

September 26, 2013

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, September 26, 2013 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Sweeton called the meeting to order at 7:35 p.m.

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

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

ACCEPTANCE OF MINUTES

1. Regular Meeting, September 12, 2013

Motion Councilman Shuback, seconded Councilman DeAngelo to accept the minutes as written from the Regular Meeting held on September 12, 2013.

Motion Carried (4 ayes, 0 nays & 1 absent Councilman Gerstner absent)

CORRESPONDENCE:

CONNIE SARDO – Secretary, Town of Warwick Planning Board – Letter to the Supervisor and Town Board requesting a refund on the balance of an escrow in the amount of \$3,721.25 to MJJ Builders.

CONNIE SARDO – Secretary, Town of Warwick Planning Board – Letter to the Supervisor and Town Board requesting a refund on the balance of an escrow in the amount of \$1,181.25 to MJJ Builders.

JOHN S. HICKS, ESQ. – 3 Clinton Avenue Ext., Warwick, NY 10990 – Letter to the Supervisor and Town Board respectfully resigning from his position as Town of Warwick Town Attorney effective September 30, 2013.

MICHAEL COTRONEO – Letter to Jennifer Crover, Manager, Town of Warwick Dial-A-Bus notifying her of his intention to retire as a driver effective December 31, 2014.

THOMAS F. MCGOVERN, JR. – Police Chief, Town of Warwick Police Department – Memo to the Town Board requesting a budget transfer from the State of New York in the amount of \$995.00 to the Police Full Time Officers Over Time budget line (B02.00.3120.112).

BOARD'S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

ENVIRONMENTAL CONSULTANTS REPORT

DEPARTMENT OF PUBLIC WORKS REPORT

<u>WORK BEING DONE</u>	<u>LOCATION</u>	<u>REASON FOR WORK</u>
CATCH BASINS	Chester Hill Rd. Wesley Hill Ln.	Repair basins Repair basins
DITCH WORK	Blooms Corners Rd.	Clean ditches
MOWING	Town Wide	
POT HOLES	Town Wide	As needed
ROAD SIGNS	Town Wide	As needed
WATER DEPT.	Rt. # 210 in GWL Shepard Rd.	Repair main Repair main

COUNCILMAN DE ANGELO REPORT

1. On Saturday, October 12th at 9:00 a.m. at the Warwick Middle School the Warwick Valley Humane Society will have the 5K 4 Paws Walk and Run, dogs are free, \$10 per walker, \$5 for a walking child under 12 years and you can get information at 845-986-2473.

COUNCILMAN KOWAL REPORT

1. Harvest time is in full swing throughout the Town and in the black dirt area so please give the farm vehicles a little leeway. If they are moving a little slower it's not to antagonize you it's because they are trying to get their harvest in before the weather turns bad. Please have a little patience with them.

COUNCILMAN GERSTNER REPORT – Absent

COUNCILMAN SHUBACK REPORT

1. The DPW is doing clean up to get ready for winter by fixing potholes, roadsides and whatever needs to be done to get ready for the winter.

ATTORNEY'S REPORT – Absent

TOWN CLERK'S REPORT

1. Official Election Results from 9/10/13 Primary

	<u>Republican</u>	<u>Conservative</u>	<u>Independence</u>	<u>Working Families</u>	<u>Total</u>
<u>County Legislator District 003</u>					
* Paul Ruskiewicz	371	15		18 --	404
John Figliacconi	269	1		14 --	284
Lewis H. Lain	179	2		1 --	182

<u>County Legislator District 008</u>					
* Barry Cheney	442	17		19 --	478
Dan Castricone	331	40		35 --	406
Void	1	1		1 --	3
Barry Cheney	--	1		-- --	1

<u>Town Justice</u>					
* Peter Barlet	1074	54		45 3	1176
Steve Grasso	392	21		20 2	435

	<u>Republican</u>	<u>Conservative</u>	<u>Independence</u>	<u>Working Families</u>	<u>Total</u>
<u>Town Councilman (Vote for 2)</u>					
* Mickey Shuback	969	67		42 -	1078
* Floyd DeAngelo	852	61		34 --	947
Joseph Coleman	824	8		33 --	865
John Figliacconi	1	--		--	1
Barry Cheney	1	1		-- 1	2
Mark Mazella	1	--		--	1
(Vote for 2)					
* William Cerone	31				
* Eileen Astorino	24				
Joseph Dans	20				
Void	1				
John Davis	1				
Lisa Landau	1				

Supervisor Sweeton – I want to congratulate everyone who was involved in a race whether they won or not. Certainly I'm pleased that my fellow Board Members won in their respective races and we will see people at the polls in November.

SUPERVISOR'S REPORT

1. Community Preservation Fund - The receipts for the month of August were \$64,686.41 which brings the total in the fund to date to \$4,135,376.35 less two expenditures for the Seward Homesite and the Wright Farm which leaves a balance of \$3,094,786.35.

2. The New York DEC has issued new SEQRA forms, State Environmental

Quality Review Act which all municipal planning boards must follow and address. I went to a presentation on that by the Alliance for Balanced Growth and Councilman DeAngelo was there as well and we will make sure that the information gets to our planning board. The forms were revised; the short form got longer and the long form got shorter. The attempt is to make it a little easier for applicants and municipalities to follow although the workbook to teach you how to use the forms is 500 pages long. It was a good forum and we will get that information out.

3. Workman's Compensation Reform Group - I was asked to join a group of municipal leaders from primarily the downstate area here the Hudson Valley, Westchester and Long Island on looking at worker's compensation in New York State and how it might be reformed to give some relief to municipalities and I'm very excited about that. There's certainly room to improve upon the workman's compensation program that the state runs so I will keep everybody abreast of that as it goes forward.

4. Applefest is Sunday, October 6th and the Chief is looking forward to that I know and hopefully it will be a great day and people will have a lot of fun. I know it's aggravating to some but it certainly means a lot to the not-for-profits that earn a lot of money that day.

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:

#R2013-211 AUTHORIZATION OF ESCROW REFUND – MJJ BUILDERS

Motion Supervisor Sweeton, seconded Councilman Shuback to adopt a resolution to authorize a refund in the amount of \$3,721.25, the balance of the escrow for Planning Board applicant MJJ Builders as per the recommendation of the Planning Board Secretary; letter dated September 11, 2013.

Motion Carried (4 ayes, 0 nays, 1 absent - Councilman Gerstner absent) Supervisor declared this resolution duly adopted.

#R2013-212 AUTHORIZATION OF ESCROW REFUND – MJJ BUILDERS

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to authorize a refund in the amount of \$1,181.25, the balance of the escrow for Planning Board applicant MJJ Builders as per the recommendation of the Planning Board Secretary; letter dated September 11, 2013.

Motion Carried (4 ayes, 0 nays, 1 absent - Councilman Gerstner absent) Supervisor declared this resolution duly adopted.

**#R2013-213 SUPPORT 2013-2014 JUSTICE COURT JCAP GRANT
APPLICATION**

Motion Councilman DeAngelo, seconded Councilman Shuback to adopt a resolution to support the 2013-2014 Justice Court grant application for office renovations and security items including, carpeting, outside door, panic buzzer, security cameras, copier machine and 3-way fax.

Motion Carried (4 ayes, 0 nays, 1 absent - Councilman Gerstner absent) Supervisor declared this resolution duly adopted.

#R2013-214 ACCEPT RESIGNATION – JOHN S. HICKS

Motion Supervisor Sweeton, seconded Councilman Shuback to adopt a resolution to accept the resignation of John S. Hicks, Town Attorney, effective September 30, 2013.

Motion Carried (4 ayes, 0 nays, 1 absent - Councilman Gerstner absent) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that John has served the Town well for the past 12 years, served his community 50 plus years and is in a tough fight at the moment and he can no longer advise this Board. He has been a great advisor and legal mind for us and we wish him nothing but the best in his struggle.

#R2013-215 ACCEPT RESIGNATION – MICHAEL COTRONEO

Motion Councilman Kowal, seconded Councilman DeAngelo to adopt a resolution to accept the resignation of Michael Cotroneo, Dial-A-Bus driver, for the purpose of retirement, effective December 31, 2014.

Motion Carried (4 ayes, 0 nays, 1 absent - Councilman Gerstner absent) Supervisor declared this resolution duly adopted.

**#R2013-216 AUTHORIZATION FOR USE OF GREENWOOD LAKE PARK
FIELDS – GREENWOOD LAKE MERCHANT’S GUILD**

Motion Councilman Shuback, seconded Councilman DeAngelo to adopt a resolution to authorize the use of the fields at Greenwood Lake Park on October 19, 2013 to the Greenwood Lake Merchant’s Guild to hold their Annual Terror on the Trail festivities.

Motion Carried (4 ayes, 0 nays, 1 absent - Councilman Gerstner absent) Supervisor declared this resolution duly adopted.

#R2013-217 AUTHORIZATION TO SIGN AGREEMENT WITH COUNTY OF ORANGE – SLETPP GRANT CONTRACTS FOR POLICE EQUIPMENT

Motion Councilman DeAngelo, seconded Councilman Kowal to adopt a resolution to authorize the Supervisor to sign current and all future SLETPP grant contracts with the County of Orange for police equipment.

Motion Carried (4 ayes, 0 nays, 1 absent - Councilman Gerstner absent) Supervisor declared this resolution duly adopted.

#R2013-218 APPOINTMENT OF PART TIME DPW LABORER – JONATHAN BRULATOUR

Motion Councilman Kowal, seconded Councilman DeAngelo to adopt a resolution to appoint Jonathan Brulatour as a part time DPW laborer at a rate of pay of \$10.50 per hour effective September 28, 2013.

Motion Carried (4 ayes, 0 nays, 1 absent - Councilman Gerstner absent) Supervisor declared this resolution duly adopted.

#R2013-219 AUTHORIZATION TO SIGN AGREEMENT WITH TOWN OF TUXEDO – SNOW AND ICE CONTROL OF OLD FORGE ROAD

Motion Supervisor Sweeton, 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 (4 ayes, 0 nays, 1 absent - Councilman Gerstner absent) Supervisor declared this resolution duly adopted.

#R2013-220 APPOINTMENT OF PART TIME CLERK – ROSEMARIE BASTANZA

Motion Councilman DeAngelo, seconded Councilman Kowal to adopt a resolution to appoint Rosemarie Bastanza as a part time clerk at a rate of pay of \$13.30 per hour effective September 23, 2013.

Motion Carried (4 ayes, 0 nays, 1 absent - Councilman Gerstner absent) Supervisor declared this resolution duly adopted.

#R2013-221 ACCEPT DONATION FROM THE LITTLE FAMILY – POLICE DEPARTMENT

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to accept the generous donation from the Little family in the amount of \$1,000.00 to the Police Department towards an additional taser.

Motion Carried (4 ayes, 0 nays, 1 absent - Councilman Gerstner absent) Supervisor declared this resolution duly adopted.

**#R2013-222 AUTHORIZATION TO PURCHASE MOTORCYCLE – POLICE
DEPARTMENT**

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to authorize Police Chief, Thomas F. McGovern Jr. to purchase of a 2009 Harley Davidson Police Motorcycle, Vin# 1HD1FMM109Y6167661, from the Village of Suffern Police for \$6,000.00.

Motion Carried (4 ayes, 0 nays, 1 absent - Councilman Gerstner absent) Supervisor declared this resolution duly adopted.

BILLS: Motion Councilman DeAngelo, seconded Councilman Kowal to pay the bills as audited. Motion Carried (4 ayes, 0 nays & 1 absent Councilman Gerstner absent)

PRIVILEGE OF THE FLOOR (GENERAL)

Tape Malfunction. A request by Town resident, Linda Dawson is summarized below.

Linda Dawson asked the Town Board if they would think about dedicating one of our parks to having equestrian trails. Her equestrian club would maintain the trails and they think that Cascade Park would be an ideal setting.

Supervisor Sweeton stated that he would talk to DPW Commissioner, Jeff Feagles and Deputy DPW Commissioner, Bill Roe to see if it might be possible and he would schedule a time when we all could meet to discuss the possibilities.

ADJOURN: Motion Councilman DeAngelo, seconded Councilman Shuback that the regular meeting be adjourned. Motion Carried (4 ayes, 0 nays & 1 absent-Councilman Gerstner absent) 7:50 p.m.

09-26-13 CP.

Marjorie Quackenbush, Town Clerk