

December 11, 2014

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

Attorney for the Town, Jay Myrow  
Police Lieutenant, John Rader

**PRESENTATION TO GIRL SCOUTS** – The Supervisor and Town Board presented the following Silver Award Recipients from the Florida Unit with a proclamation for their achievements. Maryfer Perez and Sara Miller from Troop 424, Holly Blumenberg from Troop 670, Hannah Castine, Alexis Pellegrini, Brianna Milz, Orla Brosnan, Alexa Chiappone and Allyssa Sieczek from Troop 494. The following Gold Award Recipients were also issued proclamations for their achievements as well. Sinead C. Brosnan, Kathryn Latimer and Inga Squillace all from Troop 315 from the Florida Unit.

**ACCEPTANCE OF MINUTES**

**1. Regular Meeting, November 20, 2014**

Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the Regular Meeting held on November 20, 2014.

Motion Carried (5 ayes, 0 nays)

**CORRESPONDENCE:**

**JAN L. JANSEN** – 161 Glenmere Ave., Florida, NY 10921 – Letter to the Town Board requesting to be reappointed to the Zoning Board of Appeals and to be appointed as Chairman for another term.

**JOHN P. MACDONALD** – 7 Belmar Court, Warwick, NY 10990 – Letter to the Supervisor asking to be appointed as an alternate member on the Planning Board for another one year term.

**WAYNE STEVENS** – Building Inspector, Town of Warwick – Notice to the Town Board asking permission to hire a crew to clean up debris and household items left at 29 High Hill Ave., SBL# 32-6-3, which was taken over by a bank and the cost of the cleanup be levied against the January tax bill.

**CONNIE SARDO – Secretary, Town of Warwick Planning Board – Letter to the Town Board requesting a refund on the remaining balance of the escrow for SBL# 76-1-55 to Planning Board DPA applicant Diane Jacobs in the amount of \$70.00.**

**DEBORAH A. EURICH – Assessor, Town of Warwick – Letter to the Town Board requesting a budget transfer from Assessor – Part Time (A.00.1355.154) to Assessor Special Department Supplies (A.00.1355.466) in the amount of \$800.00 for the purchase of the Marshall & Swift Valuation Service Book/Cost CD Combo (commercial property cost manuals).**

**BEN ASTORINO – Chairman, Town of Warwick Planning Board – Memo to the Supervisor and Town Board notifying them that the Planning Board made a “Favorable” recommendation to the Board regarding the Proposed Zoning Code Revisions at their December 3, 2014 Planning Board meeting.**

**DAVID CHURCH – Commissioner of Orange County Department of Planning, 124 Main St., Goshen, NY 10924-2124 – Notice to the Town Board in regards to Local Law to amend the zoning code to include minor corrections and clarifications. The Department has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We commend the Town for their careful evaluation of the zoning code, and their efforts to correct and clarify items for residents of the Town.**

## **BOARD’S DISCUSSION ON CORRESPONDENCE**

### **VISITING ELECTED OFFICIALS**

Supervisor Sweeton introduced the Hon. Barry Cheney a Trustee for the Village of Warwick and an Orange County Legislator for District 8. No report was given.

## **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>
TREE WORK	Black Rock Rd.	Brush back road
POT HOLES	Town wide	Fill with cold patch
SANDING	Town wide 11/26/14	Snowstorm plow & sand roads
MAIL BOXES	Town wide	Repair mailboxes hit by plows

### **PARKS DEPARTMENT**

#### **ENVIRONMENTAL CONSULTANTS REPORT**

### **COUNCILMAN DE ANGELO REPORT**

1. The Humane Society is having a tricky tray this Saturday at the Middle School at 1:00 p.m. There is going to be a rabies clinic on Sunday, December 14<sup>th</sup> from 10:00 a.m. until 12 noon. There is a \$15 fee for cats or dogs, there is no appointment required. The next rabies clinic is February 8<sup>th</sup>, 2015. They are going to have a “Polar Plunge Fundraiser” on February 15<sup>th</sup> hosted by the Breezy Point Inn. Suzyn Baron, President of the Warwick Valley Humane Society, asked me to announce that they received a grant in the amount of \$9,000 for the spay/neuter funding. They also want to thank Heather Gardner from the Warwick Fire Department Station 2 and the Brownie Troop 402 of Greenwood Lake for their help in hosting a fundraiser “Bake Goods for Paws” this past Saturday for raising over \$240. They are in need of donations for the 200 cats they have. They are looking for the following items; Friskies Pate or ground cat food, heavy duty garbage bags, bleach, paper towels, paper plates and any monetary donations you can afford.

Lieutenant Rader – We provided the Board with a list of out of service cars that we have and the title for the one that we are scrapping that is back behind the DPW. We are in the final stages of initiating our NARCAN Program. The State Attorney Generals Office had given us a grant toward the purchase of the product. We were able to acquire the product at no cost. In return, the grant from the state is going to go toward training our officers so that will offset those costs. We are hoping by the first of the year if not sooner to have this on the road and at this point it’s an important tool in our toolbox as first responders that we’re able to hopefully reverse the affects of an opium overdose.

Councilman DeAngelo – I want to offer you congratulations for taking part in that drug bust the other night.

Lieutenant Rader – Yes, it was a joint effort with the Warwick Police Department, the Village of Florida Police Department and it was a successful arrest.

Councilman DeAngelo – Thank you, a job well done.

### **COUNCILMAN KOWAL REPORT**

1. Things are dormant at the Town Park.
2. I want to wish everyone a Happy, Healthy Holiday Season and a Happy New Year.

### **COUNCILMAN GERSTNER REPORT**

1. I have a letter here from Cablevision 2015 rate event as of January 1<sup>st</sup>, 2015 there will be changes to select video service and equipment rates affecting Cablevision customers in the Town of Warwick. As a result increased programming cost particularly to costs carrying sporting events, sports related programming and network programming. The sports programming surcharge will be renamed the sports and broadcast TV surcharge and will increase to \$5.98. The

surcharge will continue to apply to all customers with the exception of Broadcast Basic and the Economy patrons. Additionally the price of Broadcast Basic for all commercial customers will decrease to \$20.15. The equipment rate for set top boxes and remotes will increase to \$7.80 for commercial customers. Customers will be notified in advance of the changes and you can go to [www.optimum.com](http://www.optimum.com) for more information.

2. I would also like to wish everyone a Merry Christmas, Happy Hanukkah, Happy Kwanza and a Happy, Healthy Prosperous New Year to everyone. Enjoy your families and the time of the year and remember the meaning of Christmas.

#### COUNCILMAN SHUBACK REPORT

1. Looks like were going to have a busy year and I gather we are going to have a very snowy winter so be prepared for it.
2. I want to wish everybody Happy Holidays.

#### ATTORNEY'S REPORT

#### TOWN CLERK'S REPORT

1. Fees Collected – Month of November, 2014 – Copies of Maps, \$60.00; Certified Marriages, \$30.00; Photocopies, \$33.75; Use of Senior Room Fee, \$50.00; Interest in Town Clerk's Checking Account, \$0.28; Marriage Licenses, \$140.00; Conservation Licenses, \$354.19; Dog Licenses Issued/Renewed, \$1,227.00; Use of Room Fees, \$380.00; Registrar Fees, \$110.00; Waterfront Park Non-Resident Fishing Permit Fees, \$20.00. Total Fees Collected: \$9,546.03
2. Fees Paid – Month of November, 2014 – New York State Dept. of Health for Marriage Licenses, \$180.00; New York State Dept. of Ag & Markets for Spay/Neuter Program, \$152.00; New York State Dept. of Environmental Conservation for Conservation Licenses, \$6,078.81; Village of Florida for Registrar Fees, \$120.00; Village of Greenwood Lake for Registrar Fees, \$50.00; Village of Warwick for Registrar Fees, \$560.00. Total Fees Paid to Supervisor: \$2,405.22
3. Proposals to replace truck frame rails on a 2001 International dump truck were received from:

Arkel Motors  
70 Windsor Highway  
New Windsor, NY 12553  
10921  
Tel. # (845) 562-0650  
Proposal: \$29,337.48

McDonald & McDonald  
240 Lake St.  
Newburgh, NY 12550  
Tel. # (845) 562-5544  
Proposal: \$10,433.27

Westrans, LLC  
P.O. Box 36  
Florida, NY  
Tel. # (845) 651-5888  
Proposal: \$28,415.00

#### SUPERVISOR'S REPORT

1. The Bowen Road project which is a FEMA repair has been completed

except for the paving. So Bowen Road is once again open. The contractor was Allied Excavating a local firm here that did a great job and finished on time and on budget. We only have two other projects, Jessup Road which we were finally authorized to proceed to design from FEMA so that will happen in the spring and we still await the major one left which is Brady Road. We did have an inspector from SEMO, New York State Emergency Management, down to review some of the other projects that were done and we took him to Brady and he said he didn't understand why they were holding that up. Hopefully, we will get that one moving, get it designed and get it done in the spring as well.

2. Information for the public, the Warwick Valley Local Development Corporation has hired a contractor to begin the road construction out to the 10 pad sites at the former prison that we hope to attract businesses to. They are already on site working and they will get that road cut in rough at least by the end of the year and if the weather holds they can get it further along. That will be good because it will make those properties that much more marketable as shovel ready projects.

3. I want to remind the public on the holiday schedule for recycling. If your day falls on the holiday it is the day after that they pick up your recycling.

4. You may have heard or read in the paper that there was a call initiated by the New York State DEC concerning the lead agency dispute on the cell tower in Pine Island. That call was initiated by the DEC. On the call were representatives from the Fire District, AT&T, the Town Planning Board and myself. The call was intended to inform us of the process and the process is that they have a staffer who reviews all of the evidence and prepares a draft decision which they have a draft decision. That decision can be forwarded up to the Commissioner when it's deemed ready by those staffers. It's reviewed by their legal people as well as the staffer that prepared it. They haven't indicated that they are sending that on but what I think the real purpose of the call was to inform us that no matter what their decision is it doesn't solve the issue of immunity which is what the Planning Board has said to us is in dispute. I want to make you aware of what that was about and that is what it was about and we will see where it goes from here. They didn't give us any indication of a timing either. They just said they would hope that a resolution could be found and that they would render their decision when they were ready.

5. Happy Holidays everyone, Merry Christmas and Happy Hanukkah; I believe Hanukkah starts on December 16<sup>th</sup> and there will be a menorah lighting in the Village of Warwick between 4:00 p.m. and 4:30 p.m. then there is one later that evening in Greenwood Lake at 7:00 p.m. at the Ambulance Corp. I'm not sure about Florida but we can check on that for you.

6. 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:**

**#R2014-276 REAPPOINTMENT TO TOWN OF WARWICK PLANNING BOARD – JOHN P. MACDONALD**

**Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to reappoint John P. MacDonald as an alternate on the Town of Warwick Planning Board for a one year term expiring December 31, 2015.**

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

**#R2014-277 REAPPOINTMENT TO TOWN OF WARWICK PLANNING BOARD – CHRISTINE LITTLE**

**Motion Councilman DeAngelo, seconded Councilman Shuback to adopt a resolution to reappoint Christine Little to the Town of Warwick Planning Board for a five year term expiring December 31, 2019.**

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

**#R2014-278 REAPPOINTMENT TO TOWN OF WARWICK ZONING BOARD – JAN L. JANSEN**

**Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to reappoint Jan L. Jansen to the Town of Warwick Zoning Board of Appeals for a five year term expiring December 31, 2019.**

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

**Discussion: Supervisor Sweeton stated that all three of these individuals have done a great job as volunteers on these boards and it's not an easy job and I thank them for their service.**

**#R2014-279 AUTHORIZE ESCROW REFUND – DIANE JACOBS**

**Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to authorize an escrow refund in the amount of \$70.00, the balance of the escrow for SBL# 76-1-55, to Planning Board DPA applicant Diane Jacobs as per the recommendation of the Planning Board Secretary, letter dated December 1, 2014.**

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

**#R2014-280 ACCEPT BID PROPOSAL FOR REPLACEMENT OF TRUCK FRAME RAILS –MCDONALD & MCDONALD**

**Motion Councilman Shuback, seconded Councilman DeAngelo to adopt a resolution to replace truck frame rails on a 2001 International dump truck from**

**McDonald & McDonald, Inc., 240 Lake St., Newburgh, NY 12550 in an amount not to exceed \$10,433.27.**

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

**Discussion: Councilman Shuback stated that this truck is 13 years old with only 95,000 miles on it and the diesel engines are good for 500,000 miles without any major work. We will save close to \$200,000 on a new one for a \$10,000 repair.**

**Supervisor Sweeton – It's a good investment and well worth it because the truck is in great shape other than the cracked rail.**

**#R2014-281 BUDGET TRANSFER – ASSESSOR**

**Motion Councilman Kowal, seconded Councilman DeAngelo to adopt a resolution to authorize the following Assessor's Dept. budget transfer:**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
<b>Assessor – Part Time (A.00.1355.154)</b>	<b>Assessor Special Department Supplies (A.00.1355.466)</b>	<b>\$800.00</b>

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

**#R2014-282 APPROVAL FOR REIMBURSEMENT FOR EXPENSES  
ASSOCIATED WITH ATTENDANCE TO THE NEW YORK STATE  
MAGISTRATES' TRAINING CONFERENCE – PETER D. BARLET**

**Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to reimburse Peter D. Barlet for expenses associated with his attendance at the New York State Magistrates' training conference in Syracuse, NY from September 20, 2014 through September 24, 2014. Funds for this training were previously authorized and allocated in the current budget.**

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

**#R2014-283 AUTHORIZATION TO SIGN INTERMUNICIPAL AGREEMENT –  
BUS AND MANAGEMENT SERVICES TO THE TOWN OF  
BLOOMING GROVE**

**Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution authorizing the Supervisor to sign an intermunicipal agreement to provide bus and management services to the Town of Blooming Grove through December 31, 2015 at a rate of \$85,000.**

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

**Discussion: Supervisor Sweeton stated that we have been providing this service for the past 4 years and this just continues it and it has been good for both communities.**

**#R2014-284 AUTHORIZE THE WARWICK LITTLE LEAGUE TO CONTRACT FOR INSTALLATION OF BACKSTOP AND ADDITIONAL FENCING AT BASEBALL FIELD AT FORMER MID-ORANGE CORRECTIONAL FACILITY**

**Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to authorize the Warwick Little League to contract for the installation of a backstop and additional fencing at the baseball field located at the former Mid-Orange Correctional facility at their own expense.**

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

**Discussion: Supervisor Sweeton stated that we had already accepted a bid to move the fence and they have offered to do some enhancements so we are going to let them do that at their own expense.**

**Councilman Gerstner – We thank them for that.**

**#R2014-285 APPOINTMENT OF ANIMAL CONTROL OFFICER – DOUGLAS CONWAY**

**Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to appoint Douglas Conway as an Animal Control Officer for the remainder of 2014 at the recommendation of the Animal Shelter Manager.**

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

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

**PRIVILEGE OF THE FLOOR (GENERAL)**

**Rachael Tetreault – Resident, Pine Island, NY 10969 - Was there a transcript of the call that transpired?**

**Supervisor Sweeton – No, we don't take notes it was just a call.**

**Rachael Tetreault – When was the date of that?**

**Supervisor Sweeton – I honestly don't remember. I want to say Tuesday maybe. Attorney Myrow do you remember off hand?**

**Attorney Jay Myrow – I believe it was last...**

**Supervisor Sweeton – Yeah, it was last Tuesday a week ago.**

**EXECUTIVE SESSION: Motion Councilman DeAngelo, seconded Councilman Gerstner to enter into an executive session for the purpose of discussing the proposed, pending or current litigation. Motion Carried (5 ayes, 0 nays) 7:54 p.m.**

**RECONVENE: Motion Councilman DeAngelo, seconded Councilman Kowal to reconvene the meeting. Motion Carried (5 ayes, 0 nays) 8:01 p.m.**

**ADJOURN: Motion Councilman Shuback, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 8:02 p.m.  
12-11-14 CP.**

---

**Marjorie Quackenbush, Town Clerk**