

June 25, 2015

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, June 25, 2015 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
Deputy DPW Commissioner, Bill Roe
Police Chief, Thomas F. McGovern, Jr. –Absent
Police Lieutenant, Thomas Maslanka
Police Lieutenant, John Rader

Police Lieutenant Thomas Maslanka and Police Lieutenant John Radar presented on behalf of Chief Thomas McGovern and all the men and women of the Town of Warwick Police Department both present and past a plaque to Diane Bramich the widow of Fred Bramich who was a Town of Warwick Police Officer from 1982 to 2015 retiring shield #15.

ACCEPTANCE OF MINUTES

1. Regular Meeting, June 11, 2015

Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the Regular Meeting held on June 11, 2015.

Motion Carried (5 ayes, 0 nays)

CORRESPONDENCE:

CONNIE SARDO – Secretary, Town of Warwick Planning Board – Letter to the Town Board requesting that resolution #R2015-147 authorizing an escrow refund, payable to Julia Luft in the amount of \$2,863.75, be rescinded. The purchase agreement states that Mr. William Brown is entitled to all rights, title and interest in the escrow account held by the Town of Warwick.

JOANNE WILCOX – Bookkeeper, Town of Warwick – Letter to the Supervisor and Town Board stating her intent to resign her position as Bookkeeper for the purpose of retirement effective December 31, 2015.

MARCIA SAFFIOTI – 53 Peters Terrace, Warwick, NY 10990 – Memo to the Town Assessor giving notice that she resigns from the Town of Warwick Assessment Board of Review effective immediately.

NANCY MORIARTY-SCHEINERT – Letter to the Town Board requesting that she be reappointed to the Pine Island Recreation Board.

CHRISTOPHER VIEBROCK, P.E. – Acting Commissioner, Orange County Department of Public Works, P.O. Box 509, 2455-2459 Route 17M, Goshen, NY 10924-0509 – Road Closure Notice advising that a portion of Edenville Rd. will be closed for repairs in connection with the “Railroad Crossing Improvements” on or about June 29, 2015 for a period of five (5) days.

CONNIE SARDO – Secretary, Town of Warwick Planning Board – Letter to the Town Board requesting a refund on the remaining balance of the escrow for SBL# 42-1-35.222 to Planning Board applicant St Stephens Church in the amount of \$1,446.55.

SANDRA OLAYA – 3333 Henry Hudson Parkway – Suite 18R, Riverdale, NY 10463 - Letter to the Town Clerk notifying her of their intent to apply for a liquor license for the El Agave Restaurant.

DANIEL GREENE – Deputy General Counsel and Certifying Officer, Governor’s Office of Storm Recovery, 25 Beaver St., New York, NY 10004 – On or about the 2nd of July 2015, the New York State Housing Trust Fund Corporation (HTFC), with administration provided by the Governor’s Office of Storm Recovery, will request the U.S. Department of Housing and Urban Development (HUD) to release Community Development Block Grant Disaster Recovery (CDBG-DR) funds under the Housing and Community Development Act of 1974 and Public Law 113-2, for the Small Business Grant Program associated with storm recovery efforts for the following small business project:

- 1. Wright Family Farm (Super storm Sandy), 329 Kings Highway, Warwick, Orange County, NY: \$14,831.18 for reimbursed expenses for a pole barn replacement, and future reimbursed expenses for repairing a barn door and replacement of a corn crib.**

Any individual, group or agency may submit written comments on the ERR to both Daniel Greene, Governor’s Office of Storm Recovery, 25 Beaver St., 5th Floor, New York, NY 10004 and Tennille Smith Parker, Director of Disaster Recovery & Special Issues Division, HUD, 451 Seventh St. SW, Washington, D.C. 20410. All comments received seven days following this publishing of notice will be considered by HTFC prior to authorizing submission of a request for release of funds.

BOARD’S DISCUSSION ON CORRESPONDENCE

Supervisor Sweeton – A notice came in late from the Deputy General Counsel from the Governor’s Office of Storm Recovery announcing that they had awarded to the Wright Family Farm \$14,831.18 for reimbursed expenses for a pole barn replacement and other repairs due to Super storm Sandy. This came from the

Community Development Block Grant Disaster Recovery Fund, which is a special fund under that event. The notice just says that this fund is exempt from the environmental review process and any individual who wants to comment on that aspect of it there's an address here which the Clerk has as 25 Beaver Street, 5th Floor, New York, NY 10004.

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>	<u>LENGTH</u>
CULVERT PIPES	Jessup Rd.	Install temp. pipe	60 ft. x 36"
	Jessup Rd.	Install temp. pipe	20 ft. x 24"
CATCH BASINS	Sanfordville Rd.	Clean basins	
DRAINAGE	Iron Mountain Rd.	Clean ditches	
	Sanfordville Rd.	Clean ditches	
	Jessup Rd.	Clean road edges	
PAVE ROAD	Nelson Rd.	Repair road	
TREE WORK	Horizon Farms Dr.	Clean up down tree	
	Cascade Rd.	Clean up down tree	
MOWING	Town wide	As needed	
POT HOLES	Town wide	As needed	
ROAD REPAIR	Town wide	As needed	
ROAD SIGNS	Town wide	As needed	
HAUL MATERIAL	Haul 1A stone to stock for tar & chip		

PARKS DEPARTMENT

COUNCILMAN DE ANGELO REPORT

1. I have a couple of things from the Warwick Valley Humane Society. On our community channel there's a flyer which says "Kitten Shower". This will be on Sunday, June 28th from noon until 2 p.m. with refreshments, sweets and kittens too. There is a wish list they have and they need kitten nursing bottles, kitten powder, hand sanitizers, infant cotton receiving blankets, cotton balls, Q-tips, exam gloves and heating pads. Looking ahead they are having an acupuncture clinic on July 12th by appointment only and you can call 986-2473. They also have a desperate need

for canned food pate because they have about 100 cats and Suzyn Barron said they are in desperate need for it.

2. There was a drug bust, 11 charged in White Plains Federal Court with cocaine trafficking in Orange, Rockland County and Bronx County. Part of the credit was given to local law enforcement agencies, the City of Middletown and the Town of Warwick Police Department. It resulted in charges and seizures of cocaine, crack cocaine, heroin and cash. As the attorney for the US Southern District of New York says "I want to applaud our partners for all the hard work that brought this operation and this supply of drugs to an end." Lieutenant Rader please extend our thank you to your fellow policemen.

Lieutenant Rader – As far as that article I know it's still an open investigation but members of the department have been working very hard throughout the process on that. I will extend your gratitude to the department also.

COUNCILMAN KOWAL REPORT

1. The parks are doing very well, they've had favorable weather for keeping the grass green and the athletic fields are in good shape. The DPW does a great job with that. In the Pine Island Park there is a hand ball court wall that has been subject to some deterioration over the years. It is made of plywood and some of the boards have rotted out. Commissioner Roe had told me he has some boards in stock, some sheets of plywood and needs to buy about 10 more sheets of exterior plywood. When that's installed we have a volunteer who's going to come and redo the mural that is there now. I would like to put in a request to have that repaired and upgraded.

Supervisor Sweeton – There's money in the capital parks account so we can fund that.

COUNCILMAN GERSTNER REPORT

1. I have a letter here from Optimum "We're always working to enhance the value of your TV experience. We're organizing your lineup so that similar programming will be grouped together. It will be posted on the Optimum website and a letter will be going out to all with the channel lineups. The kids channels are all in one playgroup 120's, the sports channels 200's and the premium channels the 300's.

2. The beach is open on weekends right now and will be opening next week 7 days a week.

3. The Warwick Fire Department is having their carnival this week. Last night, tonight, Friday and Saturday is the fireworks at 10:00 p.m. and all are welcome to come down and participate.

COUNCILMAN SHUBACK REPORT

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. Request for proposals were solicited from five engineering firms with one proposal received for a NYS DEC Dam Engineering Assessment for the Cascade Lake Dam. The firms that were asked to submit proposals were:

KC Engineering
2142 Rt. 302
Circleville, NY 10919

MHE Engineering
33 Airport Center Dr., Suite 202
New Windsor, NY 12553

Engineering Properties
71 Clinton St.
Montgomery, NY 12549

HDR Engineering
1 International Blvd.
10th Floor, Suite 1000
Mahwah, NJ 07495-0027

Tectonic Engineering
P.O. Box 37
70 Pleasant Hill Rd.
Mountainville, NY 10953
Proposal: \$19,040.00

2. Proposals for the repairs to remedy the unsafe building at 9 California Rd. were received from:

World Wide Construction Co.
18 Elm St.
Greenwood Lake, NY 10925
Tel #: (845) 477-2022

Proposal: \$5,200.00

Supervisor Sweeton – For the Boards information the Dam engineering assessment report is required by the DEC; it's part of their new dam monitoring process. We originally had a proposal for the amount of \$25,600.00 and when we went out to bid we contacted all of these engineering firms and we did get a bid back that is \$19,000 so it's substantially less, which is good. We will probably go forward with that.

SUPERVISOR'S REPORT

1. I have a notice to the public of a public hearing before the PSC, the Public Service Commission. It's considering a rate increase from Orange and Rockland and the Public Service Commission struck a deal with Orange and Rockland and that will be the subject of the hearing. Orange and Rockland originally wanted an 11% increase on electric rates and a 30% increase on the natural gas rate. As part of the Associations of Towns, Villages and Cities we opposed it along with our members as did the Town of Ramapo. Orange and Rockland and the PSC met together and they have settled on a slightly lower

increase. The electric not being too terrible and this is on the delivery portion so now when you get your bills you have to remember you have a supply portion and a delivery portion. O&R always quotes their increase based on an overall bill. They don't have anything to do with the supply. You have to look at what their increase is based on their delivery charge which is usually about 50% or more of your bill. What the PSC is settled on with them for electric is 3.2% increase on delivery in the first year of the agreement which would be next year and 2.9% on the second year of that agreement. They say for the typical residential owner you would pay a \$1.85 more a month and \$2.42 a month the second year, so not terrible numbers. Natural gas they didn't do quite as well for the consumer and this affects residents and businesses alike. O&R had sought a 30% increase and what they ended up agreeing to give them was a first year increase of 23.9% which is crazy and 3% the second year and 4.5% the third year. In the mind of the PSC to make this more palatable to people they decided that the rates will be phased over 3 years in an equal amount. In the first year the proposal says you will pay a 13.9% increase on your natural gas delivery rate, the second year would be 12.3% and your third year would be 10.9%. if you are as outraged about that as you should be there's a public hearing going to be held at the Orange County Emergency Services Center, 22 Wells Farm Road, Goshen at 4:00 p.m. and again at 7:00 p.m. They will have a commissioner from the PSC as well as some staff there on June 30th so go there and let your voice be heard. Tell them that you believe it's ridiculous. Part of it is based on a rate of return for O&R shareholders at 9% and I don't know about any of you but I don't know how many of you are getting 9% on your investments at the moment. If you would like to go and let them know that would be great. They have an opinion line 1-800-335-2120 or you can send them in writing referencing case# 14E0493 or 14G0494.

2. O&R has notified us that they will be doing the replacement of a pole in the Wickham Knolls area of the town. It was supposed to happen tomorrow but because of the storms this week they are going to do it on July 7th, Tuesday at 10:00 a.m. and because it's adjacent to the railroad tracks they are going to be replacing this pole by hand. There is going to be a power shutoff for 3 hours starting at 10:00 a.m. on July 7th with a rain date of July 8th. They will be notifying all those residents but if you know of someone in Wickham Knolls Subdivision that would be great. We will also put that out for notice.

3. Road Closing - This is another that will be problematic for some people, County Route 1A is going to be closed from West Street to just beyond the Railroad tracks starting the 29th of June which is Monday of next week and it will be closed for approximately 5 days. You will get to the light at West Street and County 1 you can't go left, you have to go around Sanfordville. This is so the railroad can replace that crossing which is in pretty bad shape. I'm glad they are going to do that but just be aware of that.

4. Cornell Cooperative Extension is embarked upon a project to build an education center and a 4H Park in the Town of Mount Hope and they have been raising money to do that. They are going to have a Family Fun Day on Saturday, July 25th from 12:00 p.m. until 8:00 p.m. It is free admission but the idea is to get you there to see what they are doing and what their plan is. They are going to have all kinds of good stuff going on. The idea partly is to recreate the old atmosphere of

what the Orange County Fair use to be in terms of farm aspects. Cornell is very excited about it and we are looking forward to that.

5. 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:

#R2015-163 RESCIND RESOLUTION #R2015-147 - AUTHORIZATION OF ESCROW REFUND – JULIA LUFT

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to rescind Resolution #R2015-147 in its entirety as Mr. William Brown is entitled to all rights, title and interest in escrow account held by the Town of Warwick as per the purchase agreement of the property between Mrs. Julia Luft and Mr. William Brown.

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

Discussion: Supervisor Sweeton stated that we inadvertently authorized the refund but Mr. Brown had purchased it and he is entitled to it and he does plan on putting the farm in preservation and at some point we will be returning this to him.

#R2015-164 AUTHORIZATION OF ESCROW REFUND – ST. STEPHENS CHURCH

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to authorize a refund in the amount of \$1,446.55, the balance of the escrow for SBL# 42-1-35.222, to Planning Board applicant St. Stephens Church, as per the recommendation of the Planning Board Secretary; letter dated June 15, 2015.

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

#R2015-165 ACCEPT RESIGNATION – TOWN BOOKKEEPER – JOANNE WILCOX

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to accept the resignation of Joanne Wilcox, Town Bookkeeper, for the purpose of retirement effective December 31, 2015.

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

Discussion: Supervisor Sweeton thanked her for 25 years of service and wished her well on her retirement.

**#R2015-166 ACCEPT RESIGNATION – TOWN OF WARWICK ASSESSMENT
BOARD OF REVIEW – MARCIA SAFFIOTI**

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to accept the resignation of Marcia Saffioti from the Town of Warwick Assessment Board of Review effective immediately.

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

Discussion: Supervisor Sweeton thanked her for her service as a volunteer on the Assessment Board of Review.

#R2015-167 SCHEDULE PUBLIC HEARING – 2014 MS4 ANNUAL REPORT

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to schedule a public hearing regarding the 2014 MS4 Annual Report. Said hearing to be held on Thursday, July 16, 2015 at 7:30 p.m., Town Hall, 132 Kings Highway, Town of Warwick.

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

Discussion: Supervisor Sweeton stated that this is done every year and is a requirement from the DEC regulations concerning discharges in and around Greenwood Lake and we will give them an update and the report will be available on our website and part of the hearing.

**#R2015-168 REAPPOINTMENT TO PINE ISLAND RECREATION BOARD –
NANCY MORIARTY-SCHEINERT**

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to reappoint Nancy Moriarty-Scheinert to the Pine Island Recreation Board for a four year term expiring July 19, 2019.

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

**#R2015-169 ACCEPT PROPOSAL FOR NEW YORK STATE DEC DAM
ENGINEERING ASSESSMENT OF CASCADE LAKE DAM**

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to accept the proposal for the New York State DEC Dam Engineering Assessment for the Cascade Lake dam from Tectonic Engineering, P.O. Box 37, 70 Pleasant Hill Rd., Mountainville, NY 10953 at a cost not to exceed \$19,040.00.

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

**#R2015-170 THOMAS P. MORAHAN WATERFRONT PARK EMPLOYEE
APPOINTMENTS FOR 2015**

Motion Councilman Kowal, seconded Councilman Shuback to adopt a resolution to appoint the following to various positions at the Thomas P. Morahan Waterfront Park for the 2015 season.

<u>APPOINTMENT</u>	<u>POSITION</u>	<u>RATE of PAY</u>
Thomas Crumm	Lifeguard	\$9.75/hr.
Jessica Bauer	Lifeguard	\$9.75/hr.
Colin Reed	Gatekeeper	\$8.75/hr.

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

**#R2015-171 AMEND RESOLUTION #R2015-136 – THOMAS P. MORAHAN
WATERFRONT PARK EMPLOYEE APPOINTMENTS FOR 2015**

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to amend resolution #R2015-136 by changing Bryan Holland's position from Head Lifeguard to Senior Lifeguard at a rate of pay of \$10.00/hr. and Kurt Heffner's position from Senior Lifeguard to Head Lifeguard at a rate of pay of \$11.50/hr.

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

**#R2015-172 AUTHORIZATION TO SIGN LEASE AGREEMENT FOR TOWN
BEACH/BOAT LAUNCH WITH PALISADES INTERSTATE
PARK COMMISSION**

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to authorize the Supervisor to renew our lease agreement with the Palisades Interstate Park Commission for the operation and maintenance of the Sterling Forest Beach/Boat Launch for a five-year period to expire December 31, 2020.

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

Discussion: Supervisor Sweeton stated that this is the old town beach which has been closed for the last year or so. It has been converted to a boat launch for passive boats. We will now get a plan together to get that reopened perhaps in the fall for use by residents.

#R2015-173 ACCEPT PROPOSAL FOR THE REPAIRS TO REMEDY UNSAFE BUILDING – 9 CALIFORNIA ROAD (SBL#64-3-12.2)

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to accept the proposal from World Wide Construction Company, 18 Elm St., Greenwood Lake, NY 10925 for the repairs to remedy an unsafe and dangerous building at 9 California Rd. (SBL# 64-3-12.2), owner of record being Ruth Rykowski, at a cost not to exceed \$5,200.00.

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

Discussion: This was a subject of a hearing and this amount will get put back on the taxes of the lot.

#R2015-174 AUTHORIZATION TO WAIVE FIRE INSPECTION FEE – POLISH LEGION OF AMERICAN VETERANS POST #16

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to waive the Fire Inspection Fee in the amount of \$125.00 for the Polish Legion of American Veterans Post #16.

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

#R2015-175 AUTHORIZATION TO SIGN LAND USE AGREEMENT WITH ORANGE COUNTY – POUGHKEEPSIE LIMITED PARTNERSHIP DBA VERIZON WIRELESS

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to authorize the Supervisor to sign a land use agreement with Orange County – Poughkeepsie Limited Partnership DBA Verizon Wireless to allow the installation and maintenance for a structure and all utilities for the co-location of antennas on Town owned property located at 144 NYS Route 94 subject to review by Attorney for the Town.

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

Discussion: Supervisor Sweeton stated this is at the tower at Route 94. It's the AT&T tower and they approached us to co-locate so it will produce an additional \$9,000 a year in revenue to the town.

#R2015-176 PROCLAMATION - THE UNION FOR REFORM JUDAISM (URJ) KUTZ CAMP 50TH ANNIVERSARY

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

WHEREAS, the Union for Reform Judaism (URJ) Kutz Camp is celebrating its 50th anniversary this summer. Since opening its gates in 1965, the Kutz Camp has served

an estimated 100,000 Jewish teens and adults from across the globe through summer leadership training programs, international student exchanges, North American and regional

youth group seminars, and synagogue retreats, and;

WHEREAS, Kutz Camp is one of the 15 URJ Camps across North America and provides a unique summer experience as programming is catered to teens focused on strengthening their leadership skills to better their home communities, and;

WHEREAS, the mission of the Kutz Camp is to provide a holistic residential program

where teens and adults work in partnership to enhance the talents and skills of each individual through mentorship and peer leadership;

NOW THEREFORE BE IT RESOLVED that on the occasion of the 50th anniversary of the Union for Reform Judaism (URJ) Kutz Camp, the Town of Warwick does hereby congratulate the URJ Kutz Camp on their efforts in developing young leaders of tomorrow and on their contributions to our community.

BILLS: Motion Councilman DeAngelo, seconded Councilman Kowal 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: Councilman DeAngelo, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 7:59 p.m.
06-25-15 CP.

Marjorie Quackenbush, Town Clerk