

September 25, 2014

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, September 25, 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

Attorney for the Town, Jay Myrow
DPW Commissioner, Jeff Feagles
Police Chief, Thomas F. McGovern, Jr.

PRESENTATION TO VINCENT POLONIAK

Supervisor Sweeton and the Town Board presented Vincent Poloniak our Town of Warwick Senior Liaison for seven Senior Groups located in the Town of Warwick with a certificate for being selected the Grand Marshall for the Pulaski Day Parade Sunday, October 5th in New York City at 1:00 p.m. for tickets and information you can call 651-4265.

ACCEPTANCE OF MINUTE

1. Public Hearing, September 11, 2014
2. Regular Meeting, September 11, 2014

Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the Public Hearing held on September 11, 2014 and the Regular Meeting held on September 11, 2014. Motion Carried (5 ayes, 0 nays)

CORRESPONDENCE:

DEBRA CARMODY – Email to the Supervisor and Planning Board regarding the response she got from Senator John Bonacic concerning the Pine Island Fire District and the proposed cell tower.

LAUREN E. KIRKMAN – Township Clerk, Township of Vernon, 21 Church St., Vernon, NJ 07462 – Copy of letter sent to Eric K. Snyder, P.P. AICP, Planning Director, Sussex County Division of Planning advising that an Ordinance 14-18 to Amend the Land Development Ordinance of the Township of Vernon by Adoption of a Revised Page 1 of the Zoning Map, Section 330-158 of Chapter 330 will be considered at a public hearing to be held on October 16, 2014 at 7:30 pm at the Township's regular meeting, in the Municipal Building, 21 Church St., Vernon, NJ 07462.

LINDA A. ZAPPALA – Deputy Town Clerk, Town of Chester, 1786 Kings Highway, Chester, NY 10918 – Letter to the Town Clerk submitting an “Introductory Local Law Zoning Amendments Pertaining to the Regulation of Digital Signs and Billboards” for the Town Board’s review and comments.

THOMAS F. MCGOVERN JR. – Police Chief, Town of Warwick Police Department – Letter to the Town Board requesting that Chase J. Class be appointed as a part time police officer, effective September 26, 2014.

DANIELLE BUGASCH & JEFFREY JACOBSEN – Homecoming Advisors, Warwick Valley Central High School – Letter to the Supervisor inviting members of the Town Board to be their honored guests and judges for the Homecoming Parade on Saturday, October 25, 2014.

PATTI O’CONNOR – 10 Deer Pond Drive, Warwick, NY 10990 – Letter to the Town Board expressing her interest in serving on the Shade Tree Commission.

JOANNE WILCOX – Bookkeeper, Town of Warwick – Memo to the Town Board requesting a budget transfer for a check received from Thomson Reuters in the amount of \$571.00 for merchandise that was returned by the DPW Department (Misc. Revenues A00.2770) into the Training budget line (A00.5010.480).

JOANNE WILCOX – Bookkeeper, Town of Warwick – Memo to the Town Board requesting a budget transfer for a check received from Selective Insurance for Attorney expenses associated with the case Sleder vs. the Town of Warwick (Insurance Recoveries B02.2681) into the Professional Services-Legal budget line (B02.3120.430).

BOARD’S DISCUSSION ON CORRESPONDENCE

Supervisor Sweeton stated that the Warwick High School is reinstating its homecoming parade on Saturday, October 25th and it should hit main street by noon.

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

WORK BEING

<u>DONE</u>	<u>LOCATION</u>	<u>REASON FOR WORK</u>
CULVERT PIPES	Continental Rd. Wickham Village	Replace culvert pipe Replace 200 ft. of 24" pipe
CATCH BASINS	Horizon Farms Rd.	Repair basin
DITCH WORK	Bellvale Lakes Rd.	Clean ditches

	State School Rd.	Clean ditches
TREE WORK	Continental Rd.	Clear right-a-way
MOWING	Town wide	As needed
POT HOLES	Town wide	As needed
ROAD SIGNS	Town wide	As needed
HAUL MATERIAL	284 Aggregate	Haul grit

ENVIRONMENTAL CONSULTANTS REPORT

Town Of Warwick - Water and Wastewater Operations Report - August, 2014

Wickham Water District

Wells #1, #5 #6, #8, #10 monthly production	2,775,900 gal
Average daily use	89,500 gal
Sodium Hypochlorite used	180 qt
Orthophosphate used	60 qt
Caustic Soda	123 gal

Bellvale Park Water District

Total monthly production	108,200 gal
Average daily use	3,500 gal
Sodium Hypochlorite used	4 qt

Eurich Heights Water District

Total monthly production	217,300 gal
Average daily use	7,000 gal
Sodium Hypochlorite used	4 qt
Orthophosphate used	24 qt

Pine Island Water District

Total monthly production	427,500 gal
Average daily use	13,800 gal
Sodium Hypochlorite used	60 qt

Westside #1 Water District

Total monthly production	3,404,000 gal
Average daily use	109,800 gal
Sodium Hypochlorite used	320 qt
Orthophosphate used	72 qt
Caustic Soda	0 gal

The Fairgrounds

Total monthly production	280,600 gal
Average daily use	9,100 gal
Sodium Hypochlorite used	28 qt

Sewer District #1 Wastewater Treatment Facility

Mid-Orange Correctional District	0 gal	0%
Wickham Village District	1,648,606 gal	52%
Kings Estates District	1,543,204 gal	48%
<u>Total District Flow</u>	3,191,810 gal	100%
<u>Average Daily Flow</u>	102,962 gal	

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

The belt press ran for 40 hrs and 3 gal of polymer was used.

20 cu. Yd. of sludge and 10 cu. ft. of grit were removed from the site this month.

Sewer District #2 Wastewater Treatment Facility – The Fairgrounds

<u>Total District Flow</u>	122,683 gal
<u>Average Daily Flow</u>	3,958 gal

COUNCILMAN DE ANGELO REPORT

1. We have about 130 cats at the Warwick Humane Society so there are plenty for people to take home and enjoy. They need some staples there; ground cat food or pate, paper towels, bleach, heavy duty garbage bags, large dog biscuits and natural stove wood pellets which they use for litter. They are in dire need of these things so anything that you can donate or even a monetary donation they would appreciate that.

Police Chief McGovern – I want to remind the public about New York State Stop DWI; we are still in the middle of a wave of that enforcement and we ask people to not drink and drive, obviously. The cell phone problem around here and I think everybody realizes that too many people are texting and driving while they are on their phones. That wave is also still in effect and to remind everyone that it's 5 points on your license for conviction of that violation. The Bandwagon Community Center in cooperation with a couple other agencies always does the pill drop which will be this Saturday. There was a technical error that's going to prevent that from taking place. The Police Department stepped in and contacted them and rather than host it in the village we are going to host it here at Town Hall. We don't know how we are going to get that out to people in time but we felt that it was more important to get those drugs out of your medicine cabinets and turn them in where they are safe and people don't have access to them who don't have a need for them. We are going to host it here between 10:00 a.m. and 2:00 p.m. and an officer will be

assigned to supervise that. I just feel that it's a very important thing that needs to be conducted by the community and hopefully everybody will be aware of that.

Councilman Gerstner – Will you be hosting that up here or down below?

Supervisor Sweeton – Right in front of town hall.

Police Chief McGovern – The weather is going to be good enough that we can do it right out in front of the building. Once they get it coordinated properly because there is no paperwork to be filled out people just drop the stuff off, there's no questions asked, no names or addresses recorded. They can just spin around and go back out the other way.

Councilman Gerstner – We can put that on the community channel tonight.

COUNCILMAN KOWAL REPORT

- 1. Last Sunday I had the pleasure of attending the Eagle Scout ceremony for Mr. Burnhart over in Florida. It's always great to go to those things to see the future of our country and their great projects.**
- 2. The leaves are starting to come down off of the trees so please try and keep your culverts and drains clean in case we do get any rain you wont have any flooding or problems with that.**

Councilman DeAngelo – What was the Eagle Scout project?

Councilman Kowal – He put in some park benches by Glenmere Park.

COUNCILMAN GERSTNER REPORT

- 1. We have the report for the Thomas P. Morahan Water Front Park for this year non-resident daily passes were \$10,960.00, resident passes were \$13,984.00, resident senior passes were \$1,450.00, resident adult passes were \$650.00, resident family season passes were \$8,360.00, resident child season passes were \$400.00, non-resident senior season passes were \$120.00, non-resident family season passes were \$200.00 and commercial season passes were \$180.00 for a total of \$36,304.00 which is an increase of \$113 from last year. I want to thank the parks, the beach and all the lifeguards for a wonderful job and we look forward to next year.**

COUNCILMAN SHUBACK REPORT

- 1. I also attended that Eagle Scout award with Councilman Kowal and I was amazed with the small troop that Florida has they had six members receive Eagle Scout awards this past year.**
- 2. I see that the Town has been replacing culverts because all these culverts are made of metal and they are being replaced with plastic pipe and they won't corrode and we will catch up.**

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. Requests for proposals were received for a copier for the Town Clerk's Office from:

CPI Copiers	Sharp MX-M264N	Proposal: \$2,637.00
P.O. Box 400	Maintenance Plan/yr.	Proposal \$ 576.00
New Hampton, NY 10958		Total \$3,213.00
Tel. # (845) 342-1787		

National Joint Powers Alliance	Sharp MX-M264N	Proposal: \$2,637.00
(State bid) Contract # 100312-SEC		
Tel. # (218) 895-4122		

Toshiba Business Solutions	e-STUDIO 307	Proposal: \$2,350.00
230 North Plank Rd.	Maintenance Plan/yr.	Proposal: \$ 214.80
Newburgh, NY 10550		Total: \$2,564.80
Tel. # (845) 913-7316		

Eastern Managed Print Network	Bizhub 284e	Proposal: \$3,675.95
33 Airport Center Dr., Suite 107	Maintenance Plan/yr.	\$ 410.40
New Windsor, NY 12553		Total: \$4,086.35
Tel. # (845) 725-8300 ext. 4450		

Muratec MFX-3530	Proposal: \$2,489.95
Maintenance Plan/yr.	\$ 441.60
	Total: \$2,931.58

Supervisor Sweeton – If the Board remembers the copier in the Clerks office is the old one that we retired from the main copier that we had so it lasted a year.

Town Clerk – It has been in our room for at least four years.

Supervisor Sweeton – So this is probably well due and they are pretty much crippled without it.

SUPERVISOR'S REPORT

1. Community Preservation Fund receipts for the month of August were \$76,745.44.

2. Ackerman Road culvert replacement - We had originally had word from the contractor that the guardrails and the final paving would have been started the beginning of this week. The contractor got held up on another job so now it will start next Monday. The road will remain open but just be careful going through the area while they finish that up. They are putting the guardrails up and paving over that culvert replacement. That was a FEMA project and we're glad to get that one

done. There was a high pressure gas line under that culvert so that was a job that had to be coordinated with O&R so they did a great job and we look forward to getting that finished.

3. The Office of the State Controller has issued their fiscal stress reporting that they do. They started this about two years ago where they look at cities and towns, they look at the annual audit reports that we are required to file with the State Controllers Office every year and they look at cities, towns, villages and schools districts and based on how they analyze it they rank the degree of fiscal stress. If you receive a grade of 45% or higher you are considered susceptible to fiscal stress and as it goes up 55% is moderate and above 65% is significant fiscal stress. When they first started it nobody but I think one community in Orange County was in susceptible fiscal stress. We were not, we were actually in 2011 at 40% which many other communities in Orange County were who are still climbing out of the 2008 recession. Last year the 2012 results we had got that down to 34% and the results from them looking at our 2013 numbers we are down at 15.8%. So all of the efforts we've been making to curtail costs and keep everything under control certainly is paying off. That is good news for all of us.

4. IRS Warning - I want to get this out. We put it on our facebook page, our website and we will try to get something on our TV as well. We had reports from at least two seniors in town that they received a call from someone reporting to be from the IRS telling them after reviewing their returns they had an amount due and they had to send it in within 48 hours or there will be additional fines. It's clearly a scam. The IRS does not call you uninitiated unless you call them and they are never going to ask you for any information or to send money to them or wire money to them. We need to get the word out to seniors. They come on very strong in these calls and they are intimidating so seniors who are not so sure could be susceptible to this so if the papers can help us that would be great and I'm going to put something in my column this week as well. There are some numbers you can call to report this and certainly you can call our police department to report it as well.

5. The Orange County Arts Council is finishing their month long Open Studio Tour and this weekend the 27th and the 28th from 11:00 a.m. until 5:00 p.m. is primarily focused in the Warwick area. If you go on ocartscouncil.org you will see the studios in Warwick that are open for you to tour and talk with the artists. I encourage you to do that, we have a lot of talented people in our community.

6. I did receive a letter from a group that was doing an independent film called "The Muck Land". I believe they filmed in the village and out at the PLAV in Pine Island and they thanked us for helping them get their application in. They were a little late in doing that but we got it and they were able to do it and they were thrilled and loved the area and hopefully you'll see this in some of the more prestigious independent film festivals around.

7. 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:

#R2014-222 APPROVE SPECIAL EVENT – ANNUAL RJR MEMORIAL CHARITY 5K

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution authorizing the use of the roads in the Town of Warwick for the 4th Annual RJR Memorial Charity 5K Race to be held Saturday October 4, 2014. 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.

#R2014-223 APPOINTMENT TO SHADE TREE COMMISSION – PATTI O'CONNOR

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to appoint Patti O'Connor to the Shade Tree Commission for a three year term expiring September 25, 2017. Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

#R2014-224 BUDGET TRANSFER – BOOKKEEPER

Motion Councilman Kowal, seconded Councilman Gerstner to adopt a resolution to approve the following Bookkeeper budget transfer:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Check from Selective Insurance for Attorney expenses associated with the case of Sleder vs. the Town of Warwick Insurance Recoveries (B02.2681)	Professional Services-Legal (B02.3120.430)	\$12,948.30

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

#R2014-225 BUDGET TRANSFER – BOOKKEEPER

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

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Check from Thomson Reuters for merchandise that was returned by DPW Department Misc. Revenues (A00.2770)	Training (A00.5010.480)	\$571.00

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

#R2014-226 SUPPORT 2014-2015 JUSTICE COURT JCAP GRANT APPLICATION

Motion Councilman DeAngelo, seconded Councilman Kowal to adopt a resolution to support the 2014-2015 Justice Court grant application for renovations of the conference rooms and judge's chambers including carpeting, paint, blinds and bench.

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

#R2014-227 ADOPT NALOXONE POLICY TO BE ADDED TO POLICE PROCEDURES MANUAL

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to adopt the Naloxone policy to be added as a new section to the Police Procedures Manual of the Warwick Police Department as per the recommendation of the Chief of Police.

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

Discussion: Supervisor Sweeton stated that this is a drug that can be administered by patrol officers in the instance of a potential heroin overdose is that correct?

Police Chief McGovern – Yes, it establishes the guidelines of which the officers are permitted to administer the drug and it also initiates the process in conjunction with having a doctor authorize us to have that equipment.

Supervisor Sweeton – Our officers have been trained.

Police Chief McGovern – They will be, some of our officers have been.

Supervisor Sweeton – Just to get the information out heroin has become so plentiful once again and inexpensive and it's a threat to our young people and it's highly addictive.

Police Chief McGovern – It's not just heroin it reverses all the affects of opium based painkillers which is the crux of the entire pill drop which are the over prescribed pills that sit on your bathroom shelves are motivation for burglary and all kinds of other things that happen.

Supervisor Sweeton – Thank you Chief.

#R2014-228 APPOINTMENT OF PART TIME POLICE OFFICER – CHASE J. CLASS

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to appoint Chase J. Class as a part time police officer at a rate of pay of \$21.18 per hour effective, September 26, 2014.

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

#R2014-229 AUTHORIZATION TO SIGN AGREEMENT WITH TOWN OF TUXEDO FOR SNOW AND ICE CONTROL OF OLD FORGE ROAD

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to authorize the Supervisor to sign an agreement with the Town of Tuxedo for the control of snow and ice on Old Forge Road for the sum of \$5,000.00.

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

Discussion: Supervisor Sweeton stated that this is a far remote section of the town that takes us a long time to get to and we've had this agreement for at least 4 or 5 years. It's a great deal and we work with the Town of Tuxedo and we're glad to renew that.

#R2014-230 ACCEPT BID PROPOSAL FOR COPIER – TOSHIBA BUSINESS SOLUTIONS

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to accept the bid for a copier for the Town Clerk's office from Toshiba Business Solutions, 230 North Plank Rd., Newburgh, NY 10550 at a cost not to exceed \$2,564.80.

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

Discussion: Councilman Gerstner stated he hopes the maintenance agreement is for the second year because there shouldn't be one for the first year that it should be covered by the manufacturer.

Town Clerk – It's paid upfront when you purchase the machine in all three of those instances.

Councilman Gerstner – It's for the second year. It's not for the first year. Is this for the second? That's the only question I have because really almost every piece of equipment that you buy has a one year manufacturer warrantee without paying to have that done. That's my only concern.

Supervisor Sweeton – We'll check that out.

Councilman Gerstner – I could see for the second year but for the first year it should be covered by the manufacturer. I have no problem but I don't think we should have to pay for that.

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) 7:53 p.m.
09-25-14 CP.**

Marjorie Quackenbush, Town Clerk