

August 11, 2016

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, August 11, 2016 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Sweeton called the meeting to order at 7:30 p.m.

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

**Attorney for the Town, Jay Myrow
DPW Commissioner, Jeff Feagles
Police Lieutenant, John Rader**

RESENTATION: POLICE K9 UNIT

Lieutenant Rader introduced Officer Halsey and his K9 partner Nicky and Officer Cossentino and his K9 partner Tank. The Officers came here with their partners tonight to let the Board and public know that besides what they do everyday they have to constantly train them while on duty and off duty. They participated in the United States Police K9 Association Trials that were held at the MTA facility in Stormville, New York between June 24th and 26th. They were among 39 other K9's from the northeast and we were competing with departments as large as the MTA and the New York City Police Department. During that competition K9 Nicky took first place in criminal apprehension, second place in scent work and third place overall which qualified him for the national team. K9 Tank took first place in agility, second place in obedience and third place in scent work which qualified him also for the national team.

Supervisor Sweeton – We want to congratulate the Officers and certainly the dogs. We know they are good dogs and you put in a lot of hours off the job to train and bond with your dogs. They've been very productive members of the force in terms of getting arrests and finding people and being called out at all hours. On behalf of the Board we want to thank you both for doing this and your service, we appreciate it and we are very proud of you. Good luck on the national level.

AUGUST 11, 2016

PRESENTATION: SHOPRITE

Supervisor Sweeton introduced two representatives who are here for the Shop Rite Supermarket a long time business in our town a contributor and supporter of many events here in the community. They've embarked upon a project they are before the planning board and they are here tonight to talk to the Board about some requirements that they need from us.

Anthony R. Mole', Of Counsel, Shamberg Marwell Hollis Andreyck & Laidlaw, P.C., 55 Smith Avenue, Mt. Kisco, NY 10549 – This is a matter before the planning board for site plan. This is a renovation to the existing Shop Rite and we have a plan that shows a marginal access road which brings us to your Board. There are a number of waivers that we are seeking in relation to that. In the letter that was submitted to the board the outlined waivers there was a total of 19 waivers and with regards to those a lot of them have to do with the marginal access roadway itself and others have to do with landscaping and parking and some have to do with square footage of the building. 13 of the 19 waivers we submitted to the Board aren't really required. The planning board did submit a letter to this board issuing a favorable recommendation for all the waivers as the Town Board sees fit. However just to go through them a little bit 13 of the 19 fall under a section of your code section 164 provides that an existing condition is remaining the same or is becoming more conforming as a result of a plan a waiver is not required. However the planning board did list them all out so you can see them all. If you are so inclined to consider those waivers as well and if you feel they are necessary then we will resubmit that the planning board went through them all in great detail over a course of several months and felt they were appropriate. Within regards to the landscaping waivers the section of the code 164-43.2-A7, all of those waivers are under A on sub 7 and basically said those waivers are related to the landscaping or those requirements relating to the landscaping are to be considered by the planning board with the understanding that they are encouraged but not necessarily required for all sites because all sites are different and all conditions are different. Basically how your code is set up is for the planning board to review the landscaping on a commercial site especially commercial parking lots and come up with a plan that suits the site the best. We've worked quite diligently with the planning board and coming up with a landscaping plan that improves the existing plan that exists now as far as existing conditions. It adds significantly more landscaping and doubles the landscaping that exists there now and it will make it look much more presentable and esthetic to the public and that's what brings us here. I just want to discuss briefly the marginal access roadway. I understand we made a submission to the Town Board and I'm sure you've taken a look at it. The code requires the marginal access roadway typically be dedicated to the town. In this case the marginal access roadway is setup in such a way that we agree with the planning board on how it should be setup for safety and liability purposes. Essentially if it were dedicated to the town we would subdivide the lot into two lots in a very strange fashion it starts off of Warwick Turnpike turns down toward Route 94 perhaps through the site and back up and then back through the across adjacent property. We also worked with the owner of this neighboring site Kaytes for the best area to cross onto their site and everyone the property owner and the planning board gave their opinion

AUGUST 11, 2016

and suggested that's the best place to crossover. We wanted to avoid putting marginal access across the front of the building because people walk to and from their cars in a parking lot there and to have that as a through route is not the best scenario. We also did a site walk specifically to go over the marginal access roadway among the other items on the plan and the planning board is thinking that's the best location for it. Due to its location your code kind of it assumes the marginal access roadway is going to run along the road itself the main roadway, which it will not do in this case. We submit to the board dedicating that roadway to the town will create issues for the owner of the property and really for the town as well. It could create a liability issue, maintenance issue, air facilities, utilities running under that area would need to be maintained and repaired. How's that going to happen? Plowing and it would require variances because it would split the lot and create a subdivision of a lot by virtue of the town owning that piece of property running through it. Basically we designed a plan in a way that would give the town the benefit of having the marginal access roadway without the burden of owning the property. We proposed that the signage to be required on a site plan would direct the cars to the marginal access roadway and failure to provide the signage would be a site plan violation and fully enforceful by the town. You would have every right to enforce a marginal access roadway and maybe even more so if owning it as a site plan violation if failed to maintain it and continue in the future. The other thing to keep in mind is the applicant here is a tenant of the property they don't own the property so they have to deal with the owner of the property, their landlord and the landlord's lender who loans money on the property. We did have conversations with both those entities with regard to marginal access roadway and they were adamantly opposed to the dedication to a municipality because of what would occur in terms of liability and in terms of fabricating the lines. That's essentially why we are here tonight. We have plans and an engineer who could answer any questions you may have with regard to this specific site.

Supervisor Sweeton – The Board if you think back to when we made the provisions to require the marginal access road. We knew this parcel was the most problematic because ideally we wanted it to go behind the store and the typography doesn't allow that. To go in front of the store it creates the cross pedestrian issues, so I think this was and the planning board did a lot of work to show that this made the most sense. We won't be owning it which probably makes good sense for us at this point as well. That's why they are here and that's what gives us under that provision of the zoning code the ability to grant waivers to make this work. Attorney Myrow you had a question.

Attorney Myrow – Do you have a clearer picture of where the road actually is?
Where the actual road is without the other stuff around it?

Supervisor Sweeton – Yes if you've been through the parking lot I understand what they are doing coming in off of Warwick Turnpike at their exit and they are coming down that first lane which is the most underused lane that they have and coming along the front between the spare parking lot I believe.

Attorney Myrow – I'm having trouble visualizing it.

AUGUST 11, 2016

Anthony R. Mole' - At one point with the planning board we did have it outlined in red.

Daniel Pedersen, PE – The Lauro Group, One Suffolk Square, 1601 Veterans Memorial Hwy, Suite 330, Islandia, NY 11749 - It's essentially like a ring road it hugs the perimeter of the site.

Councilman Shuback – Is Leo Kaytes going to have to reconfigure where they put their cars wont they?

Anthony R. Mole' – I don't want to speak for them but I guess there's a concept of a carwash going into that property and the idea was the carwash would go back here and it would fit perfectly with access to the property.

Supervisor Sweeton – He's talked to the town and he showed us conceptually what he hopes to do and it does line up exactly where it should be.

Anthony R. Mole' – It was originally planned on crossing somewhere down here but hey moved it up here.

Supervisor Sweeton – You couldn't cross this in front through Leos because there are wetlands and a stream so you can't get through there. The planning board looked at it recently we have Chris Little who's on our planning board here in the audience tonight too and they did the recommendation for us to grant the waivers necessary to make this happen. Any other questions?

Attorney Myrow – Are there any discussions about offering dedication to the town just in case at some point it becomes necessary to the town to take title to it?

Anthony R. Mole' – The marginal access roadway is not something Shop Rite has the power or authority to do. It's owned by the property owner.

Attorney Myrow – Was there a discussion the planning board requiring the owner to?

Anthony R. Mole' – Yes, we had many discussions.

Attorney Myrow – Not for us to take title but to put an offer of dedication on record.

Anthony R. Mole' – That would lead to taking title.

Attorney Myrow – That would give the Town Board the option to take title but no obligation to take title.

Anthony R. Mole' – I think from my understanding from the property owner that would be in violation of whatever they have in place with their property. I know they discussed an easement and we were trying to come up with all kinds of alternatives and everything was a major problem with that.

AUGUST 11, 2016

Attorney Myrow – The only reason I request putting an offer of dedication on record is if it didn't work out over time.

Supervisor Sweeton – I think I would relay on the planning board to put provisions in their approvals that ensures that it remains a marginal access road. It would certainly be some legal documents to that effect, so I think that's the protection we would look for and leave it in the hands of the professionals that have done this. Just so you know you have the Board behind you and just show the Board what's happening here, its an L shaped one building and 90 degrees to the other building. They are removing what was the pharmacy from the small strip mall which will allow them when combined with the space that they had approved for a restaurant to expand the building to what they need. They are asking for a small waiver on square footage from us. Also you are increasing the landscaping just not reaching the threshold and I think the planning board was ok with that. They are asking for 4 signs where 2 are permitted primarily because they extended the building and created several of these peaked roof areas. It doesn't seem unreasonable to me at least and I think there was a buffer setback issue they needed a waiver for to fit the marginal access road in. Those are what they are asking us for and we are not in a position this evening to take action because the planning board has initiated SEQRA and until they complete the SEQRA we can't grant the waivers so what we are suggesting to the planning board is they finish their process, close SEQRA and grant the final approve with conditions, one will be to get these waivers and they will come back to the Town Board to get those at that point. I would like to give these gentlemen some feeling on how the board would go with this and I just ask each board member to give me your sense.

Councilman Gerstner – For personal reasons I'm going to recuse myself.

Town Board Members – It all makes sense.

Supervisor Sweeton – You can take that back with you to the planning board and we certainly will communicate with them as well and we will see you back here next month.

ACCEPTANCE OF MINUTES:

- 1. Regular Meeting: July 14, 2016**
- 2. Special Meeting: July 26, 2016**

Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the Regular Meeting held on July 14, 2016 and the Special Meeting held on July 26, 2016. Motion Carried (5 ayes, 0 nays)

CORRESPONDENCE:

MARGARET KORNSTEIN - Pension Integrity Bureau, Office of NYS Comptroller. Letter regarding Standard workday and reporting to the NYS and Local Employee's Retirement System for Elected and Appointed officials.

AUGUST 11, 2016

KATE SCHMIDT - Planner, Orange County Department of Planning. Workshop for Landowners considering larger scale, solar energy installations sponsored by Cornell Cooperative Extension, Orange County, & Orange County Planning Department. August 1, 2016 7:00 – 9:00pm at Orange County Emergency Services Center, 22 Wells Farm Rd. Goshen, NY 10924.

PRISCILLA GERSBECK – Town Clerk, Town of Goshen. Letter and Legal Notice to notify the Town of Warwick of a proposed Local Law #4 Amending Chapter 97 (“Zoning”) of the Code of the Town of Goshen to provide regulations for Wind and Solar Energy Systems within the Town of Goshen.

ORANGE COUNTY WATER AUTHORITY – Hudson River Estuary Program. Memo to town Board regarding The Hudson River Estuary Program (Estuary Program) and the Orange County Water Authority (OCWA). They will offer technical assistance to a limited number of communities in Orange County, New York interested in creating or updating a basic Natural Resource Inventory (NRI). As part of this project, the Estuary Program and OCWA staff will assist local municipalities by: guiding groups through the steps necessary to create/update a basic NRI; facilitating the acquisition of data resources; assisting with the creation of maps; and reviewing reports. If you would like to be considered for this opportunity, please fill out an application by August 19, 2016. For questions contact Kelly Morris at (845) 615-3840.

BENJAMIN ASTORINO – Planning Board Chairman, Town of Warwick. Letter to Supervisor and Town Board regarding the Planning Board’s “favorable” recommendation to the Town Board on the proposed Shop Rite Addition Site Plan Approval & Special Use.

ORANGE COUNTY GENEALOGICAL SOCIETY – “Following the Journeys of 18th Century Palatines”. August 6, 2016 at 10:30am. Goshen Methodist Church, Fellowship Hall, 115 Main Street, Goshen, NY. All programs are FREE and open to the public. For more information, visit www.ocgsny.org or contact Anna Calli at acalli1065@aol.com . Refreshments following program.

ORANGE COUNTY GENEALOGICAL SOCIETY – “Favorites and Why” A program offering suggestions about what library, archives, collection, blog, or genealogy software is a favorite and why. September 3, 2016 at 10:30am. Goshen Methodist Church, Fellowship Hall, 115 Main Street, Goshen, NY. All programs are FREE and open to the public. For more information, visit www.ocgsny.org or contact Anna Calli at acalli1065@aol.com or Marilyn Terry at mvtgrterry@aol.com . Refreshments following the program.

ROBERT S BOOKMAN – Attorney, Pesteky & Bookman Attorneys at Law 325 Broadway, Suite 501, New York, NY 10007. Letter to Supervisor and Town Board - notifying the Town of Warwick of their intent to apply to the State Liquor

AUGUST 11, 2016

Authority for an alteration application liquor license for Ristorante Grappa Inc located at 22B Railroad Ave. Warwick, NY 10990. The bar plans to extend and accommodate additional (2-4) bar stools.

THOMAS F MCGOVERN – Chief of Police, Town of Warwick. Memo to Supervisor and Town Board regarding a check deposited into Special Departments, line#466 from Appriss Inc. in the amount of \$56.00 for accident reports.

ANNMARIE MAGLIONE - Director, Orange County Office for the Aging. 18th Annual Senior Forum + Public Hearing will be August 12, 2016, 8:30am-2:00pm at SUNY Orange, 115 South Street, Middletown. For more information, go to www.orangecountygov.com/aging .

TIMOTHY C. AVERY – NYS DEC Floodplain Training Coordinator. Upcoming FREE NYS DEC Floodplain Management & Coastal Erosion Training. September 7, 2016 from 9:30am – 4:30pm at Orange County Fire Training Center, Room #4, 9 Training Center Lane, New Hampton, NY 10958. For more information call (585) 232-5137 [x276/tavery@bergmannpc.com](mailto:x276@tavery@bergmannpc.com). Register at www.dec.ny.gov/lands101275.html .

RACHEL WILSON – Orange County Youth Bureau 18 Seward Ave., Suite 102, Middletown, NY 10940. It is the intent of the Orange County Youth Bureau 2016 2nd Request for Proposals (RFP) to award one or multiple agencies to support programs that provide programing services to children and youth military families throughout Orange County. Applications are now available on the Empire State Bid System at <http://www.empirestatebidsystem.com> or by visiting the Youth Bureau website at www.orangecountygov.com/youthbureau for the Youth Development Program (YDP). All Inquiries about the RFP must be directed to the Orange County Department of General Services, to Samantha Sweikata, Contract Coordinator, at 845-291-2507 or ssweikata@orangecountygov.com .

THOMAS MCGOVERN - Chief of Police, Town of Warwick. Memo to Supervisor and Town Board regarding a check in the amount of \$4,269.88 from Propertyroom.com for old cars. Please be advised \$3,840.50 of check will be deposited into the Police Department Special Department Supplies line #466. The remaining \$429.38 will go to the Department of Public Works.

DEBORAH EURICH – Assessor, Town of Warwick. Letter to Supervisor and Town Board regarding (NYSAA) Fall Training Session on Assessment Administration.

KEVIN M. COLOMBA - Part time Audio Tech, Town of Warwick. Letter to inform Supervisor and Town Board of his resignation.

AUGUST 11, 2016

HON. PETER D. BARLETT – Town of Warwick Justice. Certificate of Completion Continuing Judicial Education Program from the Unified Court System of the State of New York.

THOMAS MCGOVERN – Chief of Police, Town of Warwick. Memo to Supervisor and Town Board regarding a check from the Town of Woodbury in the amount of \$715.15 for Officer Cossentino to be deposited into the Police – F/T Officer – O/T line.

DANIEL GIBSON – Building Inspector, Town of Warwick. Memo to Supervisor and Town Board regarding Property Maintenance.

BOARD’S DISCUSSION ON CORRESPONDENCE

Supervisor Sweeton – The Building Inspector Dan Gibson sent a letter to me earlier in the week and we did add that resolution to the agenda for property maintenance issues. We notified the property owners of the violations and served them with notice and got no response and the Building Department sent us a letter to have a contractor come in take care of the violations and we would charge them back on the taxes. I wanted to move on that this evening because most of them are issues with debris and grass and hazards.

Councilman Gerstner – I wanted to thank Kevin Colombo for his service and wish him well.

VISITING ELECTED OFFICIALS

Supervisor Sweeton introduced Chris Little who is on the Town of Warwick Planning Board.

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

Catch Basins	Oak Street	Rebuilt Basin	Village of GWL
	60 Black Rock Rd.	Build new Basin	Town
Drainage	Rumsey Rd.	Blacktop Ditches	Village of GWL
	Lake Street	Repair drainage	Town
Ball Fields		Mow & Maintain as needed	Village of GWL
Pot Holes	Village Wide	Fill as needed	Village of GWL
	Town wide	As needed	Town

AUGUST 11, 2016

Vehicle Maint.		As needed	Village of GWL
Road Signs	Village Wide	Replace as needed	Village of GWL
	Town Wide	As needed	Town
Water Dept.	Wah Ta Wah	Repair water leak	Village of GWL
Culvert Pipes	Edenville Rd.	Clean Culvert pipes	Town
Ditch Work	Glenmere Ave.	Clean Ditches	Town

PARKS DEPARTMENT

Union Corners	Irrigate as needed	
	Mow as needed	
Pine Island	Mow as needed	
Airport Park	Mow as needed	
Wickham Woodlands	Mow as needed	
Winstanley Field	Mow as needed	
Beach	Mow as needed	

ENVIRONMENTAL CONSULTANTS REPORT

Wickham Water District

Well #11 2,734,000 gal
 Average daily use 88,200 gal
 Sodium Hypochlorite used 212 qt
 Orthophosphate used 66 qt
 Caustic Soda 60 gal

Bellvale Park Water District

Total monthly production 124,500 gal
 Average daily use 4,000 gal
 Sodium Hypochlorite used 4 qt

Eurich Heights Water District

Total monthly production 206,000 gal
 Average daily use 7,900 gal
 Sodium Hypochlorite used 4 qt
 Orthophosphate used 12 qt

Pine Island Water District

AUGUST 11, 2016

Total monthly production	370,500 gal
Average daily use	12,000 gal
Sodium Hypochlorite used	10 qt

Westside #1 Water District

Total monthly production	3,758,700 gal
Average daily use	121,200 gal
Sodium Hypochlorite used	240 qt
Orthophosphate used	116 qt
Caustic Soda	90 gal

The Fairgrounds

Total monthly production	304,400 gal
Average daily use	12,000 gal
Sodium Hypochlorite used	12 qt

The Warwick Tech Park

Total monthly production	48,600 gal
Average daily use	1,600 gal
Sodium Hypochlorite used	10 qt

Sewer District #1 Wastewater Treatment Facility

Warwick Tech Park	48,600 gal	2%
Wickham Village District	1,712,391 gal	51%
Kings Estates District	1,565,389 gal	47%
<u>Total District Flow</u>	3,326,380 gal	100%
<u>Average Daily Flow</u>	107,303 gal	

All facility maintenance has been done for the month. (Oil grease, filters)

The belt press ran for 20 hrs. and 2 gal of polymer was used.

20 cu. yds. Of pressed sludge was removed from the plant.

Sewer District #2 Wastewater Treatment Facility – The Fairgrounds

<u>Total District Flow</u>	196,766 gal
<u>Average Daily Flow</u>	6,346 gal

COUNCILMAN DE ANGELO REPORT

- 1. The Post Report for July, 2016 is as follows: Greenwood Lake had 301**

AUGUST 11, 2016

calls, the Town outside the Village had 802 calls, Pine Island had 352 calls and the Village of Warwick had 639 calls for a total of 2,094 for the month of July.

2. I want to thank you Lieutenant for your presentation.

3. The Warwick Humane Society seized 43 rabbits on July 10th for neglect from a Warwick resident. They started with 43 and increased to 63 in two days. They have all been spayed and neutered and are ready for adoption and the small applications are on their website or at the shelter. They are all domestic rabbits and the total population at the shelter is 23 dogs, 131 cats/kittens, 60 rabbits, 1 duck, 1 rooster and 1 three legged turtle. There will be a rabies clinic on Sunday, August 14th from 10:00 a.m. until 2:00 p.m. No appointments are necessary, cats and dogs only, \$15 cash only. Shannon Applequist is working toward her Girl Scout Award and has chosen to organize "Project Movie Night" to benefit the Warwick Valley Humane Society. On Saturday, August 27th at 6:00 p.m. at the Warwick Valley Community Center, 11 Hamilton Avenue, Warwick showing Marley & Me and at 9:00 p.m. they are showing Rocky Horror Show. On Sunday, September 18th there is the 5th annual 5K4Paws with an 8:00 a.m. registration at Glenmere Lake Park and there is online registration available at active.com or use the link at wvhumane.org. The supplies needed are pate style, ground canned cat food, paper towels, heavy duty garbage bags and any donation you care to make.

COUNCILMAN KOWAL REPORT

1. Last month we had a concert at Wickham Woodlands and I thought it was a great success. We had 500 people there and the field of cars was almost filled to capacity.

Councilman DeAngelo – It was a beautiful venue.

Councilman Kowal – This Saturday, August 13th starting at 4:00 p.m. at the Pine Island Park they are having a Jazz in the Park Program. On Sunday, September 4th at the Pine Island Legion we are having our 9th Annual Onion Eating Contest and we invite anyone who wants to come out and challenge themselves to win the contest. It's a fun way to promote the onions in our region, it's a fun thing we have there and we keep it light hearted and it's always very well received.

COUNCILMAN GERSTNER REPORT

1. I would like to read the following letter from Altice, "Dear Supervisor Sweeton: Please let this letter inform you and your staff that effective August 31, 2016 Optimum will be eliminating The Blaze service on channel 157 Standard Definition and 828 High Definition. The Blaze is currently available to residential customers taking Optimum preferred, Silver & Gold packages, plus grandfathered IO Silver IO Gold. Customers will be notified of this change through on air, bill messages or www.optimum.com."

2. The Village of Warwick submitted their recreation summery for this year. They had a very successful season again this year and we thank them for all that they do. They had a wide variety of arts and crafts that were made throughout the summer. The dye day was a big hit for the kids, the sport specific activities tennis, football,

AUGUST 11, 2016

soccer, basketball, lacrosse, track and cheerleading were very successful as always. They do a great job and we thank them. We also have some numbers here for the participation for the park program and the total for the program was 118 with 77 males, 41 females, 65 from the town and 53 from the village.

3. The Supervisor and I attended a kickoff meeting at the Warwick Valley Community Center where they are looking to turn their playground into a nature play. They are looking for volunteers to join a committee and they are looking for monetary donations to help them out. For more information you can contact Karen Thomas at the community center and it looks like its going to be a good thing a good idea. This will be for pre-schoolers and they would like it to have rocks, trees, dirt and water so the kids can learn about nature. It was a very interesting meeting and I'm looking forward to the meetings.

Supervisor Sweeton – It looks like a great project and if anyone out there is willing to help, volunteer or donate it would be much appreciated.

Councilman Gerstner – We are looking for landscaping designs or anything that can help out with the project and Karen Thomas has all the information.

COUNCILMAN SHUBACK REPORT

1. The Highway department of public works has most of their work in the Village of Greenwood Lake which we operate for them and the only thing we are doing in the town right now is irrigating the fields and mowing as needed.

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. Fees Collected – Month of July 2016 – Wickham Lake Permit Fee
\$160.00, Wickham Lake Permit Fee Non-Res., \$120.00; Wickham Lake Additional Stickers, \$12.00; Wickham Lake Permit Replacement Keys., \$0.00; Wickham Lake Deeded Rights sticker., \$0.00; Wickham Lake Permit Renewals, Res., \$40.00; Wickham Lake Permit Renewal, Non-Res., \$60.00; Wickham Woodland Res Access, \$12.00; Wickham Woodlands Non-Res Access, \$0.00; Film Production Permit Fee, \$750.00; Copy of Map, \$55.00; Marriage Certified, \$100.00; Photocopies, \$29.50; Postage, \$0.00; Returned Check Fee., \$20.00; Junk license., \$0.00; Use of Senior Center Kitchen, \$0.00; Use of Senior Center, \$0.00; Interest in Town Clerk's Checking Account \$1.01; Dog Impoundments., \$750.00; Town Park Pavilion Fees, \$125.00; Marriage License Fees, \$157.50; Town of Warwick Road Maps, \$6.00; Conservation Licenses, \$64.62; Wickham Woodland Manor Deposit, \$300.00; Wickham Woodland Manor Fee, \$250.00 Dog Licenses Issued/Renewed, \$2,041.00; Use of Court Room, \$60.00; Use of Large Room., \$200.00; Registrar Fees, \$550.00; Passive Boat Launch Res., \$20.00; WF Park Non-Res Fishing Permit, \$0.00; WF Park Daily NR, \$6,420.00; WF Park Daily R, \$9,880.00; WF Park NR Family Season Pass, \$0.00; WF Park NR Senior Season., \$60.00; WF Park R Adult Season, \$400.00; WF Park R Child Season, \$ 475.00; WF Park R Family Season Pass, \$3,480.00; WF Park R Senior Season Pass, \$400.00; WF Park Commercial Pass.,

AUGUST 11, 2016

\$0.00; WF Park Wedding Permit Fee, \$0.00; WF Park R Fishing Permit, \$50.00; Beach Vendor Permit., \$0.00; Street Opening Inspection Fee., \$0.00; Town Park Deposits, \$250.00; Waterfront Park Group Deposit, \$300.00.

Total Fees Collected: \$27,598.63

2. Fees Paid – Month of July, 2016 – New York State Dept. of Health for Marriage Licenses, \$202.50; New York State Dept. of Ag & Markets for Spay/Neuter Program, \$247.00; New York State Dept. of Environmental Conservation for Conservation Licenses, \$1,105.38; Village of Greenwood Lake for Registrar Fees, \$90.00; Village of Warwick for Registrar Fees, \$1,720.00.

Total Paid: \$3,364.88

3. Request for bid proposal for the purchase and installation of replacement outswing commercial exterior front double doors and three (3) single outswing commercial exterior doors at Town Hall. Both the front entrance double doors and one (1) single door, accessing the Justice Court, must have ADA compliant electronic opening capabilities. In addition, all doors must be capable of and/or equipped with the ability to be opened electronically via card swipe or fob key:

- 1. Thom Woglam
Construction LLC
585 State Route 94N
Ste A. Warwick, NY 10990
845-987-7577
Bid Proposal: \$82,295.00**

Supervisor Sweeton – How many doors did it include for the DPW?

DPW Commissioner Feagles – I think it was 3 or 4.

Supervisor Sweeton – It's the doors quoted here with the double doors out front, the 3 single doors which includes the court and the 2 back entrances as well as the 4 doors at DPW. This is part of our plan for security upgrades here at town hall. Lieutenant Rader is head of our safety committee which is an employee comprised group that works with our insurance carriers and they do yearly inspections. They have been meeting over a period of the past 2 years looking how security is handled here in the building and the environment that we live in today. Even though we are a safe community there are issues insurance wise and protection of employees wise that you want to move on. I'm suggesting to the Board that we do accept the bid to move forward and we also have a resolution tonight to seek proposals for camera, security and the electronic controls of the doors as well and I think that is something that we need to move on. I would be in favor of acting on that.

Lieutenant Rader – The past couple of years we've been meeting regularly with the insurance carriers and we do need this.

AUGUST 11, 2016

4. Request for bid proposal for the purchase of a Gas Powered Post Driver:

- | | |
|---|---|
| 1. Glenco Supply Inc.
P.O. Box 638
Oakland, NJ 07755
800-752-8277
<u>Bid Proposal: \$2,640.00</u> | 2. Garden State Highway Products, Inc
1740 East Oak Rd.
Vineland, NJ 08361
856-692-7344
<u>Bid Proposal: \$2,695.00</u> |
| 3. Skidril Industries LLC
P.O. Box 8041
Greensboro, NC 27419
336-674-6622
<u>Bid Proposal: \$3,875.00</u> | |

SUPERVISORS REPORT

1. The Commissioner and I met with Orange & Rockland to go over a plan they have to upgrade the electric system in the vicinity of Ryerson, Blooms Corners and Waterbury Roads. They're commencing that fairly quickly if they haven't already started. The first phase will be tree trimming, clearing along the ride-of-way and they will be replacing and putting new poles and upgrading the electric service in those areas. Residents in those areas should be aware. There will be some intermittent lane closures on the roads and their phase one is going to start on Ryerson Road so people are aware. Then they are going to proceed to Waterbury then Blooms Corners. They will be out there this fall doing this work so beware if you travel through the area. They will be notifying customers when they are in the area going house to house to make them aware of the maintenance program, what they need to do and what they will be doing. People should be aware of it and if we could spread that word it would be great.

2. I received a letter from New York State DOT the other day because I had sent a letter to both Senator Bonacic and Assemblyman Brabenec passing on numerous complaints I had on the conditions of 17A as it goes from Warwick over the mountain to Tuxedo. Their response back was they did contact DOT and their response back was they have fiscal restraints and they have priorities and how they prioritize which roads need to be fixed and they rate them. You saw that they were out there doing some typical patching stuff that they do. I did get this letter so whether it's a result of that or not we don't know but they are going to do paving from Ball Road to Iron Forge Bridge and they are going to start that August 29th. After they did the patching they came back and striped the road and they came back and did some more patch work and went over the striping, so it wasn't a mistake but an afterthought on their part they found some money and decided to come in and do it. We will take what we can get and continue to work to try and get the rest of it done.

3. I did want to mention the Town of Warwick/Rotary Senior BBQ is available to any senior citizen residing in the town. It's August 23rd out at Union Corners Park on the pavilion side, it's free to seniors, you need a ticket so you need to call my

AUGUST 11, 2016

office or come in 986-1120 and we will get you a ticket. Through generous sponsorships and donations we are able to make this free to seniors. It's a fun day in the park from 11:00 a.m. until the chicken runs out around 2:30 p.m. and there will be some new games this year that we are bringing in. There will be music and fun and it's a great day. If you would like to help you can come out and help. If you are a senior or you know a senior have them contact the office.

4. The Hudson Valley Honor Flight is celebrating their 1000 mission and Chris Little is also involved in the Honor Flight. We talked about the Honor Flight before and the major sponsor is the Shop Rite Corporation. The flight is going to be on Saturday, September 10th leaving from Stewart International Airport. The preflight sendoff is at 7:00 a.m. and the welcome home rally is at 8:30 p.m. Again if you know of a Veteran of World War II they're aren't many left or the Korean War and you would like them to go down to Washington for the day all expenses paid to see their monuments this is what they need to do. They need to contact and call 391-0076 or go visit hvhonorflight.com and see if there is any room on that flight or subsequent flight. If you would like to go as a guardian it was \$400 when I went it maybe a little bit more now but you pay your way and you get assigned to a Veteran and you are with the Veteran to make sure they enjoy the entire day. They are treated like the heroes that they are from the airline, to the volunteers to the people in Washington, to the kids at the monuments, to the dinner they are given, to the group or crowd that welcomes them home. So if you know a Veteran even if they are reluctant there are full medical people on board but they shouldn't worry and they should go. You could pass the word and there are some Veterans among us and we would love to see it full.

5. Community Preservation Funds for July were a robust \$103,527.64 which brings the balance in the fund to \$3,775,426.52 and since the funds inception in 2007 we have preserved 6 farms and the Seward Homestead with the funds from that preservation fund. We are grateful and we hope that it continues to produce.

6. Journal entries have all been made through July, I've signed off and the Comptroller has looked at it as well so we are all set there.

7. There was an incident that apparently went viral with the great social media phenomenon that we have these days which was the upside down flag at the Dunkin Donuts done by someone who has harassed them before. The employees took a lot of heat for it and it's not their flagpole and they didn't react but they did take a lot of grief about it. It was not their fault and people should cut them a little slack and it was remedied as quickly as it could be done. The police are pursuing some videos of the person we know that did it. It was really unfair for them to get that abuse.

8. 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:

AUGUST 11, 2016

#R2016-189 ACCEPT BID FOR PURCHASE AND INSTALLATION OF REPLACEMENT OF EXTERIOR DOORS AT TOWN HALL AND TOWN DPW BARN.

Motion Councilman Gerstner, seconded Councilman De Angelo to adopt a resolution to accept bid from Thom Woglom Construction LLC, 585 State Route 94 N Ste A., Warwick, NY 10990-3166 for purchase and installation of replacement exterior doors at Town Hall and Town DPW Barn not to exceed the amount of \$82,295.00.

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

Discussion: Supervisor Sweeton stated that we did send this out to at least 8 local contractors as well as published it and we did get one bid and he is a local contractor.

#R2016-190 THOMAS P. MORAHAN WATERFRONT PARK EMPLOYEE APPOINTMENTS FOR 2016 – COLLEEN OBRIEN AND KYLE BOWER

Motion Councilman De Angelo, seconded Councilman Gerstner to adopt a resolution to appoint Colleen O'Brien and Kyle Bower as Lifeguards at a rate of \$10.00 per hour at Thomas P. Morahan Waterfront Park for the 2016 season.

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

Discussion: Supervisor Sweeton stated that these are replacements of lifeguards that had to leave for college so we always have this issue at the end of the season.

#R2016-191 AUTHORIZATION TO ATTEND ASSESSOR TRAINING SESSION – DEBBIE EURICH

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to authorize the Assessor, Debbie Eurich to attend The New York State Assessor's Association (NYSAA) Fall Training Session on Assessment Administration at the Fort William Henry Conference Center in Lake George, September 18th – September 21st 2016.

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

#R2016-192 AUTHORIZATION FOR USE OF THE THOMAS P. MORAHAN WATER-FRONT PARK FOR ANNUAL 8,000 METER HEAD RACE – EAST ARM ROWING CLUB

AUGUST 11, 2016

Motion Councilman Kowal, seconded Councilman Gerstner to adopt a resolution to authorize the use of the Thomas P. Morahan Waterfront Park from 6:00 a.m. to 3:00 p.m. on September 17, 2016 to the East Arm Rowing Club for their Annual 8,000 Meter Head Race subject to receipt of Certificate of Insurance and adequate Police and Emergency Service Personnel and Lifeguards. Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2016-193 ACCEPT BID FOR PURCHASE OF GAS POWERED POST DRIVER

Motion Councilman Shuback, seconded Councilman DeAngelo to adopt a resolution to purchase a Gas Powered PD 45 Pneumatic Post Driver, including a Multi Pro U Channel Drive Kit from Glenco Supply Inc, P.O. Box 638 Oakhurst, NJ 07755 in the amount not to exceed \$2,640.00. Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2016- 194 ACCEPT RESIGNATION – KEVIN M. COLOMBA

Motion Councilman Gerstner, seconded Councilman Kowal to adopt a resolution to accept the resignation of Kevin M. Colomba from his employment with the Town of Warwick as a Part Time Audio Tech effective immediately. Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton thanked him for all the volunteer and meager pay that he got for coming here and filming as Councilman Gerstner mentioned. We really appreciate it.

#R2016-195 SOLICIT BIDS – INSTALLATION OF CCTV& ACCESS CONTROL SYSTEM FOR THE TOWN OF WARWICK' TOWN HALL AND HIGHWAY DEPARTMENT BUILDINGS

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt resolution to solicit bids for the installation of CCTV & Access control system for the Town of Warwick Town Hall and Highway Department Building. This includes cameras, DVR, cable, and connectors, card readers, controllers, software, and key fob. Said bids to be opened, Friday, September 16, 2016, at 2:00pm at the Town Hall, 132 Kings Highway, Town of Warwick. Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2016-196 AUTHORIZATION FOR SUPERVISOR TO SIGN A LEASE AGREEMENT WITH ORANGE COUNTY- POUGHKEEPSIE LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS

AUGUST 11, 2016

Motion Councilman Gerstner, seconded Councilman De Angelo to authorize the supervisor to sign a lease agreement with Orange County-Poughkeepsie Limited Partnership d/b/a Verizon Wireless providing a ground lease of a portion of Town owned property (SBL 51-1-40.2), approximately 880 sq. ft., for the purpose of facilitating colocation of antennas on the RT 94 cell tower. Subject to Final Review by the Attorney for the Town of Warwick.

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

Discussion: Supervisor Sweeton stated that this is the cell tower that is on property owned by the town by Price Chopper and this will be a collocation and we will be receiving revenue. I think it's approximately \$9,000 a year for the 880 square feet.

#R2016-197 APPROVE SPECIAL EVENT – TOUR DE GOSHEN BICYCLE TOUR

Motion Councilman Gerstner, seconded Councilman De Angelo to adopt a resolution authoring the use of the roads in the Town of Warwick for the 29th Annual Tour de Goshen to be held on August 21, 2016 pending approval by the Chief of Police. Application and Certificate of Insurance are on file in the Clerk's Office. Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2016-198 AUTHORIZE SUPERVISOR TO CONTRACT FOR REMOVAL OF RUBBISH AND DEBRIS

Motion Councilman De Angelo, seconded Councilman Kowal to authorize the Supervisor to contract for the removal of rubbish and debris from the following properties and to assess the cost plus a 10% administrative fee against the real property, as per Chapter 120 and per the recommendation of the Building Inspector, letter dated 8/10/16.

553 Newport Bridge Rd. – 10-1-3.3 - Storch

24 Helene Rd. – 96-6-40 - McBride

25 Helene Rd. – 94-3-32 – Secretary of Hud

78 Union Corners Rd. – 29-6-10 – Rudenstein

200 Penaluna Rd. – 58-2-14.2 – Dabo Enterprises

34 Furnace Tr. – 74-9-7.1 – Csencsits

15 Seward – 36-5-16 – Dagostino

Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton 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)

AUGUST 11, 2016

Christine Little – Resident, Town of Warwick, NY 10990 – I wanted to enquire about the Hoboken Film Festival. I understand it's going to be held on town property but the contract appears to be with the Village of Greenwood Lake. I'm concerned there are a lot of issues there but are Warwick Town tax dollars going to be spent on that film festival?

Supervisor Sweeton – There's no discussion of that yet. The proposal was proposed to the town that the town be a partner in some way in order for the film festival to occur it needed to occur at the beach which is a town park. The Town Board had discussed allowing that to happen and we said yes. We have not seen a contract, we have not seen any of the details of the festival so we haven't pledged any money to the festival.

Christine Little – Has the money been asked to be pledged?

Supervisor Sweeton – The mayor had suggested a partnership with the town and had requested funds. We haven't had those discussions and it wouldn't happen until budget time anyway.

Christine Little – Would that be up for public discussion?

Supervisor Sweeton – We allocate money in our budget every year for economic development efforts and we spent them on various projects. We allocate them as appropriate as the board has discussed what those things are, we've done signage, and we've done promotion of some events. It could fit into that if the case were made, I don't know because I'm not speaking for the board. They will have those discussions and then decide whether it's an economic benefit to the town residents of which village residents are town residents. We will have those discussions around budget time and certainly at a meeting if somebody wants to ask if we entered into an agreement or something we certainly have to have that as a resolution.

Christine Little – May I state some concerns that I have as a taxpayer?

Supervisor Sweeton – Sure.

Christine Little – Mr. Delvechio who is the creator of this whole film festival has quite and interesting history. The film festival has not been very successful in the many places they have been over the years. In Newton, New Jersey, Lancaster, Pennsylvania, Valley View, New Jersey, Hoboken, Suffern, Teaneck and Middletown. If it is such a viable and successful operation I'm just curious as to why any of these towns have retained it? Mr. Delvechio claims to have about 15,000 people in attendance at each one of his Middletown events. I've sent the numbers and they do not gel with his. The first year there was between 6,000 and 8,000, the second year it was less then 6,000. They began to receive a lot of sponsor complaints because of the content of a lot of the movies being shown. The third year it dropped to less then 2,500 and the fourth year it was less then 2,200. They lost money and it

AUGUST 11, 2016

was not just in contracts but also police and DPW and that was in a city that actually had a theater. At Greenwood Lake you are going to have to invent some kind of structure, tent or seats.

Supervisor Sweeton – A tent, which is my understanding that’s the way it was done in Jersey City was in a tent. All of those issues and we haven’t been asked for DPW services. We’ve been informed that the Village of Greenwood Lake will be handling the logistics including policing, facilities all of that stuff. We’ll get some sort of proposal I’m sure from the village and we entertain as we do for many of our villages. We’ve supported the Warwick Arts Festival in the past with that economic development money. When we get all the details which none of us have yet we’ll certainly take them all into consideration.

Christine Little – The Warwick Arts Festival hold family, friendly events. The movies by Mr. Delvechio have quite interesting topics, there’s a lot of violence, there’s a lot of aggression towards women, he has probably stated offensive comments about local migrant workers here who help keep our farms going and he also has made some disheartened comments about people who have substance abuse addictions. I think we’ve all seen that in our communities and they are people who need assistance and he’s flat out called them names and said they do not deserve any assistance. I just don’t think we should be supporting someone who is promoting all of these ideas with our tax dollars.

Supervisor Sweeton – And we appreciate those comments

Christine Little – Thank you.

**ADJOURN: Motion Councilman Kowal, seconded Councilman DeAngelo that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 8:20 p.m.
08-11-16 CP.**

Eileen Astorino, Town Clerk