

June 9, 2016

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, June 9, 2016 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

**Attorney for the Town, Jay Myrow – Absent
DPW Commissioner, Jeffrey Feagles
Police Lieutenant, John Rader**

ACCEPTANCE OF MINUTES

1. Regular Meeting, May 26, 2016

Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the Regular Meeting held on May 26, 2016.

Motion Carried (5 ayes, 0 nays)

CORRESPONDENCE:

JONATHON HULL – Applewood Winery LLC, Warwick, NY 10990 - Letter to the Town Clerk informing the Town that they will be renewing their liquor license for Wine/Cider for the period of May 31, 2016 to June 30, 2019.

PRISCILLA GERSBECK – Town Clerk, Town of Goshen, NY – Notice of Special meeting of the Goshen Town Board scheduled for Tuesday June 14, 2016 at 7:30 pm at the Orange County Emergency Services Center located at 22 Wells Farm Road, Goshen, NY. The presentation will outline project details for a proposed LEGOLAND Park in the Town of Goshen.

GILES HAYSOM – Warwick Resident, Letter to Supervisor and Town Board requesting a special event permit to hold an outdoor music festival on Colonies Farm at 18 Blooms Corners Rd. on August 20, 2016 (Rain date August 27th) This is a repeat of an event permitted in 2011 and 2012.

GEORGE AULEN – Planning Board Chairman, Village of Warwick. Notice of Public Hearing to be held on June 20, 2016 at 7:30pm, or soon thereafter as the matter can be heard that day, at the Village Hall 77 Main Street, Warwick, NY on

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the application of Michael J. Newhard and Judy Pederson, for Conditional Use and Final Site Development Plan Approval for an accessory apartment at the existing residential lot.

LAUREN E. KIRKMAN – Officer of the Municipal Clerk and Registrar of Vital Statistics, Township of Vernon New Jersey. Letter to Supervisor and Town Board regarding Ordinance 16-14- An Ordinance of the Township of Vernon Authorizing Correcting the Zoning Map for Block 141 Lot 12.02 to be included in the C-3Zone. The public hearing for this ordinance will be held on June 27, 2016 at 7:30 p.m. in the Municipal Building, 21 Church Street, Vernon, NJ 07462 at which time all persons interested will be heard.

TODD VOGEL – Resident, Town of Warwick, NY 10990 - Letter to the Supervisor and Town Board requesting to be reappointed to the Town of Warwick Conservation Board.

MICHAEL CORSO- Consumer Advocate and Director, Office of Consumer Services. Letter to Supervisor and Town Board in reference to New York State Public Service Commission sponsoring public statement hearings regarding increases to water rates proposed by Suez Water New York (SWNY), formally United Water, New York.

NEIL L. WINTER JR. – Orange and Rockland, Letter to Supervisor and Town Board regarding Orange & Rockland new projects, energy efficiency designed to beat the heat- Orange/Sullivan.

JEFFREY L. HERTER- Division of Community Resilience and Regional Programs, Office of Planning & Development. Letter to Supervisor and Town Board regarding The Gateway.

SUE GARDNER- Historical Society, Warwick. Memo to Town Board and Residents regarding a Grant Writing Crash Course for Nonprofits. The course will be offered on Saturday, September 17, 2016 at 9:30-4:30 pm at Albert Wisner Public Library located at 1 McFarland Drive.

BOARD'S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

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Culvert Pipes	Old Ridge Rd	Replace 30'x12" existing pipe	Town
	Fox Ln.	Replace 40'x72" existing pipe	Town
	Hedges Rd.	Replace 40'x36" culvert pipe	Town
Drainage	Fox Ln.	Install swale	Town
Ditch Work	Cascade Rd.	Clean ditch	Town
Pot Holes	Town Wide	Fill as Needed	Town
Vehicle Maint.	As Needed		Town
Emerg. Repairs	As Needed		Town
Road Signs	Town Wide	Repairs as Needed	Town
Haul Material	Union Corners Road	Haul Ditch Dirt	Town
Catch Basins	Village Wide	Vac out Basins	Village of GWL
Drainage	Church Street	Install stone shoulder to collect water	Village of GWL
Pot Holes	Village Wide	Patch as needed	Village of GWL
Vehicle Maint.	As Needed		Village of GWL
Emerg. Repairs	As Needed		Village of GWL
Road Signs	Village Wide		Village of GWL
Water Dept.	Windermere Ave.	Replace Curb Box	Village of GWL

PARKS DEPARTMENT

Wickham Woodlands	Mowing	Along Lake, Road, & Ball Field Weekly
		Larger Fields As Needed
GWL Beach	Mowing	As Needed
	Beach	Open Weekends (doing well)
Pine Island Park	Mowing	As Needed
		June 18th Grand Opening Celebration of the Little Free Library
Union Corners	Mowing	As Needed

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Park		
	Hauling Ditch Dirt	In Low area behind Roller Rink
Airport Park	Mowing	As Needed

ENVIRONMENTAL CONSULTANTS REPORT

COUNCILMAN DE ANGELO REPORT

1. The Post Report for May, 2016 is as follows: Greenwood Lake had 244 calls, the Town outside the Village had 939 calls, Pine Island had 391 calls and the Village of Warwick had 713 calls for a total of 2,287 for the month of May. We received a letter from a lady from Glenwood New Jersey who had an interaction with Officer Sean Beatty and she wanted to commend us for hiring such a wonderful police officer. It was great to see how professional and compassionate he was to both me and my daughter.

2. June is “Adopt A Cat Month” at the Warwick Valley Humane Society and you can play cat lotto to receive a discount toward the cat adoption fee. There is a rabies clinic June 12th from 10:00 a.m. until 2:00 p.m. for \$15 per pet cash only. From June 22nd to June 25th the Warwick Valley Humane Society will have a table at the Warwick Fire Department Carnival. There will be a Kitten Shower on Sunday, June 26th from 1:00 p.m. to 3:00 p.m. at the Warwick Valley Humane Society and there is a kitten registry at smileamazon.com and please remember to choose the Warwick Valley Humane Society you shop at smile amazon because they receive proceeds from every purchase. The shelter would like to bring to the Town Boards attention the sincere gratitude to our DPW for their constant daily help of maintaining the shelter property. We are overwhelmed by their caring and always looking out for our shelter pets especially our dogs who have a beautiful new backyard. They are in dire need of pate canned cat food, pine pellets, paper towels and cat treats.

COUNCILMAN KOWAL REPORT

1. Our parks are open on the weekends so far and on June 18th at the Pine Island Park they are going to open a Little Free Library which starts at 10:00 a.m. and there will be a little ceremony for that.

2. In our farming areas there are farmers around and out with their machinery the planting is almost done in the black dirt area, but there are other farmers harvesting hay so be mindful that if your behind a tractor and there is a double line it is not a safe place to pass. Please don’t endanger the farmer or yourself trying to pass in a place you should not pass. The tractors are slow but it doesn’t mean you can pass in a no passing zone. We’ve had a couple serious farmer and tractor accidents in Pine Island over the years so if you’re behind tractors just enjoy the farm scene.

COUNCILMAN GERSTNER REPORT

1. The Albert Wisner Library also will be having the Little Library celebration on Saturday at 12:00 p.m. at the library.

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2. The Warwick Fire Department will be having their Carnival from June 22nd until June 25th and the fireworks are scheduled for the 25th at 10:00 p.m.
3. For the residents to be aware the Wickham Woodlands Manor the old quality of life building is available for the public.

COUNCILMAN SHUBACK REPORT

1. The Highway Department is never going to run out of work they are replacing the old metal pipe culverts with new plastic ones.

ATTORNEY'S REPORT – Absent

TOWN CLERK'S REPORT

1. Fees Collected – Month of May, 2016 – Wickham Lake Permit Fee \$140.00, Wickham Lake Permit Fee Non-Res., \$120.00; Wickham Lake Additional Stickers, \$6.00; Wickham Lake Permit Replacement Keys., \$40.00; Wickham Lake Permit Renewals, Res., \$160.00; Wickham Lake Permit Renewal, Non-Res., \$80.00; Wickham Woodland Res Access, \$18.00; Wickham Woodlands Non-Res Access, \$25.00; Film Production Permit Fee, \$500.00; Copy of Map, \$125.00; Marriage Certified, \$150.00; Photocopies, \$51.75; Postage, \$.47; Use of Senior Center Kitchen, \$50.00; Use of Senior Center, \$50.00; Interest in Town Clerk's Checking Account \$.51; Town Park Pavilion Fees, \$150.00; Marriage License Fees, \$420.00; Bid Spec Fees, \$50.00; Road Maps, \$6.00; Conservation Licenses, \$103.30; Wickham Woodland Manor Deposit, \$200.00; Wickham Woodland Manor Deposit, \$500.00; Wickham Woodland Manor Fee, \$375.00 Dog Licenses Issued/Renewed, \$1,864.00; Use of Court Room, \$40.00; Registrar Fees, \$250.00; WF Park Non-Res Fishing Permit, \$40.00; WF Park Daily NR, \$840.00; WF Park Daily R, \$505.00; WF Park NR Family Season Pass, \$450.00; WF Park R Adult Season, \$150.00; WF Park R Child Season, \$ 50.00; WF Park R Family Season Pass, \$3,120.00; WF Park R Senior Season Pass, \$525.00; WF Park Wedding Permit Fee, \$30.00; WF Park R Fishing Permit, \$10.00; Town Park Deposits, \$250.00; Waterfront Park Group Deposit, \$150.00. Total Fees Collected: \$11,665.03
2. Fees Paid – Month of May, 2016 – New York State Dept. of Health for Marriage Licenses, \$540.00; New York State Dept. of Ag & Markets for Spay/Neuter Program, \$229.00; New York State Dept. of Environmental Conservation for Conservation Licenses, \$2,552.70; Village of Florida for Registrar Fees, \$20.00; Village of Greenwood Lake for Registrar Fees, \$120.00; Village of Warwick for Registrar Fees, \$1,280.00. Total Paid: \$4,741.70

SUPERVISORS REPORT

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1. The Community Preservation Fund receipts for the month of May were \$69,836.37 and the total balance in the fund to date is \$3,596,224.19 and we have 8 farms in pipeline at various stages of the process for land preservation. That is also positive and the fact that we have the preservation fund helps to bring those to fruition and we are grateful for those receipts for the month.

2. Citizens Preparedness Training Event is going to be held on Thursday, June 30th, tentatively at 7:00 pm. This is a program from the New York State Department of Homeland Security in conjunction with the New York National Guard and we will be having 2 national guards here that evening to educate residents on how to prepare for those natural disaster events and what you need to have in a personal kit as well as things you need to do to stay informed and to be safe in those situations. For example during Hurricane Irene where there were areas of the town isolated for weeks. I think it's going to be good and we are going to publicize it and get the word out. I will know first thing in the morning and I will get that information out on our website and certainly to the press to confirm the Thursday evening June 30th date and it will be right here in this room. I hope to get a pretty good turnout of our residents. We thank the state and the National Guard for coming in and doing that.

3. Just a reminder that larviciding is going on by the county through a private contractor here in Orange County and the contractor is Pest Master Services and they will have ID and they will be going around treating catch basins. They were in the Florida area last week, they should be in the Greenwood Lake area this week and part of next and then in the Village and Town of Warwick the first week of July. They are also monitoring, there are students from OCCC monitoring mosquito traps around and keeping a very close eye on surfacing of the Zika virus which has not surfaced to date in Orange County.

4. I want to remind residents that Glenmere Avenue is closed at the Mayor Harter Drive while they do reconstruction of the dam at the Glenmere Lake and they anticipate that area will be closed through September. Just be aware if you try and use that as a shortcut to get over to Chester you're not going to be able to.

5. The journal entries for the month of May were reviewed and presented to me from our comptroller and they were all in order and all paid.

6. Supervisors Corner is published each week in the Warwick Dispatch, with excerpts printed in the Warwick Advertiser and our website and facebook page for updated information.

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

There were no comments or questions on the agenda items.

NEW BUSINESS:

#R2016-157 SPECIAL EVENT PERMIT – OUTDOOR MUSIC FESTIVAL GILES JAM 2016

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a

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resolution granting approval to Giles Haysom to hold an outdoor music festival at 18 Blooms Corners Road, Warwick to be held Saturday, August 20, 2016 (Rain date August 27th) from 2:00 p.m. to 11:00 p.m. pending approval from the Chief of Police and receipt of Certificate of Insurance.

Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that he has held this several times and everything has been fine with it.

#R2016-158 RE-APPOINTMENT TO CONSERVATION BOARD – TODD VOGEL

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to reappoint Todd Vogel to the Conservation Board for a three-year term to expire June 1, 2019.

Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton thanked him for his service.

#R2016-159 SEQR- WVOCTP WATER TANK REFURBISHMENT

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

Whereas, the Town Board of the Town of Warwick has proposed refurbishing an existing water tank on the former Mid-Orange Correctional Facility lands for the purpose of improving infrastructure and repairing the former prison water system in order to facilitate the attractiveness of the site for economic development, and

Whereas, the Town of Warwick has pursued New York State Environmental Facilities Funding in order to facilitate the water tank refurbishment, and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Town Board has determined that the proposed project is a Type 2 Action that meets the threshold found in 6 NYCRR 617.5(c)(1) and, therefore, SEQR does not apply.

Now Therefore Be It Resolved, that the Town Board hereby declares that no further review under SEQR is required.

Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#2016-160 BOND RESOLUTION OF THE TOWN OF WARWICK, ADOPTED JUNE 9, 2016, APPROPRIATING \$910,000.00 FOR THE WATER TANK RECONSTRUCTION IN THE WVOTCP WATER DISTRICT IN SAID TOWN AND AUTHORIZING THE ISSUANCE OF \$910,000.00 SERIAL BONDS TO

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FINANCE SAID APPROPRIATION AND AUTHORIZING ANY AMOUNTS RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR THE REDEMPTION OF SAID BONDS ISSUED THEREFOR.

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

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project;

NOW THEREFORE,

BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WARWICK IN THE COUNTY OF ORANGE, NEW YORK, (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$910,000.00 for the reconstruction of the water tank of the District, all in accordance with the plan and estimate prepared by duly licensed engineers of the State of New York, on file in the office of the Town Clerk and hereby approved. The estimated maximum cost of said specific object or purpose, including preliminary costs, cost of maps, plans, surveys, estimates, advertisements, legal documents and costs incidental thereto and the financing thereof, is \$910,000.00 and the plan of financing includes the issuance of \$910,000.00 serial bonds of the Town and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the District to pay the principal of said bonds and the interest thereon so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same and the establishment and collection of water rents, pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair and any amounts received from the State of New York acting through the Environmental Facilities Corporation, shall be expended towards the cost thereof.

Section 2. Serial bonds of the Town are hereby authorized to be issued in the principal amount of \$910,000.00 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

- a) The period of probable usefulness of the aforesaid specific object or**

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purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00a.1 of the Law, is forty (40) years.

b) Current funds are not required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes in anticipation of the sale of such bonds, pursuant to the provisions of Section 107.00d.3 of the Law.

c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any notes in anticipation thereof shall contain recital of validity prescribed by Sec. 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds to mature in each year and (b) the payment of interest to be due and payable in each year.

Section 5. Subject to the provisions of this resolution and of the Law, and pursuant to the provision of Sec. 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Sec. 50.00 and Sec. 56.00 and 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose of which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication or

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(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

Section 8. The object or purpose described in Section 1 hereof has been determined to be a Type II action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act.

Roll Call:

x Supervisor Sweeton x Councilman DeAngelo x Councilman Kowal

**x Councilman Gerstner x Councilman Shuback
Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.**

#R2016-161 AMEND RESOLUTION # 2016-150 APPROVAL OF FILM AND VIDEO PERMIT APPLICATION – MESQUITE PRODUCTIONS INC.

Motion Councilman Gerstner, seconded Councilman DeAngelo to amend resolution#2016-150 to change the date for a Film and Video permit application submitted by Casey Stanton for the purpose of filming at 75 Bellvale Lakes Road, Town of Warwick from June 2, 2016 to June 10, 2016. Pending Payment, Chief of Police Approval and Proof of Insurance.

Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2016-162 RESOLUTION TO AUTHORIZE AND DIRECT TOWN CLERK TO PUBLISH BOND RESOLUTION

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

Section 1. The Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in the Warwick Valley Dispatch, a newspaper published in Warwick, New York, the official newspaper of said Town and having a general circulation therein, together with Notice attached in substantially the form as prescribed by Sec. 81.00 of the Local Finance Law of the

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State of New York.

Section 2. This resolution shall take effect immediately.

Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2016-163 RESOLUTION TO AUTHORISE SUPERVISOR TO SIGN PROFESSIONAL SERVICES AGREEMENT

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to authorize the Supervisor to sign a Professional Services Agreement with the Laberge Group for a preliminary engineering report in support of the 2016 Round 2 NYS Water Grant in the amount not to exceed \$4,000.00.

Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2016-164 RESOLUTION TO AUTHORISE SUPERVISOR TO FILE GRANT APPLICATION – ENVIRONMENTAL FACILITIES CORPORATION

Motion Supervisor Sweeton, seconded Councilman Gerstner to authorize the Supervisor to file a grant application with the Environmental Facilities Corporation for Drinking Water Round 2 Grant in the amount of \$908,000.00 for the refurbishment and maintenance of the WVOTC water tank.

Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2016-165 THOMAS P. MORAHAN WATERFRONT PARK EMPLOYEE APPOINTMENTS FOR 2016 – NICHOLAS EARL AND GARRETT DOHERTY

Motion Councilman Kowal, seconded Councilman Gerstner to adopt a resolution to appoint Nicholas Earl and Garrett Doherty as lifeguards at a rate of \$10.00 per hour at Thomas P. Morahan Waterfront Park for the 2016 season.

Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2016-166 THOMAS P. MORAHAN WATERFRONT PARK EMPLOYEE PROMOTION- ALEX PIZZO

Motion Councilman Kowal, seconded Councilman Gerstner to adopt a resolution to promote Alex Pizzo from Lifeguard to a Senior Lifeguard effective immediately at a rate of \$10.25 per hour at Thomas P. Morahan Waterfront Park for the 2016 season.

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Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2016-167 MEMORANDUM OF AGREEMENT- C.S.E.A.

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution hereby approving the Memorandum of Agreement and the preparation of a contract between the Town of Warwick and CSEA Local 1000 AFSCME, AFL-CIO Town of Warwick Unit, Orange County Local 836, dated June 9, 2016 commencing January 1, 2016 for a four-year period expiring December 31, 2020. Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton thanked Councilman DeAngelo and Councilman Shuback who were on the negotiating team and worked very diligently, hard and in a fair equitable way to arrive at this. I want to thank the members of the CSEA local which is our highway department and our town hall employees for their overwhelming support and ratification this evening at 4:00 p.m. today of this agreement and we thank them on behalf of the hard work that they do on behalf of the town and its residents. We reached a fair agreement for both them and for the town taxpayers and we are very grateful this is done and I thank you again gentlemen for serving on that.

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

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 DeAngelo, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 8:00 p.m. 06-09-16 CP.

Eileen M. Astorino, Town Clerk