

May 10, 2012

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, May 10, 2012 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Sweeton called the meeting to order at 3:00 p.m.

ATTENDANCE: Supervisor Michael Sweeton
Councilman Floyd DeAngelo
Councilman Russell Kowal
Councilman James Gerstner
Councilman Mickey Shuback

Town Attorney, John Hicks
DPW Commissioner, Jeff Feagles
Police Chief, Thomas McGovern, Jr.

PRESENTATION: Supervisor Sweeton along with the Town Board presented the Odyssey of the Mind Team from Sanfordville Elementary School who placed first in New York State with a certificate honoring their achievements.

EAGLE SCOUT PROJECT PRESENTATION – Supervisor Sweeton introduced Neil Curran from Troop 45 who gave a presentation for his Eagle Scout project of constructing a sand volleyball court at the Pine Island Park.

ACCEPTANCE OF MINUTES:

1. Public Hearing, 4/26/12
2. Regular Meeting, 4/26/12

Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the Public Hearing held on April 26, 2012 and the Regular Meeting held on April 26, 2012. Motion Carried (5 ayes, 0 nays)

CORRESPONDENCE:

MARCO PEDONE – 15 Weldon Way, Warwick, NY 10990 - Letter to the Supervisor and Town Board requesting to be re-appointed to the Town of Warwick Architectural Review Board.

HELEN M. FORSA – Land Use Administrator, Borough of Ringwood, 60 Margaret King Avenue, Ringwood, NJ 07456 – Please take notice that the Planning Board of the Borough of Ringwood will hold a Public Hearing at its Regular Meeting to be held on Monday, May 14, 2012 at the Violet E. Bogert Municipal Annex, 60 Margaret King Avenue, Ringwood, New Jersey at 8:00 p.m. The purpose of the meeting is to adopt the 2012 Master Plan Reexamination Report of the Borough of Ringwood.

JEFFERSON BELL – 137 West 15th Street, Apt. 1, New York, NY 10011 – Letter to the Town Clerk requesting to be appointed as a Town of Warwick Marriage Officer.

JOHN KEZEK – Dispatcher, Town of Warwick Police Department – Letter to Police Chief McGovern announcing his resignation.

THOMAS F. MCGOVERN, JR. – Police Chief, Town of Warwick Police Department – Memo to the Supervisor and Town Board requesting a budget transfer in the amount of \$275.00 from Brad C. Harm into the Police Budget Line B02-3120.420.

REV. JOSEPH M. TOKARCZYK – Pastor of St. Stanislaus Church, 17 Pulaski Highway, Pine Island, NY 10969 – Letter to the Supervisor asking that the building permit fee be waived for improvements they are making on the church in preparation of their 100th anniversary celebration with Cardinal Timothy Dolan.

BOARD’S DISCUSSION ON CORRESPONDENCE

Supervisor Sweeton stated that he received a letter from Governor Cuomo saying he received our correspondence on the wetlands and that he would pass those concerns onto the DEC.

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

ENVIRONMENTAL CONSULTANTS REPORT

DEPARTMENT OF PUBLIC WORKS REPORT

<u>WORK BEING DONE</u>	<u>LOCATION</u>	<u>REASON FOR WORK</u>	<u>LENGTH</u>
CULVERT PIPES OPERATION	101 Iron Mountain Rd.	Replace pipe	30 ft.15 In.
CLEAN SWEEP	Town wide	Pick up debris	
CATCH BASINS	Wilhelm Dr.	Repair basin	
TREE WORK	Hoyt Rd.	Clear right-a-way	
	Wheeler Rd.	Clear right-a-way	
ROAD SIGNS HAUL MATERIAL	Town wide	As needed	
		Haul 1/4" stone to stockpile	
WATER DEPT.	Airport Rd.	Brush right-a-way	

COUNCILMAN DE ANGELO REPORT

- 1. For the month of April the Post Report is as follows: Greenwood Lake had 218 calls, the Town outside the Village had 804 calls, Pine Island 244 calls and the Village of Warwick had 665 calls for a total of 1,931 calls for the month of April.**
- 2. I also have a copy of a booklet “Community Resource Program” that the police department puts together with the help of various advertisements. It will be**

available here, the libraries and the senior citizen centers and most importantly on the inside cover there are important phone numbers. There are some very helpful tips inside and it explains different crimes and what you should do about them. It's really very nice.

3. Suzyn Barron at the Warwick Humane Society states that on May 19th at 6:00 p.m. at the Colonial Lanes in Chester they're having a bowl-a-thon for animals available on site for adoption. There will be live music, pet photos, games, etc and there will be numerous humane societies there from around the county to help raise awareness for the shelters.
4. The Warwick Valley Humane Society asked me to make an announcement that they are having their "Who Let the Dogs Out" which is being held on Saturday, June 19th at the Applewood Winery, rain or shine. There are different contests and you can bring your dog and the contest will include best costume, best kisser, best tail wagger, best tricks, etc. and there will be different vendors and photos for your dogs at the Applewood Winery, 82 Four Corners Road on Saturday, June 19th at 11:00 a.m. It's \$10 per person and children under 14 it's \$1 and all proceeds to benefit the Warwick Humane Society. They are having a dog photo contest and you can mail your favorite picture in; it's a fee of \$10 and there are different categories special senior, favorite friend, precious pup, silly kitty, fancy feline, cat-a-tude and perfect pose.
5. There is a clothing and linen fundraising sale on May 19th and 20th from 10:00 a.m. until 4:00 p.m. at the Warwick Humane Society. Donations of new and gently worn items are needed of baby, children and adult clothing and accessories such as belts, purses, handbags, etc., all kinds of household items such as linens, sheets and towels and you can bring that to the clothing and linen sale.
6. On Saturday, May 19th from 10:00 a.m. until 2:00 p.m. the Greenwood Forest Farms Association is honoring Mr. Sweeton and Cedric Glasper at their annual spring luncheon. The tickets are \$50 per person and you can call 845-544-7264 and this is their annual fundraiser.

COUNCILMAN KOWAL REPORT

1. When I was out on Monday it looked like most of the soil was screened by Greenwood Lake; at least three quarters of it looked done. The machine is scheduled for tomorrow for the water line crossing on Union Corners Road.
2. On June 2nd at the Pine Island Park at 9:00 a.m. the Warwick Valley Gardner's Club is going to have a plant sale for the first time and we hope the weather and the turnout is good for them. We are very excited to have them over there.

COUNCILMAN GERSTNER REPORT

1. We have a letter from Cablevision stating that they are going to be eliminating the analog service starting next month. Cablevision will begin eliminating duplicate analog feeds of programming channels in the broadcast basic and family tiers in our region. The transition will be rolled out beginning June 5th, 2012. The vast majority of Cablevision video customers that already prescribed to the company's digital service and have set top box households will experience

no changes. To each customer transition all digital will extend promotional offers for free, set top boxes and cable cards to existing customers including municipal accounts to ensure uninterrupted availability of programming. If you have any questions you can go on line to www.optimum.com and there will be a separate mailing at least 30 days in advance to each change to all of the customers.

2. This past weekend the Council and I were able to attend for the Town two ceremonies, one for a gold star award for a girl scout and two eagle awards for boy scouts. All of the Councilmen were there and also Judge DeAngelo. It was a very good time and a nice turnout for the Town.

COUNCILMAN SHUBACK REPORT

1. The DPW is cleaning right-of-ways and they were working on Mt. Eve Road. I assume, but I haven't spoken to Jeff yet, but that's the plan to narrow that roadway isn't it, because the state law demands you don't have a 75' corner so they have to make it narrower for safety purposes.

ATTORNEY'S REPORT

1. Please forgive me for missing several meetings while I was away in Florida but the Supervisor kept me busy with issues with the Mid Orange Correctional Facility which I know the Supervisor will have a report on later in the meeting.

TOWN CLERK'S REPORT

1. **Fees Collected – Month of April, 2012** – Wickham Lake Permit Fees, Resident, \$300.00; Wickham Lake Permit Fees, Non-Resident, \$150.00; Wickham Lake – Additional Stickers, \$32.00; Wickham Lake – Key Replacement, \$20.00; Wickham Lake Permit Renewal-Resident, \$310.00; Wickham Lake Permit Renewal, Non-Resident, \$60.00; Public Entertainment Permit, \$225.00; Copies of Maps, \$30.00; Certified Marriages, \$70.00; Photocopies, \$10.75; Returned Check Fee, \$20.00; Peddlers Permit, \$100.00; Use of Kitchen Fees, \$50.00; Interest in Checking Account for Month of March, \$0.46; Dog Impoundment Fees, \$530.00; Town Park Pavilion Fees, \$125.00; Athletic Field Fee, \$50.00; Marriage License Fee, \$157.50; Conservation Licenses, \$88.45; Dog Licenses Issued/Renewed, \$1,939.00; Use of Room Fees, \$100.00; Registrar Fees, \$250.00; Police Impound Fee, \$130.00; Sale of Used Police Vehicle, \$2,775.00; Town Park Deposits, \$150.00; Waterfront Park Group Deposit, \$150.00. **Total Fees Collected: \$11,165.21**
2. **Fees Paid – Month of April, 2012** – NYS Dept. of Health for Marriage License, \$202.50; NYS Dept. of Ag & Markets for Spay/Neuter Program, \$234.00; NYS Dept. of Environmental Conservation for Conservation Licenses, \$1,515.55; Village of Florida for Registrar Fees, \$30.00; Village of Greenwood Lake for Registrar Fees, \$100.00; Village of Warwick for Registrar Fees, \$1,260.00. **Fees Paid to the Supervisor, \$7,823.16**
3. I want to remind everyone that the statewide ban on open burning is still in effect until May 15th. I know we've had a lot of rain lately but it's still in effect. Even after it's lifted only farmers are allowed to burn. The general public can have a small campfire

being no larger than 3' in height by 4' feet in length. You can have a small cooking fire, you can only burn charcoal or clean untreated, unpainted wood and ceremonial and celebratory bonfires will be allowed.

4. The Warwick Fire Department Auxiliary Station 1 is holding a blood drive on May 17th from 3:30 p.m. until 8:00 p.m. and for everyone who donates you will be given two tickets to see the Mets at City Field.

Councilman Shuback – Even farmers that are allowed to burn don't they have to notify the fire department in the district that they're in that they are burning?

Town Clerk – We tell them to notify the police department so they're aware that someone is burning.

SUPERVISOR'S REPORT

1. We did just receive the receipts for the past months' Community Preservation Fund for April and the total was \$35,535.28 which brings the total balance in the fund to \$2,394,276.77. It's a little less than an average month but still strong considering the market.
2. The Mid Orange Correctional Facility Update - I just want to let the public and Board know that we've been in almost daily contact with the agencies in New York; they have a prospect that is looking for a portion of the site. We've been working with them to help facilitate from our end this attraction of this potential company that will produce some jobs and certainly tax revenues and investment in the community. Those negotiations are ongoing and we're working closely with the State. Attorney Hicks and I and some other members of the committee have been tapped for various resources, so that's progressing and hopefully we'll have some news; maybe by our next meeting.
3. Regional Council CFA Announcement - That's that consolidated funding announcement application. They are taking another round and as you know Governor Cuomo's streamlining of how the State dispenses grant money as it all funnels through these regional councils. We're looking at it, we being the Town of Warwick, its development efforts in terms of what happens to the prison site so we may be trying to put an application together to get some of those funds. The applications are due in July of this year.
4. Revised Stormwater Regulations - You'll have received or will receive shortly a revision to the section of our town code that deals with stormwater regulations. To try to facilitate to make it a little easier for smaller applicants who are coming in to do less than the thresholds that are in the regulations now that require them to do a full blown stormwater pollution prevention plan. It will still provide the necessary protections but it will be a little bit more streamlined for type one or two acre disturbances, so you'll have a copy of that to look at and we'll have to have a hearing and a revision to the code.
5. The Former Hannaburgh Site - I don't know if you remember where this is off of Penaluna Road. Mr. Hannaburgh ran an illegal wood processing facility for years which the Town was finally successful in shutting down. It's been in limbo; a person had bought it with the intention to do a subdivision but there's

an extensive amount of material still on the site and we had gone to the Supreme Court to get an injunction against them grinding it up on site because it's adjacent to residential neighborhoods. We felt it wasn't the proper place for them doing that and we asked them to remove the material off site for processing. The DEC is holding a hearing because the DEC also fined Mr. Hannaburgh and the subsequent owners and they are holding a hearing. We had a site visit with them and we began to get the shape of a cooperative agreement with the landowner to remove the material in a safe way and that's progressing just so you know that.

6. The Dog Park - I got a call from the brownie troop that's involved in raising the money for that effort out at Union Corners and they have reached their goal. They are going to be in touch with our park group to put a fence around the area that's been cleared and setup for the dog park in Union Corners. We are excited about that and we'll have more information as that comes forth.
7. Meeting Date Changes - I don't know what happened this year. I guess when you set the schedule in January it is to be expected but we're moving the May 24th meeting to May 31st and that's still a Thursday at 7:30 p.m. the same time and then of course we already moved the July 12th meeting to July 19th again at 7:30 p.m. That will be posted on the website for people to know.
8. I did review all the journal entries this month and signed off on them. They were all proper and in order.
9. 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:

**#R2012-141 AMEND #R2012-137 - EAST ARM ROWING CLUB TO HOST
"LEARN TO ROW" REGATTA" – THOMAS P. MORAHAN
WATERFRONT PARK**

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to amend #R2012-137 by changing "Learn to Row" Regatta to "Head Race" at the Thomas P. Morahan Waterfront Park on September 28 and 29, 2012 pending receipt of Certificate of Insurance and adequate emergency service personnel and lifeguards.

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

Discussion: Supervisor Sweeton stated that this was a question that the Mayor of Greenwood Lake raised at our last meeting. Their application said "Learn to Row" but it was not a "Learn to Row" regatta so it's still in order and we amended this.

#R2012-142 2012 THOMAS P. MORAHAN WATERFRONT PARK BEACH FEES

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to set the Thomas P. Morahan Waterfront Park Beach fees for the 2012 season as follows:

TYPE	TOWN	
	RESIDENT	NON-RESIDENT
Family Season Pass	\$110	\$200
Senior Season Pass (55+)	25	60
Adult Season Pass	50	100
Child Season Pass (5-18) (under 5 free)	25	60
Daily Pass	4	10
Town Resident Guest Pass	4	--
Commercial Season Pass (Motels, Hotels, B&Bs)	60	--
Not-for-Profit	2	--

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

#R2012-143 THOMAS P. MORAHAN WATERFRONT PARK EMPLOYEE APPOINTMENTS – 2012

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to appoint the following to various Thomas P. Morahan Waterfront Park positions for the 2012 season.

APPOINTMENT	POSITION	RATE of PAY
Kaitlyn Roche	Beach Manager	\$14.00/hr.
Thomas Hanson	Head Lifeguard	\$11.25/hr.
Connor Blaine	Senior Lifeguard	\$10.25/hr.
Grant Gottwig	Lifeguard	\$9.75/hr.
James Crum	Lifeguard	\$9.75/hr.
John Ehret	Lifeguard	\$9.75/hr.
Christine McCormick	Lifeguard	\$9.50/hr.
Rafael Warnon	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.

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

#R2012-144 RE-APPOINTMENT TO ARCHITECTURAL REVIEW BOARD – MARCO PEDONE

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to re-appoint Marco Pedone to the Architectural Review Board for a three year term expiring May 24, 2015.

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

#R2012-145 RE-APPOINTMENT TO ARCHITECTURAL REVIEW BOARD – CHRISTOPHER COLLINS

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to re-appoint Christopher Collins to the Architectural Review Board for a three year term expiring May, 13, 2015.

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

#R2012-146 CONTRIBUTION TO VILLAGE OF GREENWOOD LAKE – FIREWORKS

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to contribute \$500.00 from the Celebrations account to the Village of Greenwood Lake towards the fireworks display.

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

Discussion: Supervisor Sweeton stated that they put a great show on over the lake and a great viewing from the beach.

#R2012-147 BUDGET TRANSFER – POLICE DEPARTMENT

Motion Councilman DeAngelo, seconded Councilman Shuback to adopt a resolution to approve the following Police Department budget transfer:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Check from Brad Harm	Firearms/Ammo (B02.00.3120.420)	\$250.00

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

#R2012-148 ACCEPT RESIGNATION – JOHN KEZEK

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to accept the resignation of part-time Dispatcher, John Kezek, effective May 1, 2012.

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

#R2012-149 AUTHORIZATION TO SIGN AGREEMENT WITH DATA TEAM SYSTEMS INC. – INTEGRATION OF EMPLOYEE TIME CLOCKS WITH THE TOWN'S PAYROLL SERVICE

Motion Councilman Kowal, seconded Councilman Gerstner to adopt a resolution to authorize the Supervisor to sign an agreement with Data Team Services Inc. to provide the necessary licenses and software to integrate employee time clocks with the Town's payroll service.

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

Discussion: Councilman Gerstner stated that we are still working with them on that and once that's finalized we'll get that going. We are looking to do a pilot program and move on with that.

Supervisor Sweeton – Thanked Councilman Gerstner for his helping getting it set up.

#R2012-150 NYS WETLANDS MAPS – REQUEST TO GOVERNOR THAT WOULD ALLOW NYS DEC TO REGULATE WETLANDS BASED ON ACTUAL FIELD CONDITIONS RATHER THAN THE AERIAL SURVEYING METHOD CURRENTLY BEING USED

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

WHEREAS the NYS DEC has initiated an effort to update the NYS wetlands maps and:

WHEREAS these maps were generated via aerial surveying with little actual field verification and;

WHEREAS there are documented inaccuracies in this method of wetlands mapping and;

WHEREAS no projects either planned or as yet not built will be grandfathered from the new maps which will cause added expense and delay for new business expansion and;

WHEREAS is it estimated that potentially 16,000 additional acres in Orange County will be affected, removing valuable land from economic development potential and:

WHEREAS this reduction in economically viable land is directly contrary to Governor Cuomo's objectives of making NYS "Open for Business" ;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Warwick hereby requests that the Governor instruct the NYS DEC to suspend the process that would issue these maps, thus making them official and initiate the process to assume the 404 Permit Program from the ACOE which would allow NYS DEC to regulate wetlands based on actual field conditions, save NYS residents time, effort and money while effectively protecting our vital wetlands without diminishing potential lands for economic development.

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

Discussion: Supervisor Sweeton stated that this is all the data that everyone looked at.

**#R2012-151 WAIVER OF BUILDING PERMIT FEE – ST. STANISLAUS
CHURCH**

Motion Councilman Shuback, seconded Councilman Kowal to adopt a resolution to waive the building permit fee for the St. Stanislaus Church, Pine Island for improvements they are making to celebrate their 100th anniversary with Cardinal Timothy Dolan.

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

BILLS: Motion Councilman Shuback, seconded Councilman Gerstner 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 DeAngelo, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 3:31 p.m.
05-10-12 CP.**

Marjorie Quackenbush, Town Clerk