

**July 21, 2011**

**The regular meeting of the Town Board of the Town of Warwick was held on Thursday, July 21, 2011 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 Leonard DeBuck  
Councilman James Gerstner  
Councilman Mickey Shuback

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

**ACCEPTANCE OF MINUTES:**

**1. Regular Meeting, 06/23/11**

**Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the Regular Meeting held on June 23, 2011.**

**Motion Carried (5 ayes, 0 nays)**

**CORRESPONDENCE:**

**KEITH WOODRUFF – 60 Newport Bridge Road, Warwick, NY 10990 – Letter to the Supervisor requesting to be appointed as an alternate to the Town of Warwick Planning Board.**

**BRENDA MESSENGER – Owner, J & B Enterprises, 156 Route 17A, Warwick, NY 10990 - Notice to the Town of Warwick of their intent to renew a liquor license for the Hickory Hill Golf Course.**

**MICHEAL DEMARTINO – President, Landmark Inn, 526 Route 94, Warwick, NY 10990 – Notice to the Town of Warwick of his intent to renew a liquor license for the Landmark Inn.**

**JOHN JOHANSEN – Iron Forge Inn, P.O. Box 19, Bellvale, NY 10912 – Notice to the Town of Warwick of his intent to renew a liquor license for the Iron Forge Inn.**

**CONNIE SARDO – Secretary, Town of Warwick Planning Board – Letter to the Supervisor and Town Board requesting a refund on the balance of an escrow in the amount of \$305.25 to Michael Baglione.**

**CONNIE SARDO – Secretary, Town of Warwick Planning Board – Letter to the Supervisor and Town Board requesting a refund on the balance of an escrow in the amount of \$515.00 to Ken Mabee.**

**JOHN DEN DANTO – Town of Warwick Department of Public Works, Warwick, NY 10990 – Letter to the Town Board announcing his resignation effective December 31, 2011.**

**AQUILLA SCHAFFER – P.O. BOX 207, Warwick, NY 10990 – Letter to the Town Board requesting a return of the deposit and park fee in the amount of \$100.00 because we will not be able to use the park.**

**KRZYSTOF & IWONA KRASZEWSKI – 64 Warwick Estates Drive, Warwick, NY 10990 – Letter to the Town Board notifying them of having no objection to their neighbor located at 60 Warwick Estates Drive for installing an outdoor wood boiler on their property.**

**JEFFREY FEAGLES – Commissioner, Department of Public Works – Memo to the Town Board requesting the transfer of \$100,000.00 from DB1.5112.437 material to material chip stone (DB1.5113.437).**

**NAN HAYWORTH , M.D. – Congresswoman 19<sup>th</sup> District, House of Representatives, Washington, D.C. – Letter to the Supervisor thanking him for his correspondence regarding Property Assessed Clean Energy (PACE) programs. “I believe that PACE programs have enormous potential, and I will continue to explore ways to allow state and local governments to establish and run these important programs”.**

**NAN HAYWORTH , M.D. – Congresswoman 19<sup>th</sup> District, House of Representatives, Washington, D.C. – Letter to Secretary Hilda Solis-United States Department of Labor reinforcing her concerns about the efficient and timely processing of H2A applications.**

**CONNIE SARDO – Secretary, Town of Warwick Planning Board – Letter to the Supervisor and Town Board requesting a refund on the balance of an escrow in the amount of \$442.50 to Lourdes Crowley.**

**BENJAMIN ASTORINO – Chairman, Town of Warwick Planning Board – Letter to the Supervisor and Town Board stating that the Board unanimously recommends that the property known as Mid-Orange/NYS (SBL #46-1-9.1, 9.2, 16, 19 and 20) be Re-Zoned from RU and CO to OI.**

## **BOARD’S DISCUSSION ON CORRESPONDENCE**

## **VISITING ELECTED OFFICIALS**

**Tape Malfunction**

The Supervisor introduced Mayor Barbara Moore from the Village of Greenwood Lake and Andrew Jennings from Senator Carlucci's Office.

**MAYOR BARBARA MOORE REPORT (Summarized)**

1. Reports that the Village also has not had any correspondence from the Governors Office regarding the closing of the prison.
2. Discussed issues at the Morahan Waterfront Park involving the parking and congestion on the week-ends. Would love the Town to find alternate parking somewhere and the possibility of having the Dial-A-Bus transport patrons there and back during the day. Suggested that there is additional property next to the beach for sale that could be used for parking and would ask the Town to consider that and would like to be involved with the Town and to have input into resolving these issues.

**ANDREW JENNINGS REPORT (Summarized)**

1. The State Senator is working diligently to address the closing of Mid-Orange.

**REPORTS OF BOARDS AND COMMISSIONS**

**COMMITTEE REPORTS**

**DEPARTMENT OF PUBLIC WORKS REPORT**

<b><u>WORK BEING DONE</u></b>	<b><u>LOCATION</u></b>	<b><u>REASON FOR WORK</u></b>	<b><u>LENGTH</u></b>
<b>CULVERT PIPES</b>	Nelson Rd.	Enclose ditch	400 ft. 12" HDPE
	Walling Rd.		60 ft. of 10"
	Millers Lane		40 ft. of 10"
	Four Corners Rd.	Replace	30 ft of 15"
	Four Corners Rd.	Replace	40 ft. of 24"
<b>CATCH BASINS</b>	Nelson Rd.	Installed 7 basins	
	Walling Rd.	Installed 1 basin	
	Millers Lane	Installed 1 basin	
<b>DITCH WORK</b>	Blooms Corners Rd.	Clean ditches	
	Big Island Rd.	Clean ditches	
<b>MOWING</b>	Town wide	As needed	
<b>POT HOLES</b>	Town wide	As needed	
<b>ROAD SIGNS</b>	Town wide	As needed	
<b>HAUL MATERIAL</b>	Hauled 3/8" chip stone to		stock pile

**ENVIRONMENTAL CONSULTANTS REPORT**

**COUNCILMAN DE ANGELO REPORT**

- 1. For the month of June the Post Report is as follows: Greenwood Lake had 258 calls, the Town outside the Village had 873 calls, Pine Island 284 calls and the Village of Warwick had 704 calls for a total of 2,119 calls for the month of June.**
- 2. Saturday, July 23<sup>rd</sup> at the Thomas Morahan Beach there is Germain Paul and Family, a rock and soul concert at 7:30 p.m. That should be a beautiful venue and I urge you to go out and enjoy the concert.**
- 3. On Tuesday, July 26<sup>th</sup> there will be a vote at the Greenwood Lake Library for the purpose of whether or not the people in the Greenwood Lake Volunteer Ambulance Corp Districts want the service award program and that will be from 12 to 8 p.m. at the library. If you break it down, it comes to about \$34.40 a year per household, using an average of \$40,000, which I think is a little high and after the first five years it will be brought down to about 60% of that. It is very important; we need these volunteers and that's on the 26<sup>th</sup> from 12 to 8 p.m. at the Greenwood Lake Library.**
- 4. The Warwick Valley Humane Society has their usual wish list of things that they need which is bleach, paper towels, Simple Green cleaner, Friskies pate or any ground can cat food, large dog bones, Feline Pine litter, laundry detergent and garbage bags. Any donations that you would like to make would be greatly appreciated.**

**COUNCILMAN DE BUCK REPORT**

- 1. On Tuesday, August 2<sup>nd</sup> there is a very popular event; the Black Dirt Feast in Pine Island. This is a nice event and a big fundraiser for the Pine Island Chamber of Commerce. You can go to the Chamber website and get any information you would like.**
- 2. I would like to remind people if they would like to support local and buy fresh produce there are three perhaps four farmers markets. Last night I had witnessed one in Greenwood Lake; there was a vendor at Greenwood Lake Park. On Tuesdays there's one in Florida, on Saturdays there's one in Pine Island at the Pine Island Park and on Sundays at the South Street Parking Lot in the Village of Warwick. I would continue to encourage people to buy local. It's fresher and a good way to support your neighbor and your community.**
- 3. Floyd jogged my memory when he mentioned the referendum because I believe there is one in Pine Island on the 28<sup>th</sup> and it's in regards to residents in the Pine Island Fire District voting on approving the sale of the old fire house.**

**Town Clerk – It's the same day, the 26<sup>th</sup>.**

**Councilman DeBuck – The 26<sup>th</sup> thank you Meg. If there are Pine Island residents here or if they are going to watch the tape, then on the 26<sup>th</sup> I encourage you to look at that referendum and vote yes or vote no on the proposed sale of the old fire house.**

**Councilman DeAngelo – I believe the lady who sells vegetables in Greenwood Lake Park is there five days a week.**

**COUNCILMAN GERSTNER REPORT**

1. I have an announcement from Cablevision on the repositioning of the Independent Film Channel and on August 23<sup>rd</sup> the Independent Film Channel will reposition as part of the IO package at the current rate of \$11.95 with no rate or channel changes. The customers can check that out at [www.optimum.com](http://www.optimum.com).
2. Our Recreation Commissioner Mike Cipolla is getting ready to meet with our organized groups for the fall usage. The spring went well and with that I'd like to congratulate the Little League Boys Warwick National Team who won the Section 9 title and I believe they play Section 4 and I wish them well and wish them luck.
3. I would like to welcome the Supervisor back from his little get-away.

**COUNCILMAN SHUBACK REPORT**

1. The Highway Department is busy hauling stone for the next several weeks so when you see the trucks out there please slow down.
2. Florida is having a beef steak dinner on August 14<sup>th</sup> for Vince Poloniak to honor him as Citizen of the Village of Florida.

**ATTORNEY'S REPORT**

**TOWN CLERK'S REPORT**

**Fees Collected – Month of June, 2011 – Wickham Lake Res. Permit Fees, \$120.00; Wickham Lake Non-Res. Permit Fees, \$90.00; Wickham Lake Additional Stickers, \$22.00; Wickham Lake Key Replacement, \$40.00; Wickham Lake Renewal-Res., \$130.00; Wickham Lake Renewal-Non-Res., \$140.00; Film & Video Permit Fees, \$1,250.00; Copies of Maps, \$65.00; Certified Marriages, \$110.00; Mileage, \$3.00; Photocopies, \$15.75; Use of Kitchen Fees, \$100.00; Interest in Checking Account for Month of May, \$0.47; Dog Impoundments, \$760.00; Town Park Pavilion Fees, \$250.00; Marriage License Fees, \$332.50; Games of Chance Proceeds, \$52.00; Cascade Park Trail Maps, \$10.00; Conservation Licenses, \$45.03; Dog Licenses Issued/Renewed, \$2,440.00; Use of Room Fees, \$380.00; Registrar Fees, \$360.00; Waterfront Park Daily Non-Res. Passes, \$651.00; Waterfront Park Daily Res. Passes, \$1,797.00; Waterfront Park Res. Adult Season Passes, \$600.00; Waterfront Park Res. Child Season Passes, \$475.00; Waterfront Park Res. Family Season Passes, \$4,500.00; Waterfront Park Res. Senior Season Passes, \$350.00; Waterfront Park Commercial Passes, \$120.00; Town Park Deposits, \$550.00; Little League Field Deposits, \$400.00; Waterfront Park Group Deposits, \$300.00. Total Fees Collected: \$20,405.22**

**Fees Paid – Month of June, 2011 – NYS Dept. of Health for Marriage Licenses, \$427.50; NYS Dept. of Ag & Markets for spay/neuter program: \$310.00; NYS Dept. of Environmental Conservation, \$958.97; Village of Florida for Registrar Fees, \$40.00; Village of Warwick for Registrar Fees, \$2,210.00. Total Fees Paid to the Supervisor, \$16,458.75**

**Bids were received for audit and related services to the Town of Warwick  
Department of Transportation Highway Project (East Shore Rd.) from:**

**Lumsden & McCormick, LLP  
403 Main St., Suite 430  
Buffalo, NY 14203  
Tel # (716) 856-3300**

**Bid Amount: \$16,000.00**

**Toski, Schaefer & Co., P.C.  
300 Essjay Rd.  
Williamsville, NY 14221  
Tel # (716) 634-0700**

**Bid Amount: \$3,900.00 - \$4,400.00**

**Wojeski & Company CPAs, P.C.  
75 Troy Rd.  
East Greenbush, NY 12061  
Tel # (518) 694-8006**

**Bid Amount: \$12,000.00**

**Supervisor Sweeton – Just for the publics information, because that is a federal highway project it's a requirement of the federal process that our consultant engineers' books be audited for this project. These are all off of a list of approved DOT auditors.**

#### **SUPERVISOR'S REPORT**

- 1. The Community Preservation Fund Update - The receipts for the month of June were \$52,244.59 which brings the total into the fund to \$2,998,305.18. After the two expenditures which were the Seward Homesite and the Wright Farm the fund balance is \$1,957,715.18. It was a little bit above average for the month of June.**
- 2. Elected and Appointed Officials Health Care Contribution - The Town by resolution back in the late 90's provided health care to elected and appointed officials without any contribution and our Board has not been totally comfortable with that, especially last budget year. Now that we're in the process of negotiating two contracts with our unions for this year I have proposed to the Board and put a resolution on this evening to require from elected and appointed officials a 10% contribution to their health benefits that they receive from the Town. The law says that elected officials and appointed officials do not have to contribute if they're in the midst of a term. I've polled all the elected officials and they will begin contributions on January 1<sup>st</sup> whether they are newly elected or not. The appointed officials will take effect upon the termination of whatever contracts they may have with the Town. I just want to let everyone know about that.**
- 3. Mid-Orange Correctional Facility - Obviously that is what the bulk of people are here about tonight. I just want to give you where we sit and what we know at this point which is probably less then you know because we were not informed by the Governors office. The Town, when we first learned the prison closing for part of the budget process back in March and April, we sent a letter to Governor Cuomo expressing our view that Mid Orange remain open and we stated our reasons why.**

We also expressed this to our legislative representatives Senator Carlucci and Assemblywoman Annie Rabbitt and we also know they transmitted those to the Governors office. We reiterated this many times up to and including the weeks prior to the closing announcement. As I stated we learned from Correctional Officer Harter and not from the Governors office. We have since expressed our view that this is not the correct decision. We continue to seek a meeting with the Governors office to seek answers on how the decision was arrived at and we may not get that information, but we requested it. We continue to work with our legislative representatives to press the Governor to reconsider his decision. We have also consulted with our legal firm Jacobowitz and Gubits to determine whether there is any legal defensible position that we could take that has some reasonable chance of reversing the decision. To this point they haven't found one, but they continue to look. We thought perhaps under SEQRA we had some opportunity to be successful, but it turns out the Governors office is not subject to SEQRA as is most of the case at the time when the legislature and Governor pass laws. We continue to explore that option; it's not hopeful, but we continue to explore. There will be a resolution on the agenda for the Board to consider to send to the Governor asking him to reconsider his decision and keep the facility open. I'm sure we'll hear other ideas tonight and we hope that we do. Maybe it will be some idea that we hear that will work.

4. My monthly budget review for the Town Boards information - I reviewed all of the journal entries that were made this past month and they are all correct and accounted for. All of our new vendor slips have been reviewed and signed in and the budget is under budget so far.

5. Supervisors Corner is published each week in the Warwick Dispatch, with excerpts printed in the Warwick Advertiser.

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

#### **NEW BUSINESS:**

#### **#R2011-193 SPECIAL EVENT PERMIT – TOUR DE GOSHEN**

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to authorize the use of the roads in the Town of Warwick for the 24<sup>th</sup> Annual Tour de Goshen to be held on August 21, 2011 pending approval from the Chief of Police. 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.

#### **#R2011-194 AUTHORIZATION TO REFUND TOWN PARK DEPOSIT AND FEE – AQUILLA SCHAFER**

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to authorize a refund of the deposit and fee paid by Aquilla Schafer for use of the Union Corners Town Park in the amount of \$100.00 as her event was cancelled.  
Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**#R2011-195 BUDGET TRANSFER – DEPARTMENT OF PUBLIC WORKS**

Motion Councilman Gerstner, seconded Councilman Shuback to adopt the following DPW budget transfer:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
DB1.00.5112.437 (Material Cold Mix)	DB1.00.5113.437 (Material Chip Stone)	\$100,000.00

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

Discussion: Supervisor Sweeton stated that this is because we are going to be doing primarily tar and chip because there just isn't enough money to do full paving.

**#R2011-196 WAIVER FOR INSTALLATION OF OUTDOOR FURNACE - JONATHAN SMITH**

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution granting a waiver of section 104-6 of the Warwick Town Code to allow the Building Department to issue a permit for the installation of an outdoor wood furnace to Jonathan Smith, 60 Warwick Estates Dr., Pine Island, NY 10969 as per the recommendation of the Building Inspector.

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

Discussion: Supervisor Sweeton stated that there was a letter of support from the neighbor as well. This is what has been done when we looked at these on a case by case basis.

**#R2011-197 THOMAS P. MORAHAN WATERFRONT PARK EMPLOYEE APPOINTMENTS**

Motion Councilman Gerstner, seconded Councilman DeBuck to adopt a resolution to appoint the following to Thomas P. Morahan Waterfront Park positions effective July 2, 2011.

<u>APPOINTMENT</u>	<u>POSITION</u>	<u>RATE OF PAY</u>
Grant Gottwig	Lifeguard	\$9.50/hr.
James Crumm	Lifeguard	\$9.50/hr.

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

**#R2011-198 ACCEPT RESIGNATION – JOHN DEN DANTO**

Motion Councilman Shuback, seconded Councilman DeBuck to adopt a resolution to accept the resignation of John Den Danto for the purpose of retirement effective December 31, 2011.

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

**Discussion: Supervisor Sweeton thanked John for all his years of service to the Town.**

**#R2011-199 AUTHORIZATION OF ESCROW REFUND – MICHAEL BAGLIONE**

**Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to authorize a refund in the amount of \$305.25, the balance of the escrow for SBL# 43-1-34, to Planning Board applicant Michael Baglione as per the recommendation of the Planning Board Secretary; letter dated July 1, 2011.**

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

**#R2011-200 AUTHORIZATION OF ESCROW REFUND – KEN MABEE**

**Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to authorize a refund in the amount of \$515.00, the balance of the escrow for SBL# 47-1-87.212, to Planning Board applicant Ken Mabee as per the recommendation of the Planning Board Secretary; letter dated July 1, 2011.**

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

**#R2011-201 AUTHORIZATION TO SIGN AGREEMENT WITH COUNTY OF ORANGE STOP DWI ENFORCEMENT**

**Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to authorize the Supervisor to sign an agreement with the County of Orange to stop DWI enforcement for all periods covered by the contract.**

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

**#R2011-202 SCHEDULE PUBLIC HEARING – 2010 MS4 ANNUAL REPORT**

**Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to schedule a public hearing regarding the 2010 MS4 Annual Report. Said hearing to be held on August 11, 2011 at 7:00 p.m., Town Hall, 132 Kings Highway, Town of Warwick.**

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

**#R2011-203 SCHEDULE PUBLIC HEARING – PURCHASE OF DEVELOPMENT RIGHTS**

**Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to schedule a public hearing to consider the purchase of development rights of property known as the Warwick Valley Stables and Equestrian Center, SBL# 30-1-30.22, in accordance with the Community Preservation Fund Law, Chapter 7 of the Code of the Town of Warwick. Said public hearing to be held on August 11, 2011 at 7:00 p.m., Town Hall, 132 Kings Highway, Town of Warwick.**

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

**#R2011-204 SCHEDULE PUBLIC HEARING – LOCAL LAW AMENDING THE ZONING MAP OF THE TOWN OF WARWICK – SBL #46-1-9.1, 9.2, 16, 19 & 20**

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to schedule a public hearing for consideration of a Local Law amending the zoning map of the Town of Warwick pertaining to SBL# 46-1-9.1, 9.2, 16, 19, and 20, owner being the State of New York. Said public hearing to be held on August 11, 2011 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 (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**#R2011-205 CONTRIBUTION TO HEALTH CARE COSTS – ELECTED OFFICIALS AND APPOINTED EMPLOYEES IN NON-UNION POSITIONS**

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution that all elected officials and appointed employees in non-union positions within the Town contribute ten percent (10%) towards the cost of their health care plan premiums. This resolution will take effect at the beginning of any new term of office or contract agreement unless an employee chooses to invoke it sooner.

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

Discussion: Supervisor Sweeton stated as I mentioned to you earlier all of the elected officials stated they will have it take effect January 1<sup>st</sup>.

**#R2011-206 ACCEPT PROPOSAL FOR AUDIT SERVICES OF THE ARRA FUNDED EAST SHORE ROAD PROJECT PIN #8759.47**

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to accept the proposal for audit services of the ARRA funded East Shore Rd. Project Pin #8759.47 as per Chapter 17, Section 17.2 of the Procedures for locally Administered Federal Aid projects from Toski, Schaefer and Co., P.C., 300 Essjay Rd., Williamsville, NY 14221 in an amount not to exceed \$4,400.00.

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

Discussion: Supervisor Sweeton stated that this is a reimbursable cost under the federal aid project which we are a 10% match.

**#R2011-207 AUTHORIZATION OF ESCROW REFUND – LOURDES CROWLEY**

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to authorize a refund in the amount of \$442.50, the balance of the escrow for SBL# 64-3-27, to Planning Board applicant Lourdes Crowley as per the recommendation of the Planning Board Secretary; letter dated July 20, 2011.

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

**#R2011-208 SPECIAL EVENT PERMIT – CLASSIC CAR SHOW**

**Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution granting approval to the Warwick Ice Hockey Club, Inc. to hold a Classic Car Show at the Price Chopper Parking Lot on Saturday, September 24, 2011 (rain date 9/25/11) from 11 a.m. to 4:00 p.m. 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.**

**#R2011-209 REQUEST FOR GOVERNOR CUOMO TO RECONSIDER THE CLOSING OF THE MID ORANGE CORRECTIONAL FACILITY**

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

**WHEREAS, the Mid Orange Correctional Facility has been a vital part of our community since 1976 and,**

**WHEREAS, the Mid Orange Correctional Facility has made outstanding contributions that improved our Town through the volunteer efforts of the employees and,**

**WHEREAS, the Mid Orange Correctional Facility contributes to the local economy through support of local businesses, community service projects as well as support for numerous charity events and,**

**WHEREAS, the Mid Orange Correctional Facility is a major user of the Town's sewer facility without which the residential users will see their rates double and,**

**WHEREAS, the closing of the Mid Orange Correctional Facility will have a devastating effect on the economy of the Town of Warwick**

**NOW THEREFORE BE IT RESOLVED, that the Town of Warwick respectively requests that Governor Cuomo of the State of New York reconsider the decision to close the Mid Orange Correctional Facility and keep the facility open.**

**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)**

**Jason Riggins – Correctional Officer, Acting Chief Steward, Mid Orange State Facility - I talked to the historical society and the Manor House is registered as a historical site in the Town of Warwick and we were notified this morning that they are going to run the pipes dry and right now they are running off of generator power.**

**Supervisor Sweeton – The whole facility?**

**Jason Riggins – The whole facility. Does the State plan on maintaining this building while it's empty?**

**Supervisor Sweeton – This week was the first call I got from anybody associated with the Governors administration and it was from a woman named Liz Glazier who is the Director of Public Safety. She is trying to arrange a meeting for the municipality with the entity of the State for I believe the date she told me is August 2<sup>nd</sup>, so outside of that they've answered no questions from us despite the ones that were presented to Senator Larkin, I believe who Senator Carlucci, Larkin and Assemblywoman Rabbitt forwarded along with other concerns we had to the Governors office.**

**Jason Riggins – These are ones that affect the taxpayers. Being that the Manor House is going to require heat who is going to maintain it? This building doesn't have its own heat source; it comes out of the administrative building, so you're talking about more than one building that needs to be run for heat. If they don't maintain them during the winter months they're just going to fall apart. Who plans on doing the security once we're gone? Who will be responsible for keeping trespassers off the grounds? Is the Town Police Department going to be in charge of that? The Town Police are going to get a call every time someone is trespassing or trying to loot all the copper we have in the facility. There used to be when there was a one year plan before they put this into the budget within 60 days there used to be a use plan for the facility if they closed down; is that still in effect? The sewer impact on the adjoining houses now the 10 million dollars they're talking about separating between the communities, this money can't be used for that it's also for economic development. Is that going to affect taxpayers? Is it going up? Is it being doubled? There are gas and oil tanks that are on the facility grounds.**

**Supervisor Sweeton – Are they buried tanks?**

**Jason Riggins – No, above ground tanks.**

**Supervisor Sweeton – That we know of.**

**Jason Riggins – Are they going to be left on the property? Someone will have access because they are right there on the grounds or is the State going to remove them from the grounds?**

**Supervisor Sweeton – These are good, because again this is stuff that we can use.**

**Jason Riggins – These are ones that affect taxpayers and these are questions that we've asked that affect us and I appreciate your time.**

**Supervisor Sweeton – Thank you for bringing that up and could you submit a copy of those?**

**Jason Riggins – Sure, no problem.**

**Annmarie Sabarese – Resident, Village of Greenwood Lake – I’m sure you know why I’m here.**

**Supervisor Sweeton – I do and the Mayor has already spoken about the issue, but please.**

**Annmarie Sabarese – I have a big problem with the Town Beach. We have a problem when three weekends in a row we’ve been turned away because the capacity is at 250. Locals can’t get in whether they’re from Pine Island, Florida, Village of Greenwood Lake or Village of Warwick. We have our children being turned away and I’m a tax paying resident of this village. I think I should have the right to go down there and I’m not saying not close it to the locals, but have they come up with a better solution. This is not fair to any of us who live in the Town of Warwick. There has got to be something we can do.**

**Supervisor Sweeton – As the discussion was had in the beginning, and I’ll be happy to share it with you in a brief form. We recognize issues that happened this year and let me point out that we have sold 25% more resident season passes this year to date then we sold all of last year, which means the beach is clearly successful. People want to go to it, residents want to go to it and we need to figure out how to increase the capacity, we understand that. The 250 number is given to us by the County of Orange and the Department of Health and they were strict with us last year when we exceeded that number, so I think our staff is trying to be a little bit more careful this year.**

**Annmarie Sabarese – Right.**

**Supervisor Sweeton – But we recognize that it’s a great venue at a fairly reasonable if not a cheap price and that’s why everybody is there. We know the economy quite frankly stinks and people are taking advantage of it, but we are going to work on solutions. We will work with the village and certainly the residents to figure it out.**

**Annmarie Sabarese – There’s got to be something, I mean three weekends in a row we could not get in.**

**Supervisor Sweeton – It’s been closed four times, one of which was the 4<sup>th</sup> of July which you can understand and three other times out of the season so far.**

**Annmarie Sabarese – The buildings that are down there what are we going to plan to do with those?**

**Supervisor Sweeton – The large building we attempted to get someone to repair it. We could not get someone to repair it and have an engineer certify that it would be safe to open to the public so therefore it’s not. The intent is to remove it as soon as we can find some funds to remove it.**

**Annmarie Sabarese – Is there a way we can have a townwide fundraiser to raise the money so not to tear the building down?**

**Supervisor Sweeton – Absolutely, are you offering to serve on a committee?**

**Annmarie Sabarese – I absolutely would.**

**Supervisor Sweeton – We'll take your name down. That would be great.**

**Annmarie Sabarese – We've got to come to a solution. Kids are getting turned away and everybody is getting turned away plus it's getting dirty.**

**Supervisor Sweeton – Again, let me just tell you something. Last year and we haven't reviewed this years numbers, but last years analysis says that only 10% of the purchasers of admission to that beach resided outside of the Town of Warwick and we will do that same analysis again. So it's an issue of the numbers there, but I think we want to be careful not to characterize it as nonresidents crowding out people. On any given day maybe there's a few.**

**Annmarie Sabarese – On Sunday I'm going to sit down there and poll every person that comes through those gates and find out where they are from.**

**Supervisor Sweeton – That's fine. I appreciate that.**

**Annmarie Sabarese – I would like to know what are the duties of the lifeguards and workers down there? I mean tables are moved and I'm a smoker and I don't think smoking should be down there. I think it should be in a designated area over to the side. Are they supposed to be cleaning up some of the seaweed that's in there? I mean the lifeguards leave a half hour before it's closed.**

**Supervisor Sweeton – I became aware of that the first time Tuesday night at the meeting and I was as shocked as you were. If you go there from this point forward and find them gone before 7 p.m. they won't be working for us anymore.**

**Annmarie Sabarese – And there's the issue with the smoking and I'm a smoker.**

**Supervisor Sweeton – Are you saying that the employees were smoking?**

**Annmarie Sabarese – No people in general.**

**Supervisor Sweeton – We can address that absolutely. It's a quality of life issue.**

**Annmarie Sabarese – I don't like going down there and picking up cigarette butts.**

**Supervisor Sweeton – You want to give the smokers a spot. You don't want to ostracize them to much; my wife smokes so.**

**Annmarie Sabarese – You have to give them a spot it's the law, but I don't like going down there and picking up cigarette butts in the sand.**

**Supervisor Sweeton – Absolutely.**

**Annmarie Sabarese – We'll talk, thanks.**

**Councilman DeBuck – When someone does go there do they get a wristband? Aren't wristbands utilized when someone's there and they know when they have too many.**

**Supervisor Sweeton – They are supposed to be.**

**Annmarie Sabarese – They're given a pass.**

**Councilman DeBuck – If someone has a season pass who lives relatively close and goes there and say we want to use the beach and we're not coming back until noon, can you let the gate keeper know and have them issue you four wristbands?**

**Barbara Moore – Mayor, Village of Greenwood Lake – I believe they could set their chairs up and when the beach opens at 11 they can come back and be counted as part of the 250, or the beach can be opened a half hour early.**

**Supervisor Sweeton – The half hour early isn't the issue because the beach didn't close until two or three in the afternoon. It's the fact that someone comes later and wants to get on the beach and it's closed, but if you go to Wawayanda it closes at 10:30 a.m. We have no problem with someone, a resident with a season pass, coming at 10:30 a.m. and going on the beach and I guarantee you they will get a spot. That's not the issue. The issue is if I go home and show back up at 3:00 p.m. I can't get on the beach and that's an issue, so we need to figure out how to deal with it to make sure residents get to use it.**

**Annmarie Sabarese – I was told that people from Wawayanda are turning them away when they are full and sending them down here.**

**Supervisor Sweeton – I can't control what Wawayanda does.**

**Annmarie Sabarese – I know you can't, but we can control who comes in. Someone stopped me and said "I heard Greenwood Lake is open, can you give me directions?"**

**Supervisor Sweeton – The reputation is getting there. It's a great spot and there's no question.**

**Annmarie Sabarese – Maybe we should open the other beach on East Shore.**

**Supervisor Sweeton – The Waterfront Park Beach loses approximately \$25,000 to operate, so one of the reasons we closed the second beach was it also lost \$25,000, so we can look at the fee structure. We can decide if you as a resident instead of paying \$100 for a season pass is comfortable with paying \$150 or \$200 it's still a bargain. That may help alleviate or open the other one for weekends, I don't know. We'll look at all those things for you.**

**Vince Copello – On your agenda under correspondence from Benjamin Astorino, Chairperson from the Town of Warwick Planning Board, can you explain to me what is meant here, property known as Mid-Orange/NYS to be Re-Zoned from RU and CO to OI. What does that mean?**

**Supervisor Sweeton – What that means is the Planning Board is recommending to us that we take away the issue of whatever happens, however this plays out, people are unsuccessful in convincing the Governor that he made a wrong decision. That it is not in the best interest of the Town to have residential development on that site. It's inconsistent with the Comprehensive Plan and it's inconsistent with our zoning and what the Planning Board is recommending is change that zoning to the nonresidential zone we have which is Office Industrial; it's contiguous to such property now. Down the road again whatever happens once we know what the State intends to do we'll have an opportunity for the public to weigh in on different ideas for the site if we're unsuccessful in saving it. It's a prudent move and there will be a hearing on doing just that.**

**Vince Copello – Thank you.**

**Bob Wood – I hear all this talk and 400 people are losing their jobs and we're worried about zoning and all this other nonsense and nobody seems to care about the 400 people that don't have a job or being moved to Buffalo. I don't think there's enough being done and I'm very aggravated about this; I'm shaking right now. My wife works down there and this is a disgrace in this Town. That place is great. There are fundraisers for kids with cancer and firemen who've died and there's no other place to do that around here, it's a fantastic place and I don't see it.**

**Supervisor Sweeton – We don't disagree with you.**

**Bob Wood – I've read your newspaper article saying your talking to deaf ears, well guess what, I'm talking to deaf ears right now.**

**Supervisor Sweeton – Again, that is not the case first of all because you're not talking to deaf ears. From day one we told anyone who would listen higher up in the food chain that we did not want to see Mid-Orange close and we knew the reasons many of which you stated. The Governor was given the authority by the legislature to close prisons and we continue to argue that that's not the proper course.**

**Bob Wood – I understand.**

**Supervisor Sweeton – And we pointed out the advantages. When I first heard that there were two being considered, Otisville and Mid-Orange, we pointed out the differences that gave Mid-Orange an advantage in a meeting at the prison with the now retired superintendent. We went over those issues again why it seemed like Mid-Orange was the one that would come out on top. We don't know how the Governor made his decision; for all we know he put the names in a hat and picked them. They have not shared that with us and we've talked to everybody. I think what your doing is helpful. The more people you get to write to the Governor and express your concerns and your outrage; that's what he's going to listen to. We're passing a resolution and if you want me to go to Albany with you I'm happy to do it.**

**Bob Wood – I would love it.**

**Supervisor Sweeton – But Governor Cuomo, I'll be honest with you I didn't vote for the man, but he will probably listen to me as much as the wall is.**

**Bob Wood – I understand. Annie Rabbitt made a vote on the gay marriage bill and four days later in my opinion the jail was used as a pawn. Why wasn't that mentioned to these people and why wasn't something done about it. I understand you have limited access to stop this and you're doing what you can; I'm not saying that your not. I'm the guy who's standing in front of the post office.**

**Supervisor Sweeton – I know.**

**Bob Wood – You know why, because I want people to realize and you say that's not going to happen. You also said the jail is going to close give it your best and if you don't have the right to state yourself they'll sell it to whomever they want to sell it to.**

**Supervisor Sweeton – You are absolutely correct and that is one of the reasons why we will rezone the property so that residential development does not occur on the property.**

**Bob Wood – I am not raciest but the Hasidic community is not welcomed in my Town.**

**Supervisor Sweeton – I don't have an issue with you doing whatever you need to do to promote your cause. What I do have an issue with is that we are not going to allow residential development on the site period and we will on August 11<sup>th</sup> have a hearing in this room to rezone that property, hopefully, even if we're successful in convincing the Governor to change his mind, we'll still rezone it. The State of New York is exempt from our zoning, but nobody else is including anybody else who wants to come in. That's high density development.**

**Bob Wood – That’s the whole issue.**

**Supervisor Sweeton – I understand why you did it.**

**Bob Wood – The reality of it is, it’s a great, wonderful place and the people behind me and I use to work there myself and it’s fantastic. There is \$25,000 every year donated to cancer from this Town. Where else can you do that? I’m looking for a place to have a fundraiser for a fireman in the Town.**

**Supervisor Sweeton – I know that and I haven’t found your stage yet either.**

**Bob Wood – Where am I going to do that? There’s no options, I have no options.**

**Supervisor Sweeton – Again, it doesn’t mean it’s going to be an industrial park.**

**Bob Wood – That’s not the issue, the issue is to save the jail. Let’s save the jail and do something about it.**

**Supervisor Sweeton – We’re taking steps.**

**Councilman DeBuck – My advice would be to try and list the advantages of having it remain open be voiced and the disadvantages of it being closed be voiced including the track record it has. There was a track record of an elementary school that had an 82 year history in our Town and you listen to kids could fit into another school and it was a tough decision, but the right decision because they could fit here. Obviously they’re counting beds and they’re saying that the prisoners in this prison can fit in other prisons and its tough economic times and we need to close them. Well that’s really simple but that’s not the reality of ratifications and that’s not a tough decision; that’s a simple decision and sometimes the person making that decision, the Governor in this case, hasn’t weighed in other advantages and disadvantages. He’s probably saying here’s the amount of beds and we could fit those folks here.**

**Bob Wood – He doesn’t know and he doesn’t care.**

**Councilman DeBuck – So that’s the project, trying to make him aware of how this affects this community.**

**Bob Wood – It’s a shame.**

**Supervisor Sweeton – It is the problem he doesn’t know, he doesn’t care, he’s looking at numbers and again we have no idea how he made his decision.**

**Bob Wood – It’s all politics.**

**Supervisor Sweeton – He may never share that with us. We will seek the answers. The gentleman before gave us some additional things that we can try to press that I can also give to our legal firm to see if they can find any possibility of a way to at least delay the decision. We are happy to do that because we grew up here and we see the good benefits that come from the prison.**

**Bob Wood – If that place closes it's a shame cause it's a wonderful place. Thank you for your time.**

**Jason Riggins – I don't know if you aware of this but August 21<sup>st</sup> a lot of folks are going out, the last remainder.**

**Supervisor Sweeton – I did hear that they accelerated it when that woman called me. Originally it was slated in phase two which would have been later in the year, but they accelerated it for whatever reason.**

**Jason Riggins – We're going to be technically moved starting August 4<sup>th</sup> or roughly around that time.**

**Supervisor Sweeton – I would ask you because one question occurred to me. You're the local union rep, so higher up has your union looked at the legal aspects of this?**

**Jason Riggins – Yes we have.**

**Supervisor Sweeton – Would they be willing to share thoughts with our attorneys?**

**Jason Riggins – Our only way of pushing so far is to try to go after the task force that was established. It was activated for six days and then disbanded. We are trying to look into the reading of it. I don't know if your lawyers want to look into the reading of the task force.**

**Supervisor Sweeton – Was that authority given to them by the legislature or something?**

**Jason Riggins – Yes, it was a recommendation not something that needed to be done, but I don't know if there is a way we can push for that to go further?**

**Supervisor Sweeton – We've even gone as far as to pull the old sewer agreement that was made between the Town and the facility to see if there's something in that document which is this thick, but it says that they have to give a certain amount of time. We're grasping at straws but...**

**Jason Riggins – He was really smart when he bundle packaged everything into the budget because when he bundle packaged everything into the budget he gave a little to this one and that one when everyone approved the budget. When it went through**

and he threw in the 60 day rule that's all he needed and the legislation gave him power. Once they gave him the power our lawyers can't find anything.

Supervisor Sweeton - They can't find it either. If you want to leave me some contact information that I can pass on to the Town Attorney.

Jason Riggins – Sure.

Supervisor Sweeton – That would be helpful and I'll see you at the end of the meeting.

Thomas O'Brien – About the beach issue, if we're having so many people coming and we have to close because we're at capacity why are we not opening the other beach? If there are two beaches and one is shut down wouldn't we open the other beach?

Supervisor Sweeton – Because first of all this season that beach hasn't been permitted by the Orange County Health Department through the whole process that has to be gone through, a permit filed and then they have to approve it and then we have to staff it. Up to this year this hasn't been an issue per say, but now that we're aware of the issue as we discussed before maybe by looking at the fees and adjusting the fees up to cover the loss of revenue or the extra cost of running the other beach say on weekends or something, but that's not a short term solution.

Thomas O'Brien – I have lived here all my life like my parents and grandparents and it's not fair to be turned away from the beach for people from New York City and New Jersey. This is where we live and pay taxes, so why are we being turned away from our Town Beach?

Supervisor Sweeton – Again, I'll just reiterate just a review of last years records 90% of the users at the Waterfront Park were Town of Warwick and or Orange County residents, 90% Ok, and we'll look at the numbers again this year. Tomorrow we could make it a Town only beach.

Thomas O'Brien – How do you know where they are from? Are you checking license plates?

Supervisor Sweeton - Because they file an application for permits. We're going to look at the issue and try to alleviate the days that the beach gets too crowded to allow anybody that wants to go there.

Andrew Jennings – Representative for David Carlucci - In terms of the 60 day notice from the Governor's office the Senator and seven members of the New York State Legislature are asking for a 90 day extension to try and extend the closing of the prison for 90 days.

**Supervisor Sweeton – Again, we need every effort that we can have.**

**Elizabeth Lewis – I’m a Mid-Orange Correctional Officer as well as a Warwick resident. I’m hearing about economics and we all have problems paying our bills. Being that they are pushing us out of the jail how is the sewer rates going to effect us? I’m getting it both ways from having to transfer somewhere else and having to pay.**

**Supervisor Sweeton – All I can tell you again is, we haven’t met with them and they haven’t given us any information on what kind of assistance they are willing to give. I will tell you that sewer revenues from Mid-Orange are about \$200,000 it’s about half of the revenues to the plant. There are about 600 users other than the prison of the system.**

**Elizabeth Lewis – So when is the prison closing?**

**Supervisor Sweeton – We can do what we can to reduce the operating cost but we are not going to cut it in half, we’ll be clear about that. Our position is as long as New York State owns the facility they’ll get charged for sewer. Now again, they may say your nuts we’re not paying you another nickel, but we’ll fight that fight. Everything we’ve heard through our legislative representatives they’re willing to give us some assistance, but that’s very vague. We can all say that it doesn’t mean anything. We’re fighting and if all these efforts are unsuccessful we’re fighting to mitigate that shift to the residents in the district. Because it will be a burden; you can do the math in your head if it’s half and even if we can reduce that by 20% you’re still going to see a pretty hefty rise in sewer rates.**

**Elizabeth Lewis – So we won’t know anything.**

**Supervisor Sweeton – If they nail down this meeting which they haven’t done I would hope that I would have much more information and answers to pass out to the public and I will do that the minute I get it.**

**Dan McCullough – Correctional Officer, Mid-Orange – There’s a bunch of questions that haven’t been answered and evidently you don’t know what’s going on either.**

**Supervisor Sweeton – Right.**

**Dan McCullough – How this came about, how this was started, how Mid-Orange was picked? This is a double Cuomo nightmare in New York State. We were told by Annie Rabbitt the Governor wants 37,054 beds and he is going to get 37,054 beds. Well we still have inmates double bunked and it’s only supposed to be temporary from the late 80’s early 90’s until his father was in office. He built seven new prisons because of the over population. Now you can save the unused space by stopping the double bunking and put inmates in regular cells he still gets his beds,**

he gets what he wants and some of the facilities stay open. Maybe you might want to ask that one.

Supervisor Sweeton – That’s a good one.

Dan McCullough – Here’s another one; you’re the rep for Carlucci and he hasn’t shown up for one meeting, why? We’ve had Annie Rabbitt and he has sent you here telling us what he’s doing, why isn’t he here?

Andrew Jennings – I can have him attend the next meeting.

Dan McCullough – The next meeting we’re all going to be transferred and the place is going to be closed. Those are some of the questions. In the Record a couple of weeks ago when this first started it stated that there are 772 acres there and 732 acres are designated wetlands correct, according to the paper.

Supervisor Sweeton – I looked at maps and I’m guessing what’s developable there is what’s developed now. That’s my best guess just looking at it. I think the rest of it is un-developable.

Dan McCullough – Ok.

Supervisor Sweeton – Correct.

Dan McCullough – The Board knows as well as I do there hasn’t been any excavating down around there in years. An environmental impact study would have to be done before anything could be done on that property. Is that State or Federal wetland protection?

Supervisor Sweeton – I don’t know, what I saw was some wetland maps and I saw some FEMA flood maps, so I’m guessing it’s probably a combination of DEC and Army Corp wetlands.

Dan McCullough – Ok. What’s the lake over in Florida?

Supervisor Sweeton – Glenmere.

Don McCullough – Now they found that frog there or whatever. If they find something here there’s not a darn thing that can be done to that place except what’s done now.

Supervisor Sweeton – I don’t disagree with you, I mean one of the questions we have for them is there needs to be some sort of environmental analysis done of the property. What are you going to do with this property and that’s in our correspondence to them; that’s one of the questions I plan on asking them.

**Dan McCullough – But consider that. It's fell by the wayside; nobody has taken any consideration to that.**

**Supervisor Sweeton – Yeah that's a good one.**

**Dan McCullough –Like I said we have no idea, no one has come to us and told us anything. This commission that we were told was for six days and like somebody said he may have pulled it out of a hat or something. All he is worried about is gay marriages that's all you see all over the TV. I could care less if you are gay and want to get married. I was born in St. Anthony's, lived here all my life and built a house in Greenwood Lake because I've been here. Now I have to travel over an hour away. I know people don't have jobs and I'm sorry for that. We thank you for the things you said and we hope you bring it to the Governors office for us.**

**Cynthia Breslin – Can't you have an appraiser come in who does combination appraisals for the State? I know a few and appraise it for highest and best use. Being that it's right next to the wetlands and the wetlands take up more then half. He will go to court to prove that this is the best usage for the prison. To keep the prison and how long it's been there what else can you do with it probably nothing, but he will come up with it and he will give it to you as the narrative. It will cost whoever probably about \$1,000 or \$2,000; I don't know what they would charge.**

**Supervisor Sweeton – I'll certainly share that with the attorneys. The key here in my mind is to find some legal way to delay the process. I can get an appraisal and he can tell me its best as a prison and the Governor again is going to look at me and say what are you nuts?**

**Cynthia Breslin – No, this is not an appraiser who would do that. He would find out what could be done with this property. He is neutral in the whole process and he works for the State and he's right in Greenwood Lake and he's an excellent appraiser.**

**Supervisor Sweeton – Maybe you can leave a name for us.**

**Cynthia Breslin – He goes by zoning, usage, grandfathering, highest and best usage he can go back to when the prison was built back in the early 1800's.**

**Councilman DeBuck – Michael, on the beach overcrowding issue, if indeed Waywayanda closes as a New Jersey State Beach can we make a recommendation that they not recommend their overflow to come to the community beach. I did a little research today; Sebago Lake that's in Harriman State Park is eight times bigger then the Morahan Beach and that might be a better recommendation if they need overflow. It's not that we want to discourage someone visiting our beach; I think it's good that some out of town folks go although it might be their second choice because they've already been turned away at a State facility. Simply a courtesy to say nothing for nothing, but you might think it's a good thing to refer**

**your overflow to us but we would prefer if you referred your overflow to large facilities.**

**Supervisor Sweeton – I could try to contact someone.**

**Councilman DeBuck – It's just a suggestion. I don't know how serious it is that they close and I don't know how early they close. I do know that Waywayanda Beach will charge double on weekends. They have a different rate schedule and we do not. Maybe next year we'll look at a different schedule. I own a recreation facility and I have members that are season members and quite frankly a lot of my season members don't come on the weekends. Because they know a lot of people want to use it on the weekends and it's too crowded. They simply do the math and a season pass is this much and this is the rate for weekdays and this is the rate for weekends, so this is how many times I need to go during the week to get my money's worth. We need to find a happy price to make it the best value and try to discourage it as an overflow. Our private facility is a first come first serve and if you live in Greenwood Lake you can take advantage because it's right down Windermere Avenue. If you want to get in you have to get there before anyone else.**

**Annmarie Sabarese – It's funny, you have open parking spots but they tell you the beach is full.**

**Danielle Carhasquillo – Correctional Officer, Mid-Orange – I know you said you have a meeting set up and correspondence to send to the Governor, but do you guys realize some of us are getting shipped out as early as next week? Is this going to be done quickly or is this going to take another four weeks? We have not gotten any answers from anybody.**

**Supervisor Sweeton – Again, the first contact they've had with us is Monday. We continue to impress upon our legislators to get these answers to the questions. That's why I think it's critical to try to get a stay. They've decided for whatever reason, maybe because you folks got vocal I don't know, to accelerate the process and again they hold 90% of the cards here unfortunately. If we can find whatever little legal aspect there is to slow it down that's what we're going to try to do. We understand they're moving people; we get it.**

**ADJOURN: Motion Councilman DeAngelo, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 8:38 p.m.  
07-21-11 cp.**

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**Marjorie Quackenbush, Town Clerk**