

October 10, 2013

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, October 10, 2013 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
Deputy Supervisor Gerstner
Councilman Floyd DeAngelo – Absent
Councilman Russell Kowal
Councilman Mickey Shuback

Deputy DPW Commissioner, William Roe
Police Chief, Thomas McGovern, Jr. – Absent

CLOSE PUBLIC HEARING: Motion Councilman Gerstner, seconded Councilman Shuback that the public hearing for the expansion of the Wickham Water District be closed. Motion Carried (4 ayes, 0 nays & 1 absent - Councilman DeAngelo absent)

ACCEPTANCE OF MINUTES

- 1. Public Hearing, September 26, 2013**
- 2. Regular Meeting, September 26, 2013**

Motion Councilman Shuback, seconded Councilman Gerstner to accept the minutes as written from the Public Hearing held on September 26, 2013 and the Regular Meeting held on September 26, 2013.

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

CORRESPONDENCE:

THOMAS F. MCGOVERN, JR. – Police Chief, Town of Warwick Police Department – Memo to the Town Board requesting a budget transfer from the Police Uniform budget line (B02.00.3120.182) in the amount of \$6,000.00 to purchase a police motorcycle from the Village of Suffern.

CONNIE SARDO – Secretary, Town of Warwick Planning Board – Letter to the Supervisor and Town Board requesting a refund of the application fee in the amount of \$750.00 to Zoning Board of Appeals applicant, Howard Smith/Black Bear Campground.

ALAN S. LIPMAN, ESQ. – Fabricant, Lipman & Frishberg, PLLC., One Harriman Square, P.O. Box 60, Goshen, NY 10924 – Letter to the Supervisor and Town Board requesting filing fees for applications filed with the Town of Warwick Zoning Board of Appeals by my client Howard Smith owner of Black Bear Campground be refunded in the amount of \$750.00.

JOHN P. DEGNAN – P.O. Box 66, Warwick, NY 10990 – Letter to the Supervisor and Town Board notifying them that my official retirement date will be December 7, 2013.

ADAM POWERS – Village Billiards, 17 Main Street, Warwick, NY 10990 - Notice to the Town of Warwick of their intent to apply for a New York State liquor license.

JOSEPH E. STANKAVAGE, P.E. – Orange County Department of Public Works, P.O. Box 509, 2455-2459 Route 17M, Goshen, NY 10924-0509 – A letter was sent to Mr. Chijioke Onyeche of the New York State Department of Transportation along with the TE-9 application filed by the Town of Warwick for the speed reduction of Jessup Road for their review.

TONIA A. CROWN, CPA.CITP – Vanacore, DeBenedictus, DiGovanni & Weddell, 11 Racquet Road, P.O. Box 10009, Newburgh, NY 12552-0009 – Letter to the Supervisor and Town Board enclosing their arrangement letter for services for years ending December 31, 2014 and 2015 and a copy of their planning and scoping letter which provides an overview of the planned scope and timing of the audit.

BOARD’S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

ENVIRONMENTAL CONSULTANTS REPORT

Town Of Warwick - Water and Wastewater Operations Report - September, 2013

Wickham Water District

Total monthly production	1,991,100 gal
Average daily use	66,400 gal
Sodium Hypochlorite used	170 qt
Orthophosphate used	69 qt
Caustic Soda	103 gal

Bellvale Park Water District

Total monthly production	85,800 gal
Average daily use	2,900 gal
Sodium Hypochlorite used	4 qt

Eurich Heights Water District

Total monthly production	184,400 gal
Average daily use	6,100 gal

Sodium Hypochlorite used 4 qt
Orthophosphate used 24 qt

Pine Island Water District

Total monthly production 201,000 gal
Average daily use 6,700 gal
Sodium Hypochlorite used 32 qt

Westside #1 Water District

Total monthly production 2,873,500 gal
Average daily use 95,800 gal
Sodium Hypochlorite used 370 qt
Orthophosphate used 96 qt
Caustic Soda 0 gal

The Fairgrounds

Total monthly production 301,300 gal
Average daily use 10,000 gal
Sodium Hypochlorite used 58 qt

Sewer District #1 Wastewater Treatment Facility

Mid-Orange Correctional District	0 gal	0%
Wickham Village District	2,127,881 gal	55%
Kings Estates District	1,760,039 gal	45%
<u>Total District Flow</u>	3,887,920 gal	100%
<u>Average Daily Flow</u>	129,600 gal	

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

The belt press ran for 20 hrs. and 1.0 gal of polymer was used.

20 cu. Yd. of sludge and .5 cu. ft. of grit were removed from the site this month.

Sewer District #2 Wastewater Treatment Facility – The Fairgrounds

<u>Total District Flow</u>	109,972 gal
<u>Average Daily Flow</u>	3,666 gal

DEPARTMENT OF PUBLIC WORKS REPORT

**WORK
BEING
DONE**

	<u>LOCATION</u>	<u>REASON FOR WORK</u>	<u>LENGTH</u>
CULVERT PIPES	Big Island Rd.	Resolve drainage issue	60 ft. 10 in.
CATCH BASINS	Wesley Hill Ln.	Clean basins	
DRAINAGE	Bellvale Lakes Rd.	Clean ditches	
	Round Hill Rd.	Clean ditches	
	Cascade Rd.	Clean ditches	
POT HOLES	Town wide	As needed	
ROAD SIGNS	Town wide	As needed	

COUNCILMAN DE ANGELO REPORT – Absent

COUNCILMAN KOWAL REPORT

1. We did our budget hearings this week going through it line by line trying to get the money where we need it and not going to far out of our balance and stay within the constraints of the 2%. We are working on it and it's a work in progress.

COUNCILMAN GERSTNER REPORT

1. I have correspondence here from Cablevision with a relocation of H2 History. Notice is here by given that effective October 22nd through the 24th Cablevision will move H2 HD in your area from channel 849 to 693 and customers will be notified on air and through their bill messaging for the relocation and also you can go to www.optimum.com for information. Also Cablevision has been informed by ESPN that effective September 30, 2013 it will cease to transmit ESPN3D programming which airs on IO TV 155 will no longer be available on Cablevision systems.

Customers will be notified on air and through their billing and at www.optimum.com. Also another letter addressed to the Supervisor in honor of Hispanic Heritage Month Cablevision is pleased to announce their 6th Annual Hispanic Heritage essay contest offering middle or high school students the opportunity to win prizes including a \$2,500 scholarship, a laptop computer, a tablet computer and an e-reader. You can go to www.powertolearn.com for more information on the contest and we will post this out in the lobby.

2. Through the Warwick Valley Community Center we have a new program starting up called "Let's Run This Town". The greater Warwick Valley health initiative walk, run or crawl every Tuesday and Thursday at 9:30 a.m. starting at the Warwick Valley Community Center at 11 Hamilton Avenue. You can choose 1, 2, or 3 mile routes, registration is at 9:00 a.m., ready set walk is at 9:30 a.m. and they have a free healthy snack to follow in the Community Center Teen Room.

3. This Saturday the Warwick Valley Humane Society is having a 5K 4 Paws at 9:00 a.m. at the Warwick Valley Middle School for more information you can call 845-986-2473. Also all supplies are appreciated such as Simple Green, paper towels and the likes.

COUNCILMAN SHUBACK REPORT

- 1. The Highway Department finally found time this year to clean the ditches.**
- 2. The Pulaski Fire Department is having a fundraiser Sunday, October 14th at 2:00 p.m. at their firehouse for \$20 per person.**

TOWN CLERK'S REPORT

- 1. Fees Collected – Month of September – Wickham Lake Resident Permit Fees, \$40.00; Wickham Lake Non-Resident Permit Fees, \$30.00; Wickham Lake Resident Renewal Fee, \$10.00; Film & Video Permit Fee, \$250.00; Copies of Maps, \$45.00; Certified Marriages, \$40.00; Photocopies, \$10.50; Peddler Permit, \$100.00; Interest in Checking Account for Month of August, \$0.93; Dog Impoundment Fees, \$515.00; Marriage License Fees, \$420.00; Road Map, \$3.00; Conservation Licenses, \$976.15; Dog Licenses Issued/Renewed, \$2,184.00; Use of Room Fees, \$360.00; Registrar Fees, \$10.00; Waterfront Park Daily Non-Resident Fees, \$840.00; Waterfront Park Daily Resident Fees, \$996.00; Waterfront Park Wedding Permit Fee, \$30.00; Town Park Deposits, \$100.00. Total Fees Collected, \$28,121.43**
- 2. Fees Paid – Month of September – New York State Dept. of Health for Marriage Licenses, \$540.00; NYS Dept. of Ag & Markets for Spay/Neuter Program, \$262.00; NYS Dept. of Environmental Conservation for Conservation Licenses, \$18,718.85; Village of Florida for Registrar Fees, \$30.00; Village of Greenwood Lake for Registrar Fees, \$80.00; Village of Warwick for Registrar Fees, \$1,530.00. Total Fees Paid to Supervisor: \$6,960.58**

SUPERVISOR'S REPORT

1. Energy Savings - With our switch that we made last year we had a savings of \$32,914.40 over what O&R rates were for that period of time during the year July, 2012 to June, 2013. We also have a natural gas supply contract with an outside vendor as well and I don't have those savings because it's on a different cycle but we will give that to everyone.

2. Applefest was fairly successful from the standpoint of incidents, there really were none and the emergency services people were pretty quiet that day and the police said there really were no incidents. There were a lot of people there for an overcast day but it worked out really well.

3. The Budget - We continue to work on that and we will present it at the hearing in the first week of November. I don't know the date but I will give it to you at our next meeting and we expect to be under the cap and that's our goal, so we'll continue to work on that.

4. I want to congratulate a Warwick Resident, Steve Brisner. Apparently there was a big disc golf tournament here in Warwick this past week. It is one of the top disc golf courses in the country and he competed between 72 entries from around the world and he won the entire tournament, so congratulations to him and he is a Warwick resident.

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:

**#R2013-223 AMEND RESOLUTION #R2013-200 - SOLICIT BIDS –
COLLECTION OF RECYCLABLES – SINGLE STREAM**

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to amend #R2013-200 by changing the bid opening date to October 23, 2013 at 2:00 p.m. at the Town Hall, 132 Kings Highway, Town of Warwick. Motion Carried (4 ayes, 0 nays, 1 absent – Councilman DeAngelo absent) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that we didn't receive any bids so therefore we are extending the time through this change and we've mailed the bid packets to all of the carters who are registered with the Town.

**#R2013-224 SCHEDULE PUBLIC HEARING – PROPOSED LOCAL LAW TO
EXCEED TWO PERCENT PROPERTY TAX CAP**

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to schedule a public hearing to consider the adoption of a proposed Local Law to exceed the two percent property tax cap. Said public hearing to be held at 7:30 p.m. on October 24, 2013, or as soon thereafter as the matter may be heard, at the Town Hall, 132 Kings Highway, Town of Warwick. Motion Carried (4 ayes, 0 nays, 1 absent – Councilman DeAngelo absent) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated we don't intend to exceed it but you are required every year by the law to pass a new local law in the event you are going to exceed it and the controller's office recommends that you do it in the event there's a miscalculation somewhere in your budget so we will do that.

#R2013-225 SCHEDULE PUBLIC HEARING – MS4 ANNUAL REPORT

Motion Supervisor Sweeton, seconded Councilman Shuback to adopt a resolution to schedule a public hearing regarding the 2012-2013 MS4 Annual Report. Said public hearing to be held on October 24, 2013 at 7:30 p.m., or as soon as thereafter as the matter may be heard, at the Town Hall, 132 Kings Highway, Town of Warwick. Motion Carried (4 ayes, 0 nays, 1 absent – Councilman DeAngelo absent) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that this is an annual report that we are required to file. New regulations by the DEC designate areas as MS4 and the area surrounding Greenwood Lake in the Town of Warwick is an MS4 area. We will have that report available the night of the hearing for the public.

#R2013-226 AUTHORIZATION TO SIGN AGREEMENT WITH VANACORE, DEBENEDICTUS, DIGOVANNI & WEDDELL TO PERFORM AUDITING SERVICES FOR 2014 & 2015 AUDIT YEARS

Motion Councilman Kowal, seconded Councilman Gerstner to adopt a resolution to authorize the Supervisor to sign an agreement with Vanacore, DeBenedictus, DiGovanni & Weddell to perform auditing services for the Town of Warwick for the years ending December 31, 2014 and 2015.

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

Discussion: Supervisor Sweeton stated that they have been our auditors for the past 4 or 5 years. They do a great job and they've kept their service fees the same for those 2 years of the contract.

#R2013-227 AUTHORIZATION OF ZBA APPLICATION FEE REFUND – BLACK BEAR CAMPGROUND

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to authorize the refund of the application fee in the amount of \$750.00 to Zoning Board of Appeals applicant Black Bear Campground for SBL# 8-2-27.14 as per the recommendation of the Planning Board Secretary; letter dated October 2, 2013.

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

#R2013-228 BUDGET TRANSFER – POLICE DEPARTMENT

Motion Councilman Gerstner, seconded Councilman Shuback to adopt the following Police Department budget transfer pending the sale of a surplus police motorcycle:

FROM	TO	AMOUNT
Police Uniform Budget Line (B02.00.3120.182)	Equipment (B02.00.3120.200)	\$6,000.00

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

Discussion: Supervisor Sweeton stated that will be replaced once they sell the 2 surplus vehicles that they have.

#R2013-229 ACCEPT OFFICIAL RETIREMENT DATE – JOHN P. DEGNAN

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to accept the official retirement date with the NYS retirement system of December 7, 2013 as submitted from John P. Degnan.

Motion Carried (4 ayes, 0 nays, 1 absent – Councilman DeAngelo absent)

Supervisor declared this resolution duly adopted.

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

PRIVILEGE OF THE FLOOR (GENERAL)

Richard Murtie – Resident, Town of Warwick, NY 10990 – I called the State 3 times regarding the white line just past Penning’s on the right side; it’s all eroded. Cars are pulling into the parking lot late in the evening blowing tires and rims. I think a phone call from your office might help us there.

Supervisor Sweeton – Yeah, we’ll give it a shot.

Richard Murtie – Also again today there was an accident on Sanfordville and 94. The sight distance is obviously an issue but also the monument marker on the left hand side as you come off of Sanfordville, the New York State, whatever it is.

Supervisor Sweeton – Yes, the historical marker.

Richard Murtie – That seems to be a problem as well as the site distance down to the right.

Supervisor Sweeton – I will bring it to the attention of the DOT certainly.

Councilman Kowal - Is it like vegetation or something that can be cut back?

Richard Murtie - They just recently mowed but it just seems like every week there is an accident there.

Supervisor Sweeton – It’s a bad intersection and the DOT has already flagged it as failing as an intersection and they say it requires a light but they don’t have any money to put a light. We will tell them and see if there is something they want to do.

Richard Murtie – Also down 94 and Wawayanda Road there is 2 inches of grit and stone washout at that intersection as well.

Supervisor Sweeton – Ok, that’s probably ours so we can take care of that.

Richard Murtie – I don't know if you know this, today also black topping that's going on Sanfordville Road and Covered Bridge Road just the patches, that road was just resurfaced weeks ago. It seems like it would be patched before it was resurfaced but now it's like putting the cart before the horse.

Supervisor Sweeton – Thank you.

ADJOURN: Motion Councilman Gerstner, seconded Councilman Kowal that the regular meeting be adjourned.

**Motion Carried (4 ayes, 0 nays & 1 absent - Councilman DeAngelo absent) 7:45 p.m.
10-10-13 CP.**

Marjorie Quackenbush, Town Clerk