelines for the FY-2015 program year and have met all of its applicable requirements and that the information contained in the applications is accurate and true to the best of their knowledge:

Winslow Therapeutic Riding Unlimited \$50,000.00
Warwick Valley Community Center \$75,000.00

Motion Carried (4 ayes, 0 nays, 1 absent – Councilman DeAngelo absent) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that these will be submitted to Orange County Community Development and then there's a process that they go through to evaluate and rank and then they award however much they are going to award.

#R2014-146 BUDGET TRANSFER – BOOKKEEPER

Motion Councilman Kowal, seconded Councilman Gerstner to adopt the following Bookkeeper budget transfer:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Misc. Revenues – Check from Warwick Soccer Club (A00.2770)	Park Equipment (A00.7110.200)	\$3,347.50

Motion Carried (4 ayes, 0 nays, 1 absent – Councilman DeAngelo absent) Supervisor declared this resolution duly adopted.

#R2014-147 THOMAS P. MORAHAN WATERFRONT PARK EMPLOYEE APPOINTMENTS FOR 2014

Motion Councilman Kowal, seconded Councilman Gerstner to adopt a resolution to appoint the following to various Thomas P. Morahan Waterfront Park positions for the 2014 season.

<u>APPOINTMENT</u>	<u>POSITION</u>	<u>RATE of PAY</u>
James Crumm	Head Lifeguard	\$11.25/hr.
Grant Gottwig	Senior Lifeguard	\$9.75/hr.
Rafael Warnon	Senior Lifeguard	\$9.75/hr.
Jonathan Warnon	Lifeguard	\$9.50/hr.
Kurt Hefner	Lifeguard	\$9.50/hr.
Dylan Cooney	Lifeguard	\$9.50/hr.
Bryan Holland	Lifeguard	\$9.50/hr.
Jessica Murtie	Gatekeeper	\$9.25/hr.
Jim Dooley	Gatekeeper	\$9.25/hr.
John Drosdowich	Laborer	\$8.25/hr.

Matt Dulgarian	Laborer	\$9.25/hr.
Joseph Astorino	Laborer	\$8.25/hr.
Vinnie Buccafuri	Laborer	\$8.25/hr.

Motion Carried (4 ayes, 0 nays, 1 absent – Councilman DeAngelo absent) Supervisor declared this resolution duly adopted.

#R2014-148 AMENDMENT TO CHAPTER 75 OF THE CODE OF THE TOWN OF WARWICK – SCHEDULE OF FEES – TOWN BOARD FEES

Motion Supervisor Sweeton, seconded Councilman Shuback to adopt a resolution to amend Chapter 75 of the Code of the Town of Warwick, Section C (Town Board Fees) of the Town of Warwick Schedule of Fees effective May 8, 2014 by adding (4) to read as follows:

- (4) Fishing Permit**
 - [a] Town Residents - \$10.00/season**
 - [b] Non-Residents - \$10.00/day**

Motion Carried (4 ayes, 0 nays, 1 absent – Councilman DeAngelo absent) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that this is in relationship to Thomas P. Morahan Park primarily and the permits will be available at the Town Clerks office starting tomorrow for those who would like to take advantage of fishing at Thomas P. Morahan.

BILLS: Motion Councilman Gerstner, seconded Councilman Shuback to pay the bills as audited. Motion Carried (4 ayes, 0 nays & 1 absent - Councilman DeAngelo absent)

PRIVILEGE OF THE FLOOR (GENERAL)

No comments were made under the privilege of the floor by the Town Board or the public.

**ADJOURN: Motion Councilman Shuback, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (4 ayes, 0 nays & 1 absent – Councilman DeAngelo absent) 7:46 p.m.
05-08-14 CP.**

Marjorie Quackenbush, Town Clerk