

**June 23, 2011**

**The regular meeting of the Town Board of the Town of Warwick was held on Thursday, June 23, 2011 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Sweeton called the meeting to order at 1:07 p.m.**

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

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

**ACCEPTANCE OF MINUTES:**

- 1. Public Hearing, Acquisition of Development Rights, 6/09/11**
- 2. Public Hearing, Film and Video Productions, 6/09/11**
- 3. Regular Meeting, 06/09/11**

**Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the Public Hearing for Acquisition of Development Rights on June 9, 2011, the Public Hearing for Film and Video Productions on June 9, 2011 and the Regular Meeting held on June 9, 2011. Motion Carried (5 ayes, 0 nays)**

**CORRESPONDENCE:**

**SKYLANDS DISC GOLF CLUB – 14 Bianca Court, Warwick, NY 10990 – Letter to the Supervisor and Town Board expressing their gratitude to Bill Roe and his crew at the Town Park for the great job that they do in maintaining the disc golf courses.**

**MARJORIE SETTEMBRE – Resident, Town of Warwick, NY 10990 – Letter to the Supervisor expressing her appreciation for the Town of Warwick Dial-A-Bus.**

**CHRISTINE LITTLE – 51 Four Corners Road, Warwick, NY 10990 – Letter to the Supervisor requesting to be appointed as an alternate to the Town of Warwick Planning Board.**

**NANCY MORIARTY-SCHEINERT – 41 Warwick Estate Drive, Pine Island, NY 10969 – Letter to the Supervisor requesting to be reappointed to the Pine Island Recreation Committee.**

**TERESA DIEHSNER – Division of Environmental Permits, New York State Department of Environmental Conservation, NYSDEC Headquarters, 625**

**Broadway, Albany, NY 12233 – Letter to the Town of Warwick advising them that the Department proposes to modify permit #3-3354-00081/00004 for the Warwick Sewer District 1 STP. Notice and opportunity for public comment is required for this application. The notice is to be published in the Times Herald Record once during the week of June 20, 2011.**

**BOARD’S DISCUSSION ON CORRESPONDENCE**

**Supervisor Sweeton stated that a very, very nice letter was received from Marge Settembre in regards to our Dial-A-Bus operation. She had lost her husband earlier in the year and he was the driver in the family and she has now been using Dial-A-Bus extensively and she can’t believe what a great service it is and she is very thankful.**

**COMMITTEE REPORTS**

**DEPARTMENT OF PUBLIC WORKS REPORT**

<u>DONE</u>	<u>LOCATION</u>	<u>REASON FOR WORK</u>	<u>LENGTH</u>
CULVERT PIPES	Bellvale Lakes Rd.	Replace pipe	40 ft. 36"
	Continental Rd.	Replace pipe	30 ft. 15"
	Pumpkin Hill Rd.	Replace pipe	10 ft. 12"
	Iron Mountain Rd.	Replace pipe	60 ft. 12"
	Bellvale Blvd.	Replace pipe	35 ft. 12"
CATCH BASINS	Royal Ct.	Repair basins	
DITCH WORK	Baird’s Lane	Clean ditches	
	Blooms Corners Rd.	Clean ditches	
TREE WORK	Morahan Beach	Prune tree	
POT HOLES	Town wide	As needed	
ROAD SIGNS	Town wide	As needed	
HAUL MATERIAL	Quarry to stock	3/8" chip stone	

**COUNCILMAN DE ANGELO REPORT**

- 1. I’d like to offer congratulations to these police officers who did not use any sick time in 2010; James Barnett, Brett Lukach, Michael Moon, John Rader and the following police dispatcher who didn’t use any sick time in 2010 was Stan Lupinski. Chief please thank them for us.**
- 2. I would like to wish everybody a safe and happy 4<sup>th</sup> of July.**

**Supervisor Sweeton – I want to go back to correspondence a second because I do notice that Keith Woodruff is here and he had submitted a letter to the Board expressing interest in serving on the Planning Board and that didn’t get in, so it will get in the next meeting. We don’t anticipate holding interviews for that until sometime late in July just so you know that.**

**COUNCILMAN DE BUCK REPORT**

1. Just a thing or two about summer; I stopped on my way to Town Hall and found out today is the last day of school and I want to encourage residents to use the farmers markets that are busy in the Town. On Saturday there's a farmers market in the Pine Island Park, on Sunday there's a farmers market in the Village of Warwick and on Tuesdays there's a farmers market in the Village of Florida.
2. There is a resolution today that the Town will declare July as "Visit a Town Park Month" because our parks are in good shape and there are many of them and lots of activities.

**COUNCILMAN GERSTNER REPORT**

1. The beach will be opening 7 days a week after this weekend.
2. The Warwick Fire Department is having their annual carnival and that will continue through Saturday at 6:00 p.m. and the fireworks will be 10:00 p.m. this Saturday.
3. I also would like to wish everybody a happy and safe July 4<sup>th</sup>.

**COUNCILMAN SHUBACK REPORT**

1. The Highway Department is a little behind on mowing because both of their mowers were down waiting for parts.

Supervisor Sweeton – Are they back up and running now?

Councilman Shuback – Yes.

**TOWN CLERK'S REPORT**

1. The DEC has announced free fishing this weekend, so if you've ever had an interest in going fishing and you don't have a fishing license you will not need one this weekend.
2. Bids were received 6/22/11 for Retro-Fit Lighting to be installed at the Town Hall and DPW garage from:

Ace Electric  
15 DePalma Drive  
Highland Mills, NY 10930  
Tel. #: (845) 928-7481

**Bid Amount: \$10,539.49**

JM Electric  
870 Pulaski Highway  
Goshen, NY 10924  
Tel. # (845) 986-2565

**Bid Amount: \$26,920.00**

Jim Leshinski Electric  
PO Box 815  
Warwick, NY 10990

**Bid Amount: \$14,087.00**

Tel. # (845) 986-3864

### **SUPERVISOR'S REPORT**

**1. Last week we kicked off the Energize Warwick Contest and we held a series of public information sessions around the Town and the Villages and we've had some participation, but we need to get the word out a little bit more. We are working on continuing to streamline a sort of simplified process for folks. We currently have on [townofwarwick.org](http://townofwarwick.org), [warwickvalleyschools.com](http://warwickvalleyschools.com), [recap.org](http://recap.org) and [Warwick.net](http://Warwick.net) websites a complete packet that explains what the contest is about, how to apply, and how to assign your points to a local not-for-profit of your choice. The one who accumulates the most points in a year by June 14, 2012 will walk away with \$10,000 that has been put up by WVT Communications as the prize. The concept here is to get an energy assessment first and make energy improvements to your home and assign your points after having done that to a not-for-profit. As we go through we'll continue to put up on the website which not-for-profit might be leading. The idea is to get people to take advantage of the NYSEDA programs and get the energy upgrades so they can save some money in their homes, they can save some energy, they can put local contractors to work because local contractors will be the ones doing most of the upgrades after being certified by NYSEDA. We just think it's a good program, so we're hoping we can spread the word in the summertime here and get people to take advantage of this.**

**2. The Community Preservation Fund receipts for May were \$44,180.74 which is a little bit of a rebound from the previous month. That brings the total accumulated to date to \$2,946,060.59 and there have been two expenditures from the fund; the Seward Homestead and the Wright Farm which leaves the balance in the fund to \$1,905,470.59.**

**3. The Orange & Rockland rate increase - I think it was Monday that the PSC announced they had made their decision and that they had awarded a one year 26.6 million dollar increase on the delivery revenues to Orange & Rockland. The company had originally sought 61.7 million increase over a three year period. The Town of Warwick along with nineteen other towns, villages and two cities had filed opposing a rate increase on the basis that O&R did not make their case for why such a large increase was warranted. We successfully moved the PSC off of where they were originally ending up which was in the 38 million dollar increase and we strongly feel the municipalities involved in Orange County as well as two in Rockland that is was through no small effort by our group that we were able to get that reduced even further. The fact that we were able to do that is a benefit to not only the town governments but also the schools and to residents. I think for the modest cost of \$3,000 that it cost each town to file this suit, well it wasn't a suit an intervention I guess in the process, just in municipal lighting for the Town of Warwick alone we prevented a \$20,000 increase in lighting costs. It was a good investment and a good effort by the local municipalities to take the lead besides the local intervener which is the ten largest utilities users in the Orange & Rockland area we were the only group that intervened on the behalf of the people of our towns and this County. That should be known and those towns should be proud of the fact that they did that and I thank the Board for supporting that effort as well.**

**4. Columbia Gas Monitoring - Just so you know, as part of their process they are going to be doing monitoring of the agricultural areas and the wetland and water body areas that they work in. They are going to be doing surveys and the next one is July 6<sup>th</sup> to the 28<sup>th</sup> in our area and they will do another one on August 16<sup>th</sup> to the 1<sup>st</sup>, so you'll see the Columbia Gas Transmission trucks around. If you see someone out in a field or you're concerned they should have identification and the vehicles should be clearly marked. If you have any questions you can call our police department at 986-3423 or 986-5000.**

**5. Monthly Budget - For the Boards information I did go over the bank recs. for the previous month and all is in order to the penny.**

**6. Supervisors Corner is published each week in the Warwick Dispatch with excerpts printed in the Warwick Advertiser**

**PRIVILEGE OF THE FLOOR (AGENDA ITEMS)**

**Keith Woodruff – Resident, Town of Warwick, NY 10990 – I know that you said the correspondence wasn't on the agenda and I just wanted to provide you copies to make sure that it gets on.**

**Supervisor Sweeton – The Board has it but you can give us another one.**

**NEW BUSINESS:**

**#R2011-185 SPECIAL EVENT PERMIT – PENNINGS FARM MARKET**

**Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution granting approval to Pennings Farm, 161 Route 94 S, Warwick, NY to hold a Music & Food Harvest Festival on July 30, 2011 pending approval from the Chief of Police.**

**Application and Certificate of Insurance is on file in the Clerk's Office.**

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

**#R2011-186 SPECIAL EVENT – SEAPLANE FLY-IN AND BOY SCOUT CAMP OUT**

**Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution granting approval to the Village of Greenwood Lake to hold a seaplane fly-in and Boy Scout camp out to be held on September 23, 2011 through September 25, 2011 at the Thomas P. Morahan Waterfront Park. Application and Certificates of Insurance are on file in the Clerk's Office.**

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

**#R2011-187 RE-APPOINTMENT TO PINE ISLAND RECREATION COMMITTEE – NANCY MORIARTY-SCHEINERT**

**Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to re-appoint Nancy Moriarty-Scheinert to the Pine Island Recreation Committee for a four year term expiring 7/19/15.**

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

**#R2011-188 AMEND RESOLUTION #2011-155 – APPOINTMENTS TO THOMAS P. MORAHAN WATERFRONT PARK**

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to amend resolution #R2011-155 changing the rate of pay for Kaitlyn Roche, Senior Lifeguard, from \$10.50 per hour to \$11.00 per hour due to the additional duties that she will be performing at the beach.

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

Discussion: Supervisor Sweeton stated that she is a very sharp young lady who is going to be learning some of the administrative duties.

**#R2011-189 ADOPT LOCAL LAW #5 OF 2011 – ADDING CHAPTER 81, “FILM AND VIDEO PRODUCTIONS” TO THE CODE OF THE TOWN OF WARWICK**

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

WHEREAS, a Local Law adding Chapter 81 to the Code of the Town of Warwick entitled “Film and Video Productions”, was introduced on May 26, 2011, and

WHEREAS, a public hearing was held as required by law on June 9, 2011 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 adding Chapter 81 to the Code of the Town of Warwick is hereby adopted and same shall go into effect as provided by law.

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

**#R2011-190 APPROVAL OF FILM AND VIDEO PERMIT APPLICATION – DOG DAVE PRODUCTIONS**

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to approve the Film and Video permit application that was submitted by Dog Dave Productions, LLC, 75 N. Middletown Rd., Nanuet, NY 10954 for the purpose of filming at various locations within the Town of Warwick on July 8, 2011 and August 3, 2011.

Application and Certificate of Insurance are on file in the Clerk’s Office.

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

**#R2011-191 ACCEPT BID – ORANGE COUNTY ENERGY EFFICIENCY CONSERVATION BLOCK MUNICIPAL GRANTS – RETRO-FIT LIGHTING**

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to accept the bid proposal from Jim Leshinski Electric, PO Box 815, Warwick, NY 10990

for retro lighting to be installed at the Town Hall and DPW garage at a cost not to exceed \$14,087.00.

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

**Discussion:** Supervisor Sweeton stated that this is not the lowest bid it's the second lowest bid. We moved to that bid because the lowest bidder did not bid to the specifications of the bid packet. Is that your interpretation as well John?

Attorney Hicks – Yes.

**#R2011-192 JULY IS “VISIT A TOWN PARK MONTH”**

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

WHEREAS, the Town of Warwick is fortunate to have seven different town-operated parks which are: Thomas P. Morahan Waterfront Park, Greenwood Lake Park, Cascade Lake Park, Wickham Lake Park, Airport Road Park, Union Corners Road Park and Pine Island Park and,

WHEREAS, each park has unique features that range from swimming to hiking to Frisbee golf to outdoor concerts and many other outdoor activities and,

WHEREAS, many of the parks have picnic facilities and pavilions that can be rented for group gatherings and,

WHEREAS, these parks are designed for the enjoyment of all especially during the summer months when the days are long and the weather is ideal and,

WHEREAS, with gasoline prices being what they are the Town of Warwick would like to extend an invitation to residents to enjoy a “stay-cation” right here in Warwick, and

WHEREAS, the particulars including fees if applicable in each of our parks are posted on the Town website

NOW THEREFORE BE IT RESOLVED that the Town of Warwick declares July as “Visit a Town Park Month”.

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

**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.

**EXECUTIVE SESSION:** Motion Councilman DeAngelo, seconded Councilman Gerstner to enter into an executive session for the purpose of discussing labor negotiations. (Motion Carried 5 ayes, 0 nays) 1:25 p.m.

**RECONVENE:** Motion Councilman Gerstner, seconded Councilman Shuback that the regular meeting be reconvened. Motion Carried (5 ayes, 0 nays) 1:39 p.m.

**ADJOURN: Motion Councilman Gerstner, seconded Councilman DeAngelo that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 1:40 p.m.  
06-23-11 cp.**

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**Marjorie Quackenbush, Town Clerk**