

May 27, 2010

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, May 27, 2010 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 Leonard DeBuck  
Councilman James Gerstner  
Councilman Mickey Shuback

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

Supervisor Sweeton introduced Mr. & Mrs. Sanford and acknowledged them for their dedication to the Warwick Ambulance Corp. in regards to Emergency Medical Services Week.

Supervisor Sweeton introduced Mary Makofsee from Sustainable Warwick who gave a presentation on the “Ten Percent Challenge” which is a project initiated by Sustainable Hudson Valley to encourage the community to support a 10% reduction in energy use and ask the Town of Warwick Town Board for their support as well.

**ACCEPTANCE OF MINUTES:**

1. Public Hearing, 05/13/2010
2. Regular Town Board Meeting, 05/13/2010

Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the public hearing held on May 13, 2010 and the regular meeting held on May 13, 2010. Motion Carried (5 ayes, 0 nays)

**CORRESPONDENCE:**

**ADOLF ZUEGER** – Chateau Hathorn Inc., 33 Hathorn Road, Warwick, NY 10990 – Letter to the Town Clerk notifying the Town of Warwick of the renewal of our liquor license under our current business name.

**JEFF FEAGLES** – Commissioner, Town of Warwick Department of Public Works, Warwick, NY 10990 - Memo to the Town Board requesting a budget transfer in the amount of \$2,756.97 from the Fire Department for fuel usage to DB1-5110-422 Gas and Fuel.

**JEFF FEAGLES** – Commissioner, Department of Public Works, 132 Kings Highway, Warwick, NY 10990 – Letter to the Town Board requesting permission to attend

**the 2010 Highway School from June 6, 2010 until June 9, 2010 along with his Deputy Commissioner, Ben Astorino.**

**BRENDA FAULLS – Receiver of Taxes and Assessments, 132 Kings Highway, Warwick, NY 10990 – Letter to the Supervisor and Town Board requesting permission to attend the 2010 Tax Receivers training seminar to be held on June 13-16, 2010 at Lake Placid, New York.**

**JOHN R. STARKS – 22 Warwick Estates Drive, Warwick, NY 10990 - Letter to the Supervisor and Town Board requesting to be re-appointed to the Town of Warwick Architectural Review Board.**

**TODD VOGEL – Warwick, NY 10990 – Letter to the Town Board requesting to be re-appointed to the Town of Warwick Conservation Board.**

**MARK D. WHEELER – Warwick, NY 10990 - Letter to the Town Board requesting to be re-appointed to the Town of Warwick Conservation Board.**

**CHRISTINE LITTLE – Warwick, NY 10990 – Letter to the Supervisor and Town Board requesting to be appointed to the Town of Warwick Conservation Board.**

**TONYA E. CUBBY – Secretary, Township of West Milford Planning Board, 1480 Union Valley Road, West Milford, NJ 07480-1303-Notice of Public Hearing for the adoption of the Housing Element and Fair share Plan as a component of the West Milford Township master plan and for substantive certification by the Council on affordable housing. The public hearing will take place at the West Milford Town Hall 1480 Union Valley Road, West Milford, New Jersey on Thursday, May 27, 2010 at 7:30 p.m.**

**MICHAEL R. PILLMEIER – Chairman, Orange County Legislature, County Government Center, 255 Main Street, Goshen, NY 10924 – Letter to the Supervisor inviting him to the Legislative Chambers to honor Donald F. Roach as Orange County Senior Citizen of the year and Seymour Gordon for Outstanding Contribution by a Senior on Thursday, June 3<sup>rd</sup> at 3:30 p.m.**

**PAULETTE WILK-RUDY – Chairman of Pine Island Recreation Committee, Glenwood Rd., Pine Island, NY 10969 – Letter to the Supervisor thanking the Town Board for approving the extension to the pavilion at the Pine Island Park. She is extremely grateful for the work that the DPW crew did to construct it and for all their efforts to get the park ready for the summer program.**

#### **BOARD'S DISCUSSION ON CORRESPONDENCE**

**Supervisor Sweeton wanted to congratulate two of our citizens who were honored by the County; Don Roach, a resident of Florida, who was named Senior Citizen of the Year and Seymour Gordon who was recognized for an Outstanding Contribution by a Senior by the County. There will be a legislative meeting by the**

County on June 3<sup>rd</sup> at 3:00 p.m. where they will be presented again with certificates recognizing that and I will be in attendance to present on behalf of the Town as well.

**REPORTS OF BOARDS AND COMMISSIONS**

Supervisor Sweeton stated that the Building Department report is on file and that business is picking up a little bit in the Town, which is a good sign.

**DEPARTMENT OF PUBLIC WORKS REPORT**

<u>Work Done</u>	<u>Location</u>	<u>Reason for Work</u>	<u>Length</u>
<b>CULVERT PIPES</b>	Brady Rd	replaced 12" pipe	60'
	Brady Rd	replaced 15" pipe	60'
	Bellvale Lakes Rd.	replaced 18" pipe	60'
	Millers Lane	replaced 24" pipe	20'
<b>CATCH BASINS</b>	Waywayanda Court	repaired basin	
<b>DITCH WORK</b>	Brady Road	reshaped ditches	
	Bowen Road	reshaped ditches	
<b>TREE WORK</b>	Millers Lane	cleaned up brush	
<b>POT HOLES</b>	Town wide	as needed	
<b>MOWING</b>	Town wide	as needed	
<b>VEHICLE MAINTENANCE</b>		as needed	
<b>EMERGENCY REPAIRS</b>		as needed	
<b>ROAD SIGNS</b>	Town wide	as needed	

**COUNCILMAN DE ANGELO REPORT**

1. For the month of April the Post Report is as follows: Greenwood Lake had 221 calls, the Town outside the Village had 945 calls, Pine Island 332 calls and the Village of Warwick had 753 calls for a total of 2,251 calls for the month of April.
2. Last Saturday I had the honor of attending the Orange County Chiefs Association Awards Ceremony in Goshen at the 911 Center and four of our officers received exceptional police duty awards for their work on the capture of the Pine Island bank robber. They were Detective Gary Sisco, Detective Shawn Tetzlaff, Detective Michael Hoffman and Officer Michelle Kozlowski. It was very interesting and it was an honor to be there to see these fine young men and women receive their awards.
3. The Warwick Valley Humane Society asked me to make an announcement that they are having their "Who Let the Dogs Out" 6<sup>th</sup> annual fundraiser at the Applewood Winery on June 12<sup>th</sup> at 11:00 a.m. and the rain date is June 13<sup>th</sup>. It's \$10 per person and children under 14 it's a \$1. They are having contests, a shelter dog parade, agility course, professional pet photos, mobile dog wash, dog trivia, scavenger hunt, 50/50 raffle, wide scenic dog walks and prizes. It should be a good time.
4. I had a call today from the lady who manages the senior center in Greenwood Lake and asked me to make an announcement about the "The Celebration of the Lake". Mayor Moore and the Village Board of Greenwood Lake would like to announce a children's concert on Thursday, June 10<sup>th</sup> at 7:00 p.m. at the Thomas P. Morahan Waterfront Park on Windermere Avenue in Greenwood Lake. Kurt

**Gallagher will perform music for children of all ages. In case of inclement weather the concert will be rescheduled. The concert is free, however donations are greatly appreciated. All are welcomed to come just pack a dinner, blanket and a chair. For more information call the Village Hall at 845-477-9215.**

#### **COUNCILMAN DE BUCK REPORT**

**1. Last evening I attended a workshop that the Orange County Parks Department had with a professional planner. It was held at the Hickory Hill Golf Course Clubhouse and it was well attended I thought. The session was basically to ask people what parks they've used at the county level or township level or what things they do for recreation on a private basis. When you registered they gave you docks that you could fill out with the types of things that you enjoy and the planners responded to and spoke about the people's ideas. There were a lot of good ideas tossed around and I recall the Parks Commissioner saying that he was hopeful to learn some things that he didn't know before the meeting started and he was very pleased to hear of some pretty unique things. We heard about horseback riding, hiking, camping, and there was a person there who thought a municipal pool of Olympic size would be helpful. There were people there that talked about some things for the performing arts as far as a band show or evening concerts that could be held because of the live band. There were some comments about structures that are already in place. There's some retired agricultural barns that are there and had the roofs repaired and the structures haven't been used. There were people from the art community that thought there could be displays of artwork that focus on the amount of art and performing arts that are here in the Warwick Valley. There were some discussions in regards to the park having beauty in the fact that it's undeveloped now. They are going to take all of these things into account as they come up with a plan to see how to improve that park for not only Town of Warwick residents, but for all residents in the area. The actual farm that was purchased by the county was purchased through federal funds and the park indeed has to be allowed to be used by everyone. They also request some certain limitations that they already recognize and heard some complaints or comments about riding by the park and see a large commuter lot and you're not really sure what's up there. I thought that the public session ran well and it was good input and good give and take. I think eventually they'll come up with a really good plan on how to develop that piece of property. I think the actual size is five or six hundred acres. Currently it is developed having an 18 hole golf course on a portion of it and the commuter lots on the bottom of it, so there's a lot of potential. The display boards that were there showing the topography and whether or not it was forested or open fields was very helpful. The photographs they had were helpful and I think their survey was helpful. I'm not sure, but I think you can still go online and fill out a survey if you didn't make it to this public meeting and tell them what you might like to have there as the future development of that park takes place.**

**2. Summer is coming on us very fast and the Pine Island Summer Recreation Program will start in July. We received a letter from Paulette Wilk-Rudy who helps run that program that they are very pleased with the Parks Department and your Public Works Department for putting the addition on the pavilion and the park is in**

such good shape for the summer program. Kudos to the department for doing a wonderful job.

3. Monday is the Memorial Day Parade in Pine Island and it steps off at 8:30 a.m. after a 7:30 a.m. mass if you would like to attend.

**COUNCILMAN GERSTNER REPORT**

1. I was able to attend the fundraiser that the Girl Scouts had at the park for the "Bark in the Park" for the new dog park that we are looking to put in at Union Corners Park. It was a nice day and event. The weather was a little uncooperative for a while, but it all went well and the girls did a great job with that.
2. On the 19<sup>th</sup> of June there will be a Fireman's Parade in the Village of Warwick at 6:00 p.m.
3. On June 23<sup>rd</sup> through the 26<sup>th</sup> at Memorial Park will be the Fire Departments Carnival.
4. I would like to wish everyone a safe Memorial Day weekend and thank the men and women in the service and ask everyone to get out and attend the ceremonies and parades that are in our community.

**COUNCILMAN SHUBACK REPORT**

1. The wells in Wickham will be online within three weeks. We have a few items that need to be corrected and all the tanks are filled so we should be ok with water for the next couple of weeks.
2. The highway department is keeping busy with repairs.
3. Next Saturday, June 5<sup>th</sup> the Florida Fire District is having their 125<sup>th</sup> celebration. It starts in the afternoon and everyone is invited to attend. There will be fireworks also.

**ATTORNEY'S REPORT – Absent**

**TOWN CLERK'S REPORT**

1. Requests for Proposals were received for 48 linear feet of curbing to be poured within the Orange County right-of-way at the intersection of County Rt. 1 and County Rt. 6.

<b>KP Home Builders Inc.</b>	<b><u>Proposal: \$3,100.00</u></b>
<b>P.O. Box 715</b>	<b>or</b>
<b>Pine Island, NY 10969</b>	<b><u>\$64.58 per ft.</u></b>
<b>Tel: (845) 258-1592</b>	

<b>McCarey Landscaping, Inc.</b>	<b><u>Proposal: \$2,400.00</u></b>
<b>80 Tower Dr.</b>	<b>or</b>
<b>Middletown, NY 10941</b>	<b>\$50.00 per ft.</b>
<b>Tel: (845) 956-7000</b>	

<b>Valley Construction Corp.</b>	<b><u>Proposal: \$1,900.00</u></b>
<b>P.O. Box 244</b>	<b>or</b>
<b>Pine Bush, NY 12566</b>	<b><u>\$39.58 per ft.</u></b>
<b>(845) 744-5057</b>	

## **SUPERVISOR'S REPORT**

1. The East Shore Road Drainage Project has begun and we did send out a phone alert to the residents of that area to alert them of delays along that section of the road until the project is completed, which will take us into the fall. The road will remain open for one lane of traffic at all times and at night it will be plated and open for two-way traffic. I urge residents to use caution when traveling through the area and respect the workers that are working there. It's a very narrow and tight road area, so please be careful and slow down. All the emergency agencies in the surrounding area including West Milford have been notified. We have emergency contact numbers with the construction folks as well as all of the agencies. Safety will be paramount during the construction and we'll try to get them in and out of there as quickly as we can, so when the project is done the drainage will be drastically improved along that stretch of highway. It was long overdue and I'm glad that it started.

2. You may have noticed the work on the Price Chopper Supermarket south of the village is winding down. They have scheduled a tentative opening date of June 8<sup>th</sup> and it looks like they are on target to make that date, so we look forward to the competition and effect on prices that we will get from an additional supermarket in the area. We want to commend the Price Chopper for getting the silver lead status for the environmentally friendly methods of construction and materials they used and some of the features they have in the store. We are happy they did that as well.

3. Memorial Day Observances - Obviously this is a time for us to reflect on the terrible price that has been paid over the years to keep our freedoms intact to allow us to continue to enjoy all of the things in this country. On Monday the Town of Warwick will be celebrating as the Councilman from Pine Island mentioned with a service and a parade starting at 9:00 a.m. in Pine Island. The Village of Warwick's parade will start at 11:00 a.m. and the Village of Florida's parade will start at 2:00 p.m. Greenwood Lake celebrates at the American Legion Post with a service also at 2:00 p.m., so hopefully you can spare a little bit of time that day to attend one of those services in honor of those who have given their life for our freedoms.

4. Town Senior Citizen Honors - I did mention in correspondence and again we want to congratulate both Don Roach and Seymour Gordon for outstanding contributions not only to our Town, but our County. They certainly are an inspiration to all of us, so we wish them the best.

5. The Bellvale Post Office relocation may not be on most folks radar unless you live in Bellvale, but the post office has lost its ability to remain in the old Bellvale Store. Several citizens of Bellvale, as well as myself, have been working to find a new location in Bellvale. The owner of the current location is graciously extended twice now the time for the post office to remain in its current location until we can find a location and I think we are close to doing that. There is going to be an informational meeting for Bellvale residents on June 8<sup>th</sup> at 7:30 p.m. at the Bellvale Church to look at various locations and hopefully we can resolve that to everyone's satisfaction.

6. The Village of Florida has scheduled on June 2<sup>nd</sup> at 7:00 p.m. at the Senior Center in the Village of Florida a meeting of interested parties to begin talks on how the restoration of the Seward Home Site will begin and be done. If anyone has an interest in that you are welcome on June 2<sup>nd</sup> at 7:00 p.m.

7. Supervisor's Corner is published in the Warwick Dispatch.

**PRIVILEGE OF THE FLOOR (AGENDA ITEMS)**

There were no comments or questions on the agenda items.

**NEW BUSINESS:**

**#R2010-132 BUDGET TRANSFER – DEPARTMENT OF PUBLIC WORKS**

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

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Monies paid from the Warwick Fire Dept. for Fuel Usage from January 2010 to April 2010 -Minor Sales-Gasoline (DB1-2655.000)	Gas and Fuel (DB1.5110.422)	\$2,756.97

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

**#R2010-133 RE-APPOINTMENT TO TOWN OF WARWICK RECREATION  
COMMISSION MICHAEL CIPOLLA**

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to re-appoint Michael Cipolla to the Town of Warwick Recreation Commission for a four year term to expire May 17, 2014.

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

**Discussion:** Councilman Gerstner thanked Michael who is the chairman of the commission for doing a great job coordinating with all the youth recreation groups.

Supervisor Sweeton – Everything seems to be running smooth this year with the recreation.

**#R2010-134 RE-APPOINTMENT TO TOWN OF WARWICK RECREATION  
COMMISSION – RON NOWAK**

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to re-appoint Ron Nowak to the Town of Warwick Recreation Commission for a four year term to expire May 17, 2014.

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

**Discussion:** Councilman Gerstner would like to thank him for all of his hard work he has done and for missing very few meetings and we appreciate all of his efforts.

**#R2010-135 RE-APPOINTMENT TO THE TOWN OF WARWICK  
ARCHITECTURAL REVIEW BOARD – DAVID BRANDT**

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to re-appoint David Brandt to the Town of Warwick Architectural Review Board for a one year term to expire May 24, 2011.  
Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**#R2010-136 RE-APPOINTMENT TO THE TOWN OF WARWICK  
ARCHITECTURAL REVIEW BOARD – DR. MARCO PEDONE**

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to re-appoint Dr. Marco Pedone to the Town of Warwick Architectural Review Board for a two year term to expire May 24, 2012.  
Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**#R2010-137 RE-APPOINTMENT TO THE TOWN OF WARWICK  
ARCHITECTURAL REVIEW BOARD – JAMES MCCONNELL**

Motion Supervisor Sweeton, seconded Councilman DeBuck to adopt a resolution to re-appoint James McDonnell to the Town of Warwick Architectural Review Board for a three year term to expire May 24, 2013.  
Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**#R2010-138 RE-APPOINTMENT TO THE TOWN OF WARWICK  
ARCHITECTURAL REVIEW BOARD – JOHN STARKS**

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to re-appoint John Starks to the Town of Warwick Architectural Review Board for a one year term to expire May 24, 2011.  
Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**Discussion:** Supervisor Sweeton stated the reason the terms were staggered is to get them in line with the code. It was not done the last time around and they need to be what the code dictates which is staggered terms. We thank them all for their previous service.

**#R2010-139 ACCEPT BID – CURBING AT INTERSECTION OF COUNTY  
ROUTE 1 AND COUNTY ROUTE 6 IN PINE ISLAND**

Motion Councilman DeBuck, seconded Councilman Gerstner to adopt a resolution to accept the bid for curbing within the Orange County right-of-way at the intersection of County Route 1 (Pine Island Turnpike) and County Route 6 (Pulaski Highway), at a cost not to exceed \$1,900.00 from Valley Construction Corp., P.O. Box 244, Pine Bush, NY 12566.

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

**#R2010-140 AUTHORIZATION TO ATTEND 2010 HIGHWAY SCHOOL –  
DPW COMMISSIONER JEFF FEAGLES AND DEPUTY DPW  
COMMISSIONER BEN ASTORINO**

**Motion Councilman Shuback, seconded Councilman DeAngelo to adopt a resolution to authorize DPW Commissioner Jeff Feagles and Deputy DPW Commissioner Ben Astorino to attend the 2010 Highway School in Ithaca, NY on June 6, 2010 through June 9, 2010.**

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

**Discussion: Councilman Gerstner asked if they drew straws to take one out of the two.**

**Commissioner Feagles stated that it was his choice.**

**Supervisor Sweeton stated that we don't go to this every year. I would assume we would stagger the next time.**

**#R2010-141 ACCEPT FOR DEDICATION – 25' STRIP ON LITTLE  
BROOKLYN ROAD**

**Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to accept for dedication a strip of land located on Little Brooklyn Road from Pine Island Bible Church, Inc. subject to the Town Attorney's review and acceptance of Title report for the subject property. Copy of the deed description is attached as Schedule A.**

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

**#R2010-142 AUTHORIZATION TO ATTEND 2010 TAX RECEIVERS  
TRAINING SEMINAR – BRENDA FAULLS**

**Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to authorize Brenda Faulls to attend the 2010 Tax Receivers training seminar to be held in Lake Placid, NY on June 13, 2010 through June 16, 2010.**

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

**#R2010-143 ADOPT LOCAL LAW #2 OF 2010 – AMENDING THE CODE OF  
THE TOWN OF WARWICK, CHAPTER 154, “VEHICLES AND  
TRAFFIC”**

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

**WHEREAS, a Local Law entitled “Introductory Local Law Amending the Code of the Town of Warwick, Chapter 154, Vehicles and Traffic” was introduced on April 22, 2010, and**

**WHEREAS, a public hearing was held as required by law on May 13, 2010 to consider the adoption of said local law, and**

**WHEREAS, the Town Board has considered all comments received and has determined that the adoption of the said local law is in the public interest,**

**NOW, THEREFORE BE IT RESOLVED that the said local law amending Chapter 154 of the Code of the Town of Warwick is hereby adopted and same shall go into effect as provided by law.**

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

**#R2010-144 PROCLAMATION - LEWIS B. PERRY SR. DAY- MAY 22, 2010**

**Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt the following resolution:**

**WHEREAS Lewis B. Perry, Sr. has been a long time resident who has been actively involved in numerous community activities; and**

**WHEREAS Lewis B. Perry, Sr. made Warwick his permanent home in 1983 and joined the Greenwood Lake Lions Club rising to president of the club in a few short years; and**

**WHEREAS Lewis B. Perry, Sr. has always lent a helping hand to organizations and individuals in need and has tirelessly worked to better the Town of Warwick as well as the Village of Greenwood Lake; and**

**WHEREAS Lewis B. Perry, Sr. is a man of honor, dignity and faith who cherishes his family, friends and community;**

**NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Warwick, hereby declares Saturday, May 22nd Lewis B. Perry, Sr. Day in the Town of Warwick and on behalf of our residents does hereby offer congratulations to Lewis B. Perry, Sr. as the recipient of the Greenwood Forest Farms distinguished service award.**

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

**Discussion: Supervisor Sweeton stated that Mr. Perry was honored last weekend at an event held by the Greenwood Forest Farms which is actually our newest hamlet located in the Greenwood Lake area. It was a well deserved honor and we want to make it a special event for him.**

**#R2010-145 RE-APPOINTMENTS TO TOWN OF WARWICK CONSERVATION BOARD – LITTLE – WHEELER - VOGEL**

**Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to re-appoint Christine Little, Mark Wheeler and Todd Vogel to the Town of Warwick Conservation Board for a 3 year terms to expire June 1, 2013.**

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

Supervisor Sweeton thanked them for continuing their service.

**#R2010-146 RATIFYING BLACK BEAR ZONING ENFORCEMENT  
LITIGATION**

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

**WHEREAS, the Town of Warwick has undertaken litigation for the purpose of enforcement of the Zoning Law in regard to the Black Bear Campground with the approval and consent of the Town Board; and**

**WHEREAS, the Town Board wishes to respond to allegations that such litigation was without the approval and consent to the Town Board;**

**NOW THEREFORE, BE IT RESOLVED by the Town Board of the Town of Warwick, Orange County, New York, that the Town Board finds that litigation in the New York Supreme Court (Index No. 2008-9165 against Black Bear Campgrounds, Black Bear, Howard Smith, Jane Doe and John Doe, was undertaken with the approval and consent of the Town Board, and**

**FURTHER RESOLVED that such litigation, the Stipulation of Settlement therein, and future litigation to enforce the Stipulation and Judgment, and/or, if such Judgment is in anyway diminished, to permanently enjoin the violations of law existing at the Black Bear Campground, is hereby approved and/or ratified.**

**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) 8:05 p.m.**

**05-27-10 cp.**

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Marjorie Quackenbush, Town Clerk