

September 11, 2014

The Town Board of the Town of Warwick held a Public Hearing for the Dissolution of the Nop-Meadowbrook Drainage District. Said public hearing was held on Thursday, September 11, 2014 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

Town Attorney, Jay Myrow

LEGAL NOTICE: The Clerk read the legal notice, which was duly published in the Warwick Valley Dispatch on September 3, 2014.

(Copy of this legal notice is printed at the end of these minutes.)

Supervisor Sweeton – This was a drainage district set up to manage the drainage facility on the Nop Subdivision that was approved and filed. Then subsequently an adjacent landowner decided that he wanted to buy the property and he is not interested in the subdivision and we are unwinding and ending the drainage district that we had originally created. That is the purpose of the hearing and I will open up to the floor for any public comment.

There were no comments from the Town Board or the public for or against this public hearing.

CLOSE PUBLIC HEARING: Motion Councilman Shuback, seconded Councilman Gerstner that the public hearing be closed. Motion Carried (5 ayes, 0 nays)

7:34 p.m.

09-11-14

Marjorie Quackenbush, Town Clerk

September 11, 2014

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, September 11, 2014 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Sweeton called the meeting to order at 7:34 p.m.

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

Town Attorney, Jay Myrow
Deputy DPW Commissioner, Bill Roe
Police Lieutenant, John Rader

ACCEPTANCE OF MINUTE

1. Regular Meeting, August 14, 2014

Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the Regular Meeting held on August 14, 2014.

Motion Carried (5 ayes, 0 nays)

CORRESPONDENCE:

WAYNE STEVENS – Building Inspector, Town of Warwick – Memo to the Town Board requesting a refund in the amount of \$55.00 be issued to Ron Introni for a building permit.

ANTOINETTE BATTAGLIA – RMC, Township Clerk, Township of West Milford, 1480 Union Valley Road, West Milford, NJ 07480-1303 – Letter to the Town Clerk advising that the Township of West Milford adopted at their regular meeting Ordinance #2014-007 to Amend Chapter 500 “Zoning” Article III, Residential Districts Section 500-13 Sewer and Water Facilities of the Township Code.

GERTRUDE GALLIGAN – President, Warwick Valley Gardeners, P.O. Box 562, Warwick, NY 10990 – Letter to the Supervisor and Town Board thanking them for the refund of their deposit for the use of the Senior Center kitchen facilities.

THOMAS F. MCGOVERN, JR. – Police Chief, Town of Warwick Police Department – Memos to the Supervisor and Town Board requesting that a check from the Konica Minolta Company in the amount of \$55.77 be transferred into the 444 budget line.

THOMAS F. MCGOVERN, JR. – Police Chief, Town of Warwick Police Department – Memos to the Supervisor and Town Board requesting that a check

from the Orange County District Attorney's Office in the amount of \$615.00 be deposited into the Drug Seizure account (B02.00.2707.000).

THOMAS F. MCGOVERN, JR. – Police Chief, Town of Warwick Police Department – Memos to the Supervisor and Town Board requesting that a check from the Orange County District Attorney's Office in the amount of \$328.00 be deposited into the Drug Seizure account (B02.00.2707.000).

JENNIFER CROVER – Supervisor of Transportation, Warwick Dial-A-Bus – Letter to the Supervisor and Town Board requesting permission to hire a part time Dial-A-Bus driver to fill a vacant effective September 15, 2014.

JOSEPH WALTER – Chairman, Board of Fire Commissioners, Warwick Fire District, P.O. Box 421, Warwick, NY 10990 – Letter to the Supervisor and Town Board thanking them for taking the time to give a tour of the former Mid-Orange Correctional Facility.

BARBARA LANZA – 18 Furman Lane, Pine Island, NY 10969 – Letter to the Supervisor and Planning Board Chairman requesting they take lead agency for the proposed cell tower for the property of the Pine Island Firehouse.

JENNA FIELD – Resident, Town of Warwick, NY 10990 – Letter to the Supervisor requesting the Town of Warwick Planning Board take lead agency regarding the Pine Island Fire Department cell tower.

JUDY HAYES – 25 Warwick Estates Drive, Pine Island, NY 10969 – Letter to the Supervisor and Planning Board Chairman Ben Astorino opposing to the Pine Island Fire Commissioners intention of putting a cell tower on the fire house property on County Route 1.

JEANETTE M. SHANAHAN – Resident, Town of Warwick, NY 10990 – Letter to the Planning Board Chairman thanking the Board for taking quick action regarding the Pine Island Fire Districts bold move to claim Lead Agency regarding the cell tower at the Pine Island Firehouse and are hopeful the Board will contest the issue and claim Lead Agency.

DEBRA & ED CARMODY – 30 Firehouse Lane, Pine Island, NY 10969 – Letter to the Town regarding the roadside sign installed by the Pine Island Fire Department that violates the Town of Warwick Zoning Codes and is requesting the Town Planning Board be lead agency regarding the cell tower that the firemen want to construct on the firehouse property.

DARA ELLEN BREITKOPF – 308 Newport Bridge Road, Pine Island, NY 10969 – Letter to the Supervisor and the Planning Board Chairman concerning the claiming of Lead Agency by the Pine Island Fire District for the proposed cell tower.

KENNETH C. MARTIN & SHEILA O'DONNELL-MARTIN – Residents, Horizon Farms Drive – Letter to the Town of Warwick Planning Board regarding the proposed cell tower for the Pine Island Fire Department and not being in favor of it.

ERIN O'DELL-KELLER – Manager, Outreach and Education, State of New York Department of Public Service, Three Empire State Plaza, Albany, NY 12223-1350 – Letter to the Town informing them of the Lifeline Discount Telephone Service Program designed to make basic telephone services more affordable for income-eligible consumers.

BOARD'S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

<u>WORK BEING DONE</u>	<u>LOCATION</u>	<u>REASON FOR WORK</u>
CATCH BASINS	Indian Hill Rd.	Repair basins
DRAINAGE	Shepard Rd.	Work on drainage
DITCH WORK	Black Rock Rd.	Clean ditches
	Millers Ln.	Clean ditches
PAVE ROAD	Hoyt Rd.	Pave
TREE WORK	Simpson Ln.	Clear roadsides
	Hoyt Rd.	Clear roadsides
POT HOLES EMERG.	Town wide	As needed
REPAIRS	Old Tuxedo Rd.	Cut up tree
ROAD SIGNS	Town wide	As needed

ENVIRONMENTAL CONSULTANTS REPORT

COUNCILMAN DE ANGELO REPORT

1. I have another request tonight from our friends at the Humane Society for some staples which are very low right now. Canned ground cat food, paper towels, bleach, paper plates, heavy duty garbage bags, large dog biscuits and natural wood stove pellets.

COUNCILMAN KOWAL REPORT

1. The athletic field that has been worked on all summer that we brought the dirt in over the course of the summer is almost finished. It has the final grading on it and hopefully will be seeded next week if there is good weather and hopefully the seed will take and be in service next year.

COUNCILMAN GERSTNER REPORT

1. This morning the Supervisor and I attended the 9/11 Ceremony in the Village of Warwick. I want to thank the VFW for holding that again this year and for the residents coming out.

2. The Recreation league is back in season and Deputy Commissioner Roe and the guys and girls who keep the parks the way they do we wish them all well and good luck.

COUNCILMAN SHUBACK REPORT

1. The Highway Department has been busy catching up cutting brush along the roadsides.

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. Fees Collected – Month of August, 2014 – Wickham Lake Permit Fees, Residents, \$60.00; Wickham Lake Permit Fees, Non-Residents, \$30.00; Wickham Lake Additional Stickers, \$2.00; Wickham Lake Key Replacement, \$20.00; Wickham Lake Permit Resident Renewals, \$40.00; Wickham Lake Non-Resident Renewals, \$20.00; Film and Video Permit Fees, \$500.00; Public Entertainment Fees, \$25.00; Copies of Maps, \$35.00; Certified Marriages, \$40.00; Photocopies, \$38.00; Returned Check Fee, \$20.00; Peddler Permit Fee, \$100.00; Interest in Checking Account, \$0.27; Town Park Pavilion Fees, \$50.00; Marriage License Fees, \$350.00; Road Maps, \$3.00; Conservation Licenses, \$575.65; Dog Licenses Issued/Renewed, \$1,600.00; Use of Room Fees, \$180.00; Registrar Fees, \$450.00; Waterfront Park Daily Resident Fees, \$4,536.00; Waterfront Park Daily Non-Resident Fees, \$2,290.00; Waterfront Park Resident Senior Pass, \$25.00; Waterfront Park Resident Fishing Permits, \$20.00; Town Park Deposits, \$100.00. Total Fees Collected: \$22,939.27

2. Fees Paid – Month of August, 2014 – New York State Department of Health for Marriage Licenses, \$450.00; New York State Department of Ag & Markets for Spay/Neuter Program, \$192.00; New York Department of Environmental Conservation for Conservation Licenses, \$9,867.35; Village of Greenwood Lake for Registrar Fees, \$70.00; Village of Warwick for Registrar Fees, \$1,250.00; Total Fees Paid to Supervisor: \$11,109.92

3. Unofficial Primary Election Results as reported by Orange County Board of Elections

(100% of Districts Reporting)

Governor (DEM)

Zephyr R. Teachout	3,145	
Andrew M. Cuomo	3,150	*
Randy A. Credico	236	
Write-in	18	

Lieutenant Governor (DEM)

Kathy C. Hochul	3,240	*
Timothy Wu	3,033	
Write-in	8	

Member of Assembly 98th District (REP)

Karl A. Brabenec	1,671	*
Kevin M. Hudson	152	
Daniel G. Castricone	1,393	
Michael T. Morgillo	600	
Write-in	4	

Member of Assembly 98th District (CON)

Karl A. Brabenec	140	*
Daniel G. Castricone	116	
Write-in	2	

Member of Assembly 98th District (DEM)

Aron B. Wieder	196	
Elisa A. Tutini	969	*
Krystal Z. Serrano	860	
Write-in	170	

Family Court Judge (REP)

Christine M. Krahulic	3,159	
David V. Hasin	3,164	Undetermined winner until
Write-in	23	absentee ballots are read

Family Court Judge (CON)

Christine M. Krahulic	208	*
David V. Hasin	187	
Write-in	0	

Family Court Judge (IND)

David V. Hasin (IND)	158	
Christine Stage (IND)	490	*
Write-in	7	

Election results do not include absentee ballots which are due by Sept. 16th

SUPERVISOR'S REPORT

1. Food Pantry Month - The Warwick Ecumenical Council who sponsors the food pantry has announced September as being "Food Pantry Month". The food pantry services the people in the Town of Warwick. There will be canisters throughout the village as well as the Shop Rite Supermarket and you can show your support by putting a canned item or a boxed item in the canisters that are there. They will also be having a booth at Applefest which will be on Sunday, October 5th and they will accept monetary donations of cash and checks. If you would like more information you can call the pantry at 986-2368 ext. 105.

2. The Senior Barbeque happened the last Tuesday in August. It was a great day and I want to thank all of the sponsors, the volunteers and the service organizations who gave their time. It was a great day for our senior citizens out at the park at Union Corners; they did a great job and we appreciate all of their support and I know the seniors do as well.

3. The Ackerman culvert placement has been done but the completion of that will not be until the week of the 22nd. The contractor will be there to put the guardrail in place and do the final paving on the road.

4. The budget preparation is well underway and I will be presenting a tentative budget to the Town Clerk by September 30th as required. We continue to work on that budget and intend to stay under the cap as we have every year.

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

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

There were no comments or questions on the agenda items.

NEW BUSINESS:

#R2014-213 APPROVE SPECIAL EVENT – ORANGE COUNTY BICYCLE CLUB

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution authorizing the use of the roads in the Town of Warwick to the Orange County Bicycle Club for their annual Country Roads Bicycle Tour. Event to be held on Sunday, September 14, 2014 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 declared this resolution duly adopted.

#R2014-214 PROMOTION OF DEPARTMENT OF PUBLIC WORKS MOTOR EQUIPMENT OPERATOR TO HEAVY EQUIPMENT OPERATOR – TIMOTHY H. FEAGLES

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to promote Timothy H. Feagles from a DPW Motor Equipment Operator

to a Heavy Equipment Operator at a rate of pay of \$30.39 per hour, Grade 7, Step 12 effective September 20, 2014.

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

Discussion: Supervisor Sweeton stated that Tim is the senior man and he has been training for the past year on the equipment and he was the recommendation.

**#R2014-215 APPOINTMENT OF PART TIME DIAL-A-BUS DRIVER –
TIMOTHY KENEALLY**

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to appoint Timothy Keneally as a part time Dial-A-Bus driver at a rate of pay of \$14.50 per hour effective September 13, 2014.

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

**#R2014-216 ACCEPT FUNDS FROM THE COUNTY OF ORANGE DISTRICT
ATTORNEY’S OFFICE – DRUG /ASSET SEIZURE ACCOUNT**

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to accept two checks from the County of Orange District Attorney’s Office in the amounts of \$328.00 and \$615.00 to be deposited into our Drug/Asset Seizure account B02.00.2707.000.

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

#R2014-217 BUDGET TRANSFER – POLICE DEPARTMENT

Motion Councilman DeAngelo, seconded Councilman Shuback to adopt a resolution to approve the following budget transfer:

FROM	TO	AMOUNT
Check from Konica Minolta Co.	Office Expenses (B02.00.3120.444)	\$55.77

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

#R2014-218 AUTHORIZE BUILDING PERMIT REFUND – RON INTROINI

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to authorize a refund in the amount of \$55.00 to Ron Introini for building permit #22765 as per the recommendation of the Building Inspector; letter dated August 25, 2014.

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

**#R2014-219 SET PUBLIC HEARING – CREATION OF FLORIDA
AMBULANCE DISTRICT**

**Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to schedule a public hearing for the purpose of creating a Florida Ambulance District. Said public hearing to be held on September 25, 2014 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.**

Discussion: Supervisor Sweeton reminded everyone that they received a letter from the Florida Fire District Commissioners back in July informing us of their ambulance service which is part of the fire department will discontinue as of January 1st. We had discussions with the commissioners and other ambulance services in the area and we decided the only way to provide service to residents in that portion of the town is to create a district and then enter into an agreement with an ambulance service in the Pine Island, Greenwood Lake and Warwick area. The Warwick Ambulance is currently in discussions with the Florida District and their ambulance personnel and they will submit a proposal to provide that service while they work with the current personnel in Florida to go through their ranks and have an opportunity to create a Florida Ambulance Corp that can provide service under a contract. The first step is to create the district which is subject to that hearing.

#R2014-220 EXTENTION OF PINE ISLAND WATER DISTRICT

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt an order and determination extending the Pine Island Water District as set forth below.

<p>In the Matter</p> <p>of</p> <p>The Extension of the Pine Island Water District in the Town of Warwick, Orange County, New York.</p>	<p>ORDER AND DETERMINATION EXTENDING THE PINE ISLAND WATER DISTRICT</p>

PRESENT: Town Board of the Town of Warwick

WHEREAS, a map, plan and report have been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the TOWN OF WARWICK, Orange County, New York, relating to the extension of the Pine Island Water District in said Town, and

WHEREAS, such map, plan and said report was prepared by MJS Engineering, PC, a competent engineering firm duly licensed by the State of New York, showing the area of the proposed extension and a general plan of the said system and a report on the extent of improvements necessary; and

WHEREAS, the area of said extension is set forth in Schedule “A”; and

WHEREAS, an order was duly adopted by the Town Board of the Town of Warwick, on February 27, 2014, reciting the filing of said map, plan and report, the improvements proposed, the boundaries of the proposed district, the maximum amount proposed to be expended for such improvements to be installed in such district including purchase price is \$0, the cost to be borne by the properties in the extension, and the fee for new hookups and the annual cost to the typical property owner will be not substantially changed, the fact that the map, plan and report describing the same are on file in the Town Clerk's office for public inspection, and stating all other matters required by law to be stated, and specifying March 13, 2014, at 7:00 p.m., on that day, as the time and the Town Hall located at 132 Kings Highway, Warwick, New York, as the place where the said Town Board would meet to consider said map, plan and report, and to hear all persons interested in the subject thereof concerning the same, and to take such action thereon as is required or authorized by law; and

WHEREAS, such order was duly published and posted as required by law; and

WHEREAS, permission of the State Comptroller to create such district is not required because the cost is not to be financed by bonds or other evidence of indebtedness; and

WHEREAS, a hearing on said matter was duly held by said Town Board on March 13, 2014, at 7:00 p.m. of that day, at the Town Hall located at 132 Kings Highway, Warwick, New York, and full discussion of the matter having been duly heard, and after due consideration; and

DETERMINED AND ORDERED:

Based on the map, plan and report, the Environmental Assessment Form, reviewed by this Board, and the recommendations of the Town's engineering consultant, and for the reasons set forth in the SEQRA Negative Declaration attached hereto, this Board determines that this action will not have a significant adverse impact on the environment.

BE IT FURTHER DETERMINED AND ORDERED:

- a) That the notice of hearing was published and posted as required by law and is otherwise sufficient.**
- b) That all property and property owners, within the proposed extension, are benefited thereby.**
- c) That all the property and property owners benefited are included within the limits of the proposed extension.**
- d) That it is in the public interest to extend said Pine Island Water District; and**

BE IT FURTHER DETERMINED AND ORDERED, that the owner of property with the district extension shall provide all service connections; and

BE IT FURTHER DETERMINED AND ORDERED, that the Town Clerk shall cause a certified copy of this Order to be duly recorded in the Office of the Clerk in County of Orange, New York, and such Clerk shall also within ten (10) days after adoption of this Order, cause a certified copy thereof to be filed in duplicate in the Office of the State Department of Audit and Control at Albany, New York.

SCHEDULE "A"
SECTION/BLOCK/LOT
14-2-1

A copy of the map entitled "Pine Island Water District" dated September 15, 2000, prepared by Tectonic Engineering Consultants is on file at the Orange County Clerk's Office.

ROLL CALL VOTE:

Supervisor Sweeton aye

Councilman Gerstner aye

Councilman Kowal aye

Councilman Shuback aye

Councilman DeAngelo aye

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

**#R2014-221 RESOLUTION OF THE TOWN BOARD OF THE TOWN OF
WARWICK TO DISSOLVE THE MEADOWBROOK FARM-NOP
DRAINAGE DISTRICT**

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

WHEREAS, the Town Board duly established the MEADOWBROOK FARM-NOP DRAINAGE DISTRICT (hereinafter the "District") by Resolution #R2008-293, adopted at a regular meeting of the Town Board held on October 9, 2008; and

WHEREAS, a copy of the aforesaid Resolution was recorded in the Orange County Clerk's Office on October 20, 2008 at Liber 12742, page 544; and

WHEREAS, the District was formed pursuant to the subdivision of lands then owned by Bing Nop and Elizabeth Nop, said lands being identified on the Town of Warwick tax maps as Section 29, Block 1, Lots 63 and 65.12 (hereinafter the "Property"); and

WHEREAS, all approvals for the subdivision of the Property have been abandoned and are null and void; and

WHEREAS, more than three years have elapsed since the formation of the District, no improvement has been constructed or service provided for the District at any time since the establishment thereof, and no indebtedness, outstanding and unpaid, has been incurred to accomplish any of the purposes of the District; and

WHEREAS, the Town Board held a public hearing on September 11, 2014 pursuant to Town Law §202-c(2) for the purpose of dissolving the District on its own motion; and

WHEREAS, the Town Board has determined it to be in the public interest to dissolve and discontinue the District pursuant to Town Law §202-c(2).

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town Board of the Town of Warwick does hereby dissolve and discontinue the MEADOWBROOK FARM-NOP DRAINAGE DISTRICT of the Town, and that a copy of this Resolution be filed in the Office of the Orange County Clerk.

ROLL CALL VOTE:

Supervisor Sweeton aye

Councilman Gerstner aye

Councilman Kowal aye

Councilman Shuback aye

Councilman DeAngelo aye

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

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

PRIVILEGE OF THE FLOOR (GENERAL)

No comments were made under the privilege of the floor by the Town Board or the public.

**ADJOURN: Motion Councilman DeAngelo, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 7:50 p.m.
09-11-14 CP.**

Marjorie Quackenbush, Town Clerk