

September 9, 2010

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, September 9, 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
DPW Commissioner, Jeffrey Feagles
Police Chief, Thomas F. McGovern, Jr.

ACCEPTANCE OF MINUTES:

1. Regular Town Board Meeting, 08/12/2010
2. Public Hearing, 08/12/2010

Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the regular meeting held on August 12, 2010 and the public hearing held on August 12, 2010. Motion Carried (5 ayes, 0 nays)

CORRESPONDENCE:

EDWARD A. DIANA – Orange County Executive, Orange County Government Center, Goshen, NY 10924 – Letter to the Supervisor informing the Town that there will be an increase in the number of items that the Town of Warwick will be charged back for election expenses.

CHARLES W. LEE, P.E. – Commissioner of Orange County Department of Public Works, 2455-2459 Route 17M, Goshen, NY 10924 – Notice to the Town to announce the following Road Closings:

1. Waterstone Road, Village of Greenwood Lake – Repair & Maintenance of Bridge - Closed from 8/30/10 - to approximately 9/10/10
2. Glenwood Road (County Rt. 26) – Replacement of a Culvert - Closed from 8/23/10 – to approximately 9/8/10

KIRSTEN E. GILLIBRAND – New York State Senator, Russell Senate Office Building, Suite 478, Washington, D.C. 20510-3205 – Letter to the Town Clerk regarding the Justice Department’s plan to hold the trials of accused 9-11 terrorists in New York.

JOANNE WILCOX – Bookkeeper, Town of Warwick – Memos to the Town Board asking for the following budget transfers:

| <u>FROM</u> | <u>TO</u> | <u>AMOUNT</u> |
|--|--|---------------|
| Check from State of NY for expenses associated with building a wooden Kiosk at Fuller Mtn. Preserve (A00.3089.003) | (A00.7145.225) Grant Expenses - Fuller Mtn. Preserve | \$3,800.00 |
| Grant Revenues – Fuller Mtn. Preserve | | |

| <u>FROM</u> | <u>TO</u> | <u>AMOUNT</u> |
|--|----------------------------------|---------------|
| Check from Selective Insurance for Air Conditioning Unit (A00.2680) Insurance Recovery | (A00.1620.456) Town Hall Repairs | \$6,810.48 |

BEN ASTORINO – Chairman, Town of Warwick Planning Board – Memo to the Town Board requesting that \$150.00 be transferred from Office Expenses (B00.8020.444) to Equipment (B00.8020.200).

EDWARD S. BUTLER, P.E., M.ASCE - Town Engineer, Tectonic Engineering & Surveying Consultants, P.C., P.O. Box 37, Pleasant Hill Rd., Mountainville, NY 10953 – Memo to the Supervisor regarding W.O. 532.0460 Tinsman LLC – “In regard to request for release of the Landscape Bond for the reference project, I offer that as of 12/11/08, plantings had not been completed in the Bioretention pond for the stormwater management as defined on the approved plans. We were not made aware of when the planting was completed, however, if plantings were completed immediately after, the 3 year period would end 12/12/11, which would require holding the bond until that time (assuming the planting was completed and plants remained healthy). If the Town is satisfied with the statement made by Mr. Abribat in his letter to the Town, that Karen Arndt (Landscape Architect) had inspected the property and is satisfied that the property is being maintained in conformance, they may want to consider release of the bond. Consideration might also be given to requiring certification by the Landscape Architect, that plants have survived and remain as per the approved plan”.

THOMAS F. MCGOVERN, JR. – Police Chief, Town of Warwick Police Department – Memos to the Town Board requesting the following budget transfers:

| <u>FROM</u> | <u>TO</u> | <u>AMOUNT</u> |
|-------------------------------------|---|---------------|
| Check from PropertyRoom.com | Special Department Supplies (B02.00.3120.466) | \$171.06 |
| Check from Felix Presutti | Special Department Supplies (B02.00.3120.466) | \$25.00 |
| Uniform Allowance (B02.00.3120.182) | Uniform Allowance (B02.00.3120.482) | \$4,000.00 |

JOHN H. THOMAS, JR. – Counselor at Law, Jacobowitz and Gubits, 158 Orange Ave., P.O. Box 367, Walden, NY 12586 – Letter to Supervisor and Town Board regarding the CPLR Article 78 proceeding that was commenced against the Town Board of Assessment Review to contest the 2010-11 assessments on properties owned by Stelvio Holdings, LLC.

MICHAEL KOLKA – Project Manager, Real Property Tax Service Agency, 124 Main St., Goshen, NY 10924 – Letter to the Town Clerk regarding the Special District Project – Lean Six Sigma Green Belt which is projected to provide accurate up-to-date special district maps with matching databases as there appears to be many older districts that are bounded by parcels which over time may have been split, merged etc. A questionnaire is enclosed that will help us compile data that is essential to this project.

BOARD’S DISCUSSION ON CORRESPONDENCE

Supervisor Sweeton questioned roads that the County is working on in the Town and asked if the Waterstone Road project was completed. Councilman DeAngelo stated that it was completed. Supervisor Sweeton asked about the Glenwood Road project and Councilman DeBuck stated that it was delayed for about a month and it looks like they will be closing Glenwood Road in Pine Island somewhere around the 23rd of September until the 8th of October for a culvert replacement.

VISITING ELECTED OFFICIALS

Supervisor Sweeton introduced the Hon. Trustee Thomas Chevrier from the Village of Florida and no report was given.

REPORTS OF BOARDS AND COMMISSIONS

Supervisor Sweeton stated that he has the Building Department Report for the month of August.

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

| <u>WORK BEING DONE</u> | <u>LOCATION</u> | <u>REASON FOR WORK</u> |
|------------------------|-----------------------|-------------------------------|
| CULVERT PIPES | Simpson Ln. | Finish work on well # 11 |
| | Blooms Corners Rd. | Install 40 ft. of 12 in. pipe |
| DITCH WORK | Blooms Corners Rd. | Reshape ditches |
| MOWING | Town wide | As needed |
| POT HOLES | Town wide | As needed |
| ROAD SIGNS | Town wide | As needed |
| CURB REPAIR | Arbor Ct. | Repair curb |
| TOWN PARK | Scheduled maintenance | |

COUNCILMAN DE ANGELO REPORT

- 1. For the month of July the Post Report is as follows: Greenwood Lake had 223 calls, the Town outside the Village had 866 calls, Pine Island 313 calls and the Village of Warwick had 806 calls for a total of 2,211 calls for the month of July.**
- 2. The Warwick Valley Humane Society is now offering one year rabies vaccinations by Dr. Greenberg every second Sunday of the month from 11:00 a.m. until noon. There is a \$15 cost per pet, no appointments necessary and all proceeds are to benefit our homeless pets.**
- 3. On Saturday, September 18th from 10:00 a.m. until 3:00 p.m. at the block party at Mitchells Corner in Warwick there is a pet's portrait by Eric Ferrara Photography and the \$10 donation is to benefit the Warwick Valley Humane Society.**

COUNCILMAN DE BUCK REPORT

- 1. The parks are in good shape and I'm not sure if the beach is still open on the weekends.**

Supervisor Sweeton stated that it officially closed on Labor Day weekend.

- 2. I did read an article about how fun and easy it is to play disc golf and I would like to remind people if they want to play disc golf we have a very fine course at Union Corners Park. This is a type of game for all ages and I encourage people to get out and exercise for better health.**

Supervisor Sweeton – I want to make a note I think this year more then any I've gotten so many good comments on the conditions of the parks, so I want to thank you because I know you put a lot of your personal time into that as well as the Parks Department.

Councilman DeBuck – Most of those guys see it on a daily basis; whether it is up keep of the bathrooms or trimming trees or making major improvements to the park. It's a team approach and I appreciate that.

COUNCILMAN GERSTNER REPORT

- 1. We have a beach report as of the middle of August and we will have an updated report by our next meeting or by the meeting in October. For our family season resident beach passes we had a revenue of \$5,400 for 54 patrons. Our senior season resident was \$750, which were 30 patrons. Our adult season resident was \$440 for 11 patrons and our child season resident was \$875 for 35 patrons. On our daily passes for our residents it was \$13,236.00, which were 4,412 patrons. Our daily non-residents were \$3,479.00, which were 497 patrons. Our commercial was \$120, which were 2 patrons. Our badge replacements were \$10, which was 1 and special events was \$60, which was for 2. Our report shows that we had quite a big increase in our residents and our total income for the beach, so I'm glad that everyone got out and used that.**

2. WVT Communications will be removing the following channel from the digital lineup effective September 30, 2010, which is Fox Soccer Channel 21. They are saying that you can obtain that channel from their partner Direct TV at 986-8080 to see if you're eligible.

3. The Recreation Commission Chairman Mike Cipolla, the Supervisor and I met with the leagues for the fall season. I'd like to thank all of the organized youth leagues and Michael and Michael for all of the communications that the leagues are keeping between them. It's running really smooth, everybody's getting along, I appreciate that and I appreciate all of the hard work by Mike Cipolla our chairman. Thank you.

COUNCILMAN SHUBACK REPORT

1. They finished work on well #11 and the Health Department has been there to inspect it. Now we have to run tests before they give us the final approval. We hope it will be in another week, but give us three weeks. I know the Health Department.

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. Fees Collected: Month of August, 2010 – Wickham Lake Resident Permit Fees, \$80.00; Wickham Lake Non-Resident Permit Fees, \$90.00; Wickham Lake Additional Stickers, \$10.00; Wickham Lake Resident Renewal Fees, \$30.00; Certified Marriages, \$190.00; Mileage, \$9.00; Photocopies, \$103.50; Peddler Permit Fees, \$100.00; Interest in Checking Account for Month of July, \$1.08; Dog Enumeration Fee, \$5.00; Dog Impoundment Fees, \$340.00; Town Park Pavilion Fees, \$25.00; Athletic Field Fees, \$50.00; Marriage License Fees, \$280.00; Road Maps, \$3.00; Conservation Licenses, \$455.40; Dog Licenses Issued/Renewed \$1,179.10; Use of Room Fees, \$400.00; Registrar Fees, \$70.00; Zoning Maps, \$10.00; Waterfront Park Daily Non-Resident Passes, \$602.00; Waterfront Park Daily Resident Passes, \$4,620.00; Waterfront Park Family Season Passes, \$100.00; Town Park Deposits, \$150.00; Waterfront Park Group Deposit, \$150.00. Total Fees Collected: \$22,258.58.

2. Fees Paid: Month of August, 2010 – Orange County Commissioner of Finance for Dog Licenses, \$323.90; NYS Dept. of Health for Marriage Licenses, \$360.00; NYS Dept. of Ag & Markets for Spay/Neuter Program, \$93.00; NYS Dept. of Environmental Conservation for Conservation Licenses, \$10,688.60; Village of Florida for Registrar Fees, \$20.00; Village of Greenwood Lake for Registrar Fees, \$100.00; Village of Warwick for Registrar Fees, \$1,620.00; Total Fees Paid to Supervisor, \$9,053.08.

3. Primary Day is going to be on Tuesday and it's going to be a learning experience for us using the digital scanners, so it should be fun.

Councilman DeBuck – How about hunting licenses are they available now?

Town Clerk – They are available. The prices have not increased since last year and it was a pretty big increase last year. Everything stayed the same.

Councilman DeBuck – They don't have a special offer available.

Town Clerk – No.

Supervisor Sweeton – It will be an experience with the new machines. We'll see how that works out, but I guess its progress. You should come out and vote in a primary it's important. I think both parties have primaries this year, so remember to come out the poles are open from 6:00 a.m. until 9:00 p.m. It's a long day for our inspectors and we thank them, but it's a great honor to vote so we hope that you'll exercise that right.

SUPERVISOR'S REPORT

1. The 2011 budget process is underway. We thought last year was a difficult budget year, but this one's going to be worse, so hang on to your seats. We're not looking forward to it, but we are committed to doing it and as many municipalities are we're all going to be faced with choices, so read your local papers, stay abreast of what is happening and hopefully we'll get through this and still be able to deliver good services for the dollars that you do entrust us with.

2. Wickham Lake - I want to report that we did have what they call an algae bloom during this recent really, really hot period of the last two weeks. Specifically, we believe it to be a green-blue algae bloom, which can be toxic if ingested. It can particularly be troublesome to pets. If you take your dog to the lake and it goes into the water it can make the animal sick, so we did post signs to that effect. It will go away. We did notify the New York State Health Department, which is really the agency that is overseeing this. It's all relatively new on their radar screens, so essentially they said monitor it and if they are any reports of incidents let us know and that's what we are doing. It's posted and the key is if you go down to Wickham Lake if you have one of the keys and you go down to our park if you have a dog that you take in the water it's very important to rinse the animal off as quickly as possible or as soon as you can and again it should dissipate. It does smell, so you'll know it's there, you'll see it, and just be aware of it.

3. O & R Right-of-Way Clearing - We do have a resolution on our agenda this evening. Just briefly, it was brought to my attention by a new resident who I think is here tonight and a neighboring resident from the Town of Chester that O&R's scheduled right-of-way clearing had gotten a little extensive and perhaps a little heavy handed in Chester and caused some issues for some landowners there. They brought it to our attention because there will be work going on, in fact, there has been some work going on here in the Town of Warwick already. I did speak with the Supervisor in Chester and clearly in this area that they were working things did go wrong. O&R has committed to attempt to remedy that. They have also revised some of their procedures going forward. I did meet today with Michael Grant from O&R as well as two representatives who were in charge of the easement maintenance effort and they did assure me that again they modified some procedures that they will be talking to landowners and they will be more closely supervised in what goes on. However, they did state that at this moment even thought the PSC, which kind of sets up the parameters for what you can do, has opened a hearing process to evaluate their new guidelines. O&R has a filed plan with the PSC and does not intend to change that plan at the moment, so I think

there's two avenues that I think the Town needs to be aware of. One is to pursue through this resolution and possibly my attendance at the next hearing of this PSC case to stress to the PSC that perhaps they need to reevaluate how they are doing this and the guidance they're giving to these utilities. The second approach is to stay in close contact through myself and our DPW Commissioner with the crews that O&R are currently using in the Warwick area at the moment. Currently they are working in Warwick in a non-residential area. They're clearing along the railroad out toward the prison and there's not much in the way of residential areas there, but nonetheless we'll be in touch with them and they've pledge to stay in touch with us.

4. East Shore Road Stimulus ARRA Project Update - It's moving slowly. We've discovered some settling of the roadway in the section that they're working. I went to Poughkeepsie and met with the DOT who is the agency overseeing it. They have agreed, that yes work needs to be done to repair that settling and they have reinstated some congressional money that we had originally allocated to this project back to the project so we can accomplish this with a minimum cost to the Town, so that's good news. We are going to meet with the contractors shortly to arrange for a contract for that work and we're also going to lean a little harder on the contractor to pick up the pace, so he meets his construction deadline of November.

5. Open House on the Farm - There is going to be a Cornell Cooperative Extension Open House on the Farm in Bellvale on Saturday, September 25th from 10:00 a.m. until 3:00 p.m. That's Bellvale Farms on 75 Bellvale Lakes Road. There are going to be free tours, milking demos, hayrides, really cool stuff, free milk and cheese maybe some ice cream from the creamery and it will really be a good day to connect with farmers and farming and understand what's involved in farming, so I hope that people will attend that.

6. The Warwick Valley Central High School Homecoming Parade is going to be on September 25th as well. It will hit Main Street at approximately 11:30 a.m. The police are aware of that and will have it under control, so that's a good time and fun.

7. The Community Center has a new program called Kid Strings which is an effort to have more musical instruction offerings at the Community Center, so if you get an opportunity and you have a young child that would like to learn more about that please go down there. The Community Center is in the Village of Warwick on Campbell Road and Hamilton Avenue.

8. Orange County Household Hazardous Waste Collection is going to be on Saturday, September 18th from 9:00 a.m. to 3:00 p.m. It's going to be on the far eastern portion of the County at Delano Hitch Recreation Center on Washington Street in the City of Newburgh. It is a great opportunity to get rid of all of those old cans of stuff under your sink that you have no idea what to do with and you can't put in your garbage.

9. Saturday is the 9th anniversary of 9/11 and in our Town we did lose nine individuals in that horrific event where almost 3,000 people lost their lives. If you can take some time, there are going to be several ceremonies. On Friday at 11:00 a.m. at the Senior Center there is going to be a ceremony and at 8:30 a.m. on Saturday, the actual 9/11, there will be a memorial in Memorial Park here in the

Village of Warwick and at 11:00 a.m. on Saturday in Greenwood Lake at the Fire Department they will also hold a service. Even if you can't get to those if you could just take a moment to remember the poor souls that did lose their lives in that tremendous event we would appreciate that.

10. On September 14th is the Taste of Warwick event at the Warwick Valley Winery and you can call 986-2077, which is the Chamber for tickets. It's a great event. All the area restaurants participate and it's a lot of fun. The winery is one of our farms and it's on Little York Road.

11. Supervisors Corner is published in the Warwick Dispatch and to some extent in the Warwick Advertiser.

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

Councilman DeBuck – On this algae bloom in Wickham Lake did the DEC say with cooler temperatures and or with rainfall it should cleanse and clear itself?

Supervisor Sweeton – Yes. It's created by cyano bacteria which is in the water anyway and what happens when the temperatures are high for an extended period of time the concentration of the bacteria reaches a point where you begin to get visual signs of it with an odor and foaminess. It tends to congregate in shallow non-moving areas of the lake and that's exactly where it is showing.

Councilman Shuback – And a lack of rain has a lot to do with it.

Supervisor Sweeton – It will dissipate.

Councilman DeBuck – The Wallkill this year was incredibly green looking although that's a moving stream and someone told us the water temperature reached a height that caused algae, but now it's clear.

Supervisor Sweeton – I haven't been to the lake since then maybe I'll get there tomorrow.

NEW BUSINESS:

#R2010-188 BUDGET TRANSFERS – BOOKKEEPER

Motion Councilman Gerstner, seconded Councilman Shuback to adopt the following Bookkeeper budget transfers:

| <u>FROM</u> | <u>TO</u> | <u>AMOUNT</u> |
|---|--|---------------|
| Check from State of NY for expenses associated with building a wooden Kiosk at Fuller Mtn. Preserve (A00.3089.003) Grant Revenues – Fuller Mtn. Preserve | (A00.7145.225) Grant Expenses - Fuller Mtn. Preserve | \$3,800.00 |

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| Check from PropertyRoom.com | Special Department Supplies (B02.00.3120.466) | \$171.06 |
| Check from Felix Presutti | Special Department Supplies (B02.00.3120.466) | \$25.00 |
| Uniform Allowance (B02.00.3120.182) | Uniform Allowance (B02.00.3120.482) | \$4,000.00 |

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

#R2010-193 REQUEST THAT O & R CEASE IMPLEMENTATION OF THE NYS PUBLIC SERVICE COMMISSION’S “ENHANCED TRANSMISSION RIGHT OF WAY MANAGEMENT PRACTICE”

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution requesting O & R to cease implementation of the New York State Public Service Commission’s “Enhanced Transmission Right of Way Management Practice” Rules and further requesting that the New York State Public Service Commission rescind or undertake a review of same.

WHEREAS, the Town Board of the Town of Warwick has serious concerns for the rights of property owners whose property, or adjacent to whose property, has an easement or right-of-way for the erection and maintenance of high voltage towers and wires, concerning the cutting and/or removal of trees and other vegetation thereon by O & R and/or by contractor (s) hired by O & R for that purpose; and

WHEREAS, O & R has asserted that its clearing activities are mandated by rules adopted by the New York State Public Service Commission (“PSC”) “Requiring Enhanced Transmission Right of Way Management Practices by Electric Utilities” in Case 04-E-0822 issued and effective June 20, 2005 (“PSC’s Rules”); and

WHEREAS, O & R’s interpretation and implementation of PSC’s Rules has resulted in the unreasonable cutting of trees in an arbitrary and intermittent manner and in such a way that often amounts to unnecessary clear-cutting, excessive and unsightly debris piles, and extreme vegetation removal that exposes bare soil in the entire easement area and beyond, resulting in unsightly visual impacts, unnecessary and uncontrolled erosion due to denuded land, and the virtual decimation of carefully planned and maintained buffers; and

WHEREAS, O & R has not provided adequate public notice of its plans to implement the PSC Rules, including failure to properly survey affected properties and failure to communicate with affected property owners regarding the work that is to be performed by contractors of O & R; and

WHEREAS, a lack of an appropriate communication and complaint handling protocol between O & R, its contractors, PSC and the public has caused significant frustration and exacerbated the problem; and

WHEREAS, the PSC has failed to properly oversee O & R’s implementation of its transmission vegetation management plan, resulting in unnecessary economic, environmental, and aesthetic harm to numerous property owners and communities; and

WHEREAS, the PSC's Rules remain unrevised, even though the North American Electric Reliability Corporation ("NERC"), under authority provided by Congress in the Energy Policy Act of 2005, has developed national transmission vegetation management standard FAC-003-1 in 2007 and as of January 2010 is reviewing a revised standard FAC-003-2; and

WHEREAS, the Town Board believes that given the size and location of many of the trees being removed, the trees are not now, nor in the future, likely to reach or otherwise interfere with O & R's transmission lines and towers; and

WHEREAS, the Town Board believes that the PSC's Rules, to the extent the Rules actually mandate the Transmission Vegetation Management Plan (TVMP) being employed by O & R and/or O & R's interpretation of the regulations, far exceed those steps reasonably required to protect O & R's transmission assets and the legitimate public interest in maintaining an uninterrupted flow of power through the region; and

WHEREAS, there are equally important town, county and state laws that must be enforced and honored, which regulate land usage, zoning, permits, land preservation, easements agreements, trespassing outside of legal easements and right-of-ways, that are being violated and ignored by the Public Service Commission and O & R in the adoption and implementation of this TVMP; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Warwick urges the New York State Public Service Commission direct O & R to immediately cease its TVMP, until such time as there has been a full, open public examination by the PSC, within the Town of Warwick, as to the conditions that exist and the management steps required to be taken in the Town of Warwick, to ensure compliance with town, county and state law and to revisit the PSC Rules as being interpreted by O & R and to make adjustments to same so that certain goals can be achieved, including but not limited to (i) preservation of non-offensive vegetation, (ii) control of erosion and runoff, (iii) retention and maintenance of site lines and integrity of the residential appearance, (iv) retention and maintenance of vegetation providing noise abatement, (v) preservation of woodland and wetland habitats to the greatest extent possible, (vi) avoidance of herbicide use for vegetation management, but if required, that only herbicides approved by NYS DEC for use along watercourses be utilized, (vii) stricter oversight and management of subcontractors hired to implement the TVMP, (viii) timely communication with impacted communities and an opportunity for public input prior to work commencing in a community and (ix) compliance with local and state laws; and be it further

RESOLVED, that O & R should further be directed to implement a full mitigation plan, establish a proper plan of public notification of future work sites, establish a management plan that requires it to properly remove and dispose of all debris generated by its clearing and/or cutting activities within three weeks, including but not limited to the remnants of any tree cut or cleared from its easements or other right-of-way, as well as to develop a replanting plan whereby any tree removed as undesirable is replaced with a more desirable and right-of-way compatible species and not by seedlings but rather more mature trees. Such replanting plan should apply both going forward and to those areas already affected by O & R's clearing activities; and be it further

RESOLVED, that Congress enact legislation requiring the North American Electric Reliability Corporation to include proper environmental review, dispute resolution, and

mitigation and restitution measures in the revision of its transmission vegetation management standard; and be it further

RESOLVED, that the Clerk be and is hereby authorized and directed to send a certified copy of this resolution to U.S. Senators Charles Schumer and Kirsten Gillibrand; U.S. Representative John Hall; New York State Governor David Paterson; New York State Senator Thomas Morahan's office; New York State Assembly Member Annie Rabbitt; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; Orange County Executive Edward Diana; County Legislators Michael Pillmeier, Albert Buckbee III and Daniel Castricone; Chairman Kevin Burke of Consolidated Edison, Inc; President & CEO of O & R William Longhi; the New York State Public Service Commission; the New York State Department of Environmental Conservation and to such other persons as the Clerk, in her discretion, may deem proper in order to effectuate the purpose of this resolution.

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)

Ken Stewart – Resident, Town of Warwick, NY 10990 – I welcome the opportunity to express my pleasure and to commend the Town Board for developing a formal written policy on Dial-A-Bus operations in residential areas. I think that's very enlightened and I think it will be very, very helpful and certainly it will be helpful for people with disabilities who are not able to provide their own transportation. Dial-A-Bus is a great service for a lot of us and it is also available by the way for the general public. It's a wonderful service and this will make it much more accessible to people who need it most and may I say that it's looking into the future because it responds to a wider public interest in my opinion because more and more seniors are getting to an age where their reactions times are not as good as they use to be and their visual acuity is not as good as it used to be and if Dial-A-Bus is more trustful, more available to them they will be more inclined to leave the keys home to get to places they need to get to and that makes everybody on the road safer, so my commendations to the Town Board and thank you.

Supervisor Sweeton – We appreciate that and we appreciate your efforts Ken certainly and it took us a little bit to get down the road where we needed to get, but we're there, so we'll see what happens. We appreciate again, that you like the service. I know a lot of seniors do use it reliably and it is their only means of getting around. It's a life line in many cases, so thank you so much.

Amy Kupferberg – You made my job very easy because I was going to come here and ask you to pass that resolution for O&R. I would also like to say that I lived in Westchester County where Con Edison came through and they ended up clear cutting 180 million acres of property and I want to show you what they do when they say they are going to cut and trim. This was behind my home where for the

past 51 years and they cut down 450 trees behind our house leaving it looking like that. This is their judgment and this is what they do. It took them six weeks to come to my property and look at it and all they wanted to do is talk about the six remaining trees on my property that they were going to cut down because they were worried about them getting uprooted and blowing into the wires. They do have a very creative interpretation of that vegetation management plan, but I just really want to thank you because it makes our job much easier. We worked about nine months to get the public service commission to open those hearings. It's very meaningful if you go to Albany and speak or even send something. I can't even get over how quick the response was, I mean we came in two days ago. It took me four months in Westchester County to get anything, so I'm really blown away.

Supervisor Sweeton – Well you're welcome. We are pretty simple here.

Amy – I'm also part of the Greenberg Environmental Group could I have a copy of that resolution?

Supervisor Sweeton – The Clerk can provide you one tomorrow if you give her a contact. I think you've given me your email.

Amy – Yes absolutely.

Supervisor Sweeton – Ok so we can get it to you.

Amy – Thank you so much, it's really so important.

Supervisor Sweeton – Thanks for bringing the issue to our attention.

Councilman DeBuck – Is part of the problem the fact that they don't mow under the power lines often enough and trees become somewhat substantial over time and then they make it a huge process.

Supervisor Sweeton – It seems like their focus now is because I asked the question if you have a tree on the edge of the easement and its three feet tall. It's not like after this year you're going to stop maintaining the easements, so that tree could grow a little bit. Maybe it's not an issue, maybe in twenty years it's an issue, but maybe it's not, so why take it down now, but it seems like their policy at the moment is to just go in and do it, but we've gotten their attention and I have to say my local contact with O&R is Michael Grant he is the representative and he is a Legislator in Rockland County or he was. He is very conscientious about trying to work with our community and so I'm confident at least that my contact with him will help us through this process short term. I think the longer term issue is with PSC and getting their attention, which is what you're attempting to do. We're glad that we can help with that.

**ADJOURN: Motion Councilman Shuback, seconded Councilman DeAngelo that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 8:04 p.m.
09-09-10 cp.**

Marjorie Quackenbush, Town Clerk