

October 21, 2010

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, October 21, 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.
Steven Brown, Auditor

ACCEPTANCE OF MINUTES:

1. Regular Town Board Meeting, 10/07/2010

Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the regular meeting held on October 7, 2010.

Motion Carried (5 ayes, 0 nays)

CORRESPONDENCE:

TONYA E. CUBBY – Secretary, Planning Board, Township of West Milford, 1480 Union Valley Road, West Milford, NJ 07480-1303 – Letter to the Town Clerk advising that the Township of West Milford Planning Board will conduct a public hearing in order to consider an amendment to the Master Plan with the adoption of Land Use Plan as an element of the Township Master Plan. A public hearing has been set for Thursday, October 28, 2010 at 7:30 p.m. at the Township of West Milford Municipal Building, 1480 Union Valley Road, West Milford, New Jersey 07480.

RONALD C. TOSKI, CPA – Managing Director, Toski, Schaefer & Co., P.C., 555 International Drive, Williamsville, NY 14221 – Letter to the Town Clerk requesting their professional services as Certified Public Accountants to the Town of Warwick.

MARIELLA FRUSH, CPIA – Senior Account Manager, Public Employer Risk Management Association, Inc., - 9 Cornell Road, Latham, NY 12110 – Letter to the Town Clerk requesting their professional services of workers' compensation for the Town of Warwick.

ADRIAN GODDARD – Fairgrounds, LLC., c/o Goddard Development Partners, LLC., P.O. Box 55, 145 Otterkill Road, Mountainville, NY 10953 – Letter to the Supervisor requesting cash bonds be released in the amount of \$1,000.00 for the trailer bond and \$5,500.00 for the survey-iron pins bond for a total of \$6,500.00.

EDWARD BUTLER, P.E. – Town Engineer, Tectonic Engineering & Surveying Consultants, P.C., P.O. Box 37, 70 Pleasant Hill Road, Mountainville, NY 10953 – Memo to the Supervisor regarding Fairgrounds release of bonds. “We did receive the revised as-built plans for each lot, as requested. They are in order. I was not involved with the closeout of the DOT permitting for the intersection, so don’t know if the DOT has closed out the permit. The water supply and wastewater treatment facilities appeared to be completed, and test results were provided, however because I was not part of the start up and turnover to the operator, I believe the operator should advise you if all is in order. The remaining work does appear to be complete and in accordance with the as-built plans and approved plans. The iron pins have been set.”

BARBARA I. MATTICE, P.E. – Region 8 Construction Engineer, State of New York, Department of Transportation, Region Eight, 4 Burnett Boulevard, Poughkeepsie, NY 12603 – Letter enclosing a copy of designated restricted highways pursuant to Section 104a of the Highway Law for contract D261463 SFY 10/11 PMI Paving, Routes 9W and 94.

BOARD’S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

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>	<u>LENGTH</u>
CULVERT PIPES	Park Dr.	Replace pipe	40 ft. 12 in.
CATCH BASINS	Wickham Dr.	Repair basins	
	Old Oak Rd.	Clean basins	
DITCH WORK	Four Corners Rd.	Clean ditches	
	Big Island Rd.	Clean ditches	
CHIP SEAL	Missionland Rd.	Seal cold mix	2100 ft.
MOWING	Town wide		
POT HOLES	Town wide	As needed	
ROAD SIGNS	Town wide	As needed	

ENVIRONMENTAL CONSULTANTS REPORT

COUNCILMAN DE ANGELO REPORT

1. For the month of September the Post Report is as follows: Greenwood Lake had 210 calls, the Town outside the Village had 929 calls, Pine Island 301 calls and the Village of Warwick had 919 calls for a total of 2,359 calls for the month of September.

Supervisor Sweeton – There’s a resolution tonight regarding Halloween curfew and it’s one that we’ve used in the past Chief and it’s worked out pretty well.

Police Chief McGovern – It’s worked out very well.

Supervisor Sweeton – We will be passing that this evening, which I assume the other villages usually go along with the same curfew hours.

COUNCILMAN DE BUCK REPORT

1. This Sunday the Pine Island Chamber of Commerce is going to have an annual social with the installation of new officers and board of directors. At the same event each year the Chamber recognizes someone as the Citizen of the Year and I’m very pleased to announce John and Jeannie Reiley, of CJ’s Country Market. These people are very, very giving to almost every cause in Pine Island whether it’s the Pine Island Recreation, the Legion, or the Firemen who need food or a dish donated. In recognizing their gracious giving to their community we are going to honor them on Sunday. If anyone would like to attend its 4:00 p.m. until 7:00 p.m. the tickets are \$30 and you can obtain them from Sue Wilk the Pine Island Chamber President.

COUNCILMAN GERSTNER REPORT

1. I have a couple notices from Cablevision, one regarding Home Shopping Network analog feed removal effective November 17th, 2010. Cablevision customers with analog service will require digital equipment to receive the Home Shopping Network on channel 18. Such digital equipment will include an IO and digital cable box or cable card or digital cable ready television. Cablevision will be offering analog customers one IO digital box and one IO navigation at no additional charge for one year. This offer is going to be valid 30 days prior to and 60 days after the date of deletion. There is a notice of what the IO navigation service includes, but you can contact your local Cablevision representative for that. In accordance to public service law section 224a and 16 NYCRR and section 89180 Cablevision hereby notifies the commission the elimination of WNYW New York Fox 5, WWOR New York My 9, Fox Business Network, National Geographic Wild and Cablevision channel lineup on October 16th. Also they may not renew services that were carried in high definition WNYW New York HD, WWOR New York HD, Fox Business Network HD and National Geographic Wild HD. This affected all Cablevision systems in New York and previously filed a notice with the commission on October 13th. News Corps announcement that intended to withdraw these channels from Cablevision customers if new contracts weren’t met by October 16th and talks are still going on with that.

Supervisor Sweeton – Just this afternoon I received a call from Roger Connor who is the government affairs liaison for Cablevision. He requested that the Town send a letter to the commission requesting that they mediate the situation since they have reached an impasse. We did it the last time and if everyone's OK with that I'll certainly get the letter out.

Councilman Gerstner – I believe we should.

COUNCILMAN SHUBACK REPORT

1. The Highway Department is still bringing in sand for this winters snow storms.

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. I'm sure you've already read in the paper, but if you haven't as of January 1st 2011 the New York State Department of Ag and Markets will no longer provide dog tags or issue licenses or renewals or keep a database. That responsibility now rests with each municipality. Attorney Hicks and I drafted a local law which the Board is now reviewing and I believe we'll be holding a public hearing on that subject sometime in November.

2. I also wanted to remind people that starting November 1st we have leftover DMP's or Wildlife Management Units on a first come first serve basis for these areas:

1C

3M, 3R, 3S

8A, 8F, 8G, 8H, 8J

9A, 9F

SUPERVISOR'S REPORT

1. I did meet with our independent auditors this past week and they did deliver to us three documents, one is the yearend financial report for the Town for the year 2009. All of you should have gotten a copy. We also received a single audit and this is required by the federal government when we are in receipt of funds of more than \$500,000 in a year and we were, primarily due to East Shore Road this year. We received that and it was filed on time and then you also received a report to the Board from the auditors; the independent auditors. A couple of things as you go through it and we'll have another report at the next meeting, but one thing to notice is that we are now complying with GASB 45, which is the estimation of long term retirement benefits that the Town has accrued in its lifetime. That number is 1.6 millions dollars which made me gasp except the auditors said we are one of the Town's that's in a lot better shape than many in that respect, but the idea of this GASB 45 is to make you put that on your books so you recognize what the Towns long term liability is. Although currently in the State of New York you're not allowed and correct me if I'm incorrect, but you're not allowed to put any money aside to meet those benefits. Though it's something again that the State of New York in it's wisdom is going to have to sort out, but we have met our requirements under GASB 45, so that was a major notice in here. They did find a couple of items that they did want us to pay attention to. Number one was in government awards, this is money received from the federal government; we

didn't have a schedule of expenditures of federal awards on file. We didn't know what that was and after some discussion with them we realized it's just a schedule. We had a schedule of all the funds, where they were going, where they came from, but we didn't have this number that the federal government assigns to each one of these funds. So now we have that and we know going forward that we will attach it to every grant that we do receive. The other thing they recognized that we were doing was our management oversight monitoring, but in many cases we weren't documenting that we did that. For instance they picked out three areas; bank reconciliations, journal entries and budget status reports, so as part of that process last meeting I started to report to you on the budget each month. While I was reviewing bank recs; before I wasn't initialing them, so now I'm initialing them while actually looking at them. The third is the journal entries, which I'm also now going to be initialing even though I was reviewing them and so on a monthly basis you'll see my initials at the bottom of those when you look at them. Vendors, they wanted a vendor's policy in place. This was sort of mentioned at the end of last year, so when we do put a new vendor in the system now there's a form that we have that the bookkeeper fills out and it's reviewed and signed off by myself before that vendor is entered. That's just to prevent an unscrupulous bookkeeper from creating vendors that we don't know about, even though you're all reviewing the vouchers at each meeting anyway, but it's just a trail that the auditors like to see. Then they just wanted us to review our procurement policy, which is consistent with New York States procurement policy, however they want to make sure that we're consistent with the federal OMB compliance requirements, so we will certainly review that and make sure we're in compliance. Overall, a fairly good audit I would say and the Clerk will have a copy of these if anyone is interested. We'll make sure they are available if the public would like to see them.

2. The Community Preservation Fund Update - Receipts for September were \$59,961.59 only a few dollars off from August, so that's a good sign again which brings the total generated in the fund to date to \$2,496,711.75. The only expenditure to date from that fund was for the Seward Homestead and that was all residing in a separate fund.

3. I wanted to have a discussion for the Board regarding the Town budget, but before I get to that I did want to remind the Board that we had a gentleman here at the last meeting who was a little upset about the planning process. I did write you a synopsis of his case and again looked into it for the third or fourth time, so you have that if anybody has any questions, just get it to me. Again, to the budget, I asked our financial advisor Steve Brown to join us this evening just to bring the Board up to date. We had our budget meetings in the beginning of October and we knew how bad it was going to be and we have certainly cut extensively in the contractual lines of our budget. Many of the departments are under expenditure from the year before, but it's still not in a pretty place, so I wanted to just bring you up to date of where we are today. Certainly we are going to have a public budget hearing on November 4th and there will be a resolution to that effect tonight when we present what we have as a budget and the public at that point can have interaction and suggestions. I just want the Board to know where they are and know in fact that going forth there's going to be some very hard choices that have to be made. As we go through the presentation you'll get a sense of that and a sense of the magnitude of the issue. The Board is welcome to come down and watch the presentation by Steve Brown. Just again, to refresh everyone's memory, not only are we subject to what everybody else is subject to, falling revenues, not a lot left in our savings account just like any homeowner we've been

cutting corners. We cut corners last year successfully and we thought we had done a pretty good job of it, but it's just gotten increasingly worse. Mandatory contributions by the State of New York to the New York State Retirement System is increasing beyond anyone's imagination. Those are workmen's comp again by the State of New York in terms of contributions we've improved our workmen's comp by aggressively managing injuries and trimming. We've closed our open cases from 54 down to 11 today and yet it's like we're swimming up stream. It's not pretty and those are things that are mandated by the State we can't affect in the short term. We can affect in the long term by reducing our levels of staffing, which we can do, but even if we do that today which is what we're considering we can't make a big enough dent in those numbers in short term.

Steve Brown – Auditor, Town of Warwick – Just a summary and continue what Mike was talking about. Where we stand in our budget process is the department heads put together a list of wishes and requests in what they felt in a perfect world they would need to operate. The Board listened to them for a couple of days and discussed some potential cuts. Mike has spent the last couple of weeks and a good part of every day trying to refine it even more. Basically where we stand right now compared to 2009 we are looking at a town wide rate of \$6.77 verses \$5.24 for last year. What does that mean? First of all, a town wide rate basically the people in the village pay this number. Now what do those rates translate to? In 2010 if you have a typical \$50,000 assessed house which puts it at a \$370,000 market value a homeowner in the village pays on an average \$262.00. This year that would go up to \$338.00 a \$77.00 increase. In absolute dollars it's not a lot of dollars except if you're retired and living on social security. Outside the village rate for 2010 it stood at \$15.19 and that meant a house would pay roughly \$760.00 and I'll come back to why there's such a discrepancy. In 2011 that number stands at \$19.59 that would take the house dollar value up to \$980.00 as far as the amount of tax they would pay and that's a \$222.00 increase. Through this basically people that are in villages in general pay for town government. Our concept here that you're going to see on a slide or two is basically they pay for general government services; all the entities in this building, the Supervisor's office, the Town Clerks office, the Assessors office, that type of thing and the Highway Superintendant only. The people in the outside rate the reason is much more to that is because you now bring in your police and highway in addition to those government services that are mentioned before. The people outside are basically paying a three prong tax, which is highway, police and general government. That's the different variations there in terms of that and you can see in those dollars. In this budget process part of what we wanted to show you and Michael alluded to that the town has made an attempt through the years to hold expenses and they've been reasonably successful. What has happened with many of the private households let's say the revenues have dried up and won't go as far as they used to. What we call surplus, which is this section right here and this first section here starts with 2006 what we had available to use for future expenses, so we have a piggy bank just like you have a saving account. It is literally down to here from up there in 2008, so that's part of it. If you look at this revenue slide over here this was 2006, 2007, 2008, 2009, 2010 is where we are now and 2011, so again you can see the fall line. Again what do we call revenue; we've got two big sources of revenue one being sales tax and luckily this Town collects relatively constant and we do collect about 2.5/2.6 million dollars. It's down probably a couple hundred thousand from what you see here at peak revenue in 2009. The other major thing

we get is mortgage taxes basically that revenue and for example we're hoping this we're going to collect \$800,000.00. The history of that; I've got some notes here basically 2006 was probably our peak year we collected over 1.6 million dollars, so our \$800,000.00 that we're hoping to collect this year is 50% off. In 2007, because the Town collects their corporate taxes in the beginning of the year we have the ability although we have a number of big expenses come due up front we do get that money and are able to use it during the year in terms of collecting interest and that type of thing. In 2007 we collected \$448,000.00 and we'll be lucky this year to collect \$48,000, so basically there is another significant revenue shortfall, so no matter how we try to control that expense line the problem is this money here is drying up. This money here is drying up, so what's the difference? Taxes. This last one that you see here is basically where we stand now and we haven't got anything out there.

Supervisor Sweeton – Just so you know the process is we introduce a budget that in a perfect world you'd love to have and then we continue to work and have a budget that we can actually survive, so that's where we're going and we wanted to give you an idea of where we are right this second. This is bad enough what happens this year to be exacerbated by the fact that the Village of Warwick, who we contract police service for, notified us that they were going to not budget in their budget the amount we contracted for and asked us in return to release their service. In the Police Department that service is primarily people or police officers, so it shifts a revenue of 1.2 million work day down to about \$700,000, so that shift comes into the town residents if nothing changes in the Police Department. We've gone round and round with the village on this and they simply didn't budget the money, so we don't have a lot of recourse, I mean we could sue them for the money, but it doesn't really help anybody, so that's where we are with that. Again, this is other charges that sort of give you a different perspective of it; expenses that were made over those years.

Steve Brown – What we did was use 06, which was five years before this year give you some trends on and what we found out once we went to print was these percentage numbers here should be doubled what they are. This represents expense side and this top one here is taxes and in 06 it represented 22% of your total operations. By operations I mean your government general town hall type of stuff. In 2009 it should say 29% which translates to be 58% of the total budget. One thing I want to basically point out here's where we get into those components. Your general government, which is town hall in 2006, stood around 5 million dollars. We're hoping to come in right now in the neighborhood of about 5.4, so you can see in that five year timeframe we've tried to hold the line. This is your highway department; again if you look at the expenses in there we're pretty much back to 06 levels as far as expenses are. The police, by the way, are 88% payroll incurred expense basically there is not a whole lot of room if your going to staff a shift if somebody calls out sick and you call in somebody else, so there's not a whole lot of places you can move the expenditures.

Supervisor Sweeton – Let me explain how we police for anybody who doesn't know. We try to staff five posts around the clock 24 hours a day. By contract prior to the end of this year two of those folks will be in the Village of Warwick. The other three are disbursed

around the town. We try to keep one in the Greenwood Lake area and then the other two located between the central valley and Pine Island and Florida area, so that's the way we try to run now and to do that 24 hours a day it takes a number of bodies. The thing to keep in mind is the size of the police force today is not larger than it was in the late 70's here in the Town, so it hasn't been grown even though the population has tripled and probably our calls have more than tripled. I think they do a good job keeping a relatively safe town with relatively minor crime.

Steve Brown – When 36% of our spending was in the general government in 06. It's 35% of our spending now. Thirty six percent represented the police department and that's 37% now. The highway unfortunately is taking a little hit in a sense of cuts that were made a few years ago. This is a trend line to show you what's happening and costs. The fringe benefit line that Michael alluded to again is quite a difference. I loose sleep over this number; it's basically 37% from 06 to what we are looking at right now. It's not like we are a private business owner and could say I'm going to freeze my pension for a couple of years or waive contributions for a couple of years. We don't have that option because the whole pension is regulated by the State of New York. The non police pension; there are two separate ones; one is separate for police and one is for non police. For non police the contribution for the Town this past February we paid \$275,000. This February coming we're slated to go to \$411,000.00 and then that's slated to go up to \$700,000.00. The actual percentages that we're paying on that have gone from 7 to 11 to 15. The police are a little bit ahead of the game in a sense that they were and have been for a number of years probably 15% of payroll it's estimated to 17% and proposed to end up at 22% in 2012. Part of that is because they have a shorter window of 20 year retirement plan, which is pretty stable to PD's throughout New York I think. You can see here other expenses being under a union contract and you can't control fringe costs to medical, retirement etc. The place that's left I want to call other; the lights, paper, chairs try not to buy capital purchases that type of thing you see how that's dropped off in the last couple of years. The big detriment in the highway department is because they have a lot of discretion well I shouldn't use the word discretion it's easier to cut without them noticing it. It's probably going to get paid back at some point down the line. The only debt the Town really has is from closing the landfill several years ago and the Town Hall addition. This again puts it graphically payroll in 06 41%, 09 45% and still 45% in terms of total spending that's how relatively high you notice fringe 29, 25, 24, so the fringe has improved.

Supervisor Sweeton – As I mentioned, the short term effect on that is difficult for us to meet, but the long term effect is not putting more people into the system. That's going to effect services, but that is what's going to have to happen.

Steve Brown – The two biggest departments in the Town are the police and highway basically. The police total budget for this year is 6.2 million dollars. Again these are the components of payroll and fringe over that time frame what we call other expenses and equipment as you can see again a shortfall in equipment and that type of thing. As Mike mentioned the biggest factor or one of the biggest issues here has to do with the shift; it basically makes the Town share of the police department increase \$555,000.00. This again is put into perspective from a pie chart stand point and again we picked six because it was

going back five years. The same thing with highway; again payroll trends fringe is not as dramatic. There is an increase partly because we had some retirements there and there was not an increase during that time. Again you saw this before it was just a demonstration of the revenue the climb up and down in the account and unfortunately the old savings account as I call the piggy bank is basically depleted.

Supervisor Sweeton – I think that’s the end of that, so that’s where we are and the work continues. Unfortunately as you see on the contractual expense side there isn’t a lot left to get. We cut equipment we are not making equipment purchases, so what it comes down to is people and we’re looking at that hard. We have two people who are retiring and won’t be replaced and there are others who potentially could retire and they are considering it and depending on how that goes we’ll shift personnel. The Board and myself will continue the process until the November 4th hearing. At that hearing we’ll present the budget that we feel tries to address the issue and yet not hinder services beyond a critical nature for residents. We can always reduce it further based on comments that we get and we won’t be able to raise it. Hopefully we’ll have more information in terms of personnel allocation etc to share with you that evening.

4. Supervisors Corner is in the Warwick Dispatch and excerpts in the Advertiser.

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

There were no comments or questions on the agenda items.

NEW BUSINESS:

#R2010-203 SCHEDULE PUBLIC HEARING – 2011 PRELIMINARY BUDGET

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to schedule a public hearing to consider the 2011 Preliminary Budget. Said public hearing to be held at the Town Hall, 132 Kings Highway, Town of Warwick on Thursday, November 4, 2010 at 7:00 p.m., or as soon thereafter as the matter can be heard.

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

#R2010-204 HALLOWEEN CURFEW

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to impose a curfew against congregating and loitering by those 18 years of age or younger to begin at 8:00 p.m. on Saturday, October 30, 2010 to 6:00 a.m. on Sunday, October 31, 2010 and from 8:00 p.m. Sunday, October 31, 2010 to 6:00 a.m. on Monday, November 1, 2010.

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

Discussion: Supervisor Sweeton stated he wanted everybody to have a great time and asked the Chief when the parade in the Village of Warwick was.

Chief McGovern – It’s on that Sunday and the lineup is at 3:30 p.m. in the Main Street area by Lewis Park and it kicks off at 4:00 p.m. and it should be over within the hour.

Councilman DeBuck – In regards to the first resolution my appointment book said Town Board meeting at 1:00 p.m. Are we going to have a meeting and then come back for the public hearing?

Supervisor Sweeton – No the regular meeting I think has been published for 7:30 p.m. that night. That may be a holdover from the original schedule. Sorry about that.

Councilman DeBuck – So 7:00 p.m. that evening.

Supervisor Sweeton – And then 7:30 p.m. will be the regular meeting. Just a point of clarification, John do I need a separate motion to schedule a hearing for special districts because it's actually two hearings?

Attorney Hicks – Yes.

#R2010-205 SCHEDULE PUBLIC HEARING – SPECIAL DISTRICTS

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to schedule a public hearing on the Assessment Roll for the purpose of raising funds for the operation and maintenance of the Special Districts of the Town including: Wickham Village, Eurich Heights, Bellvale Park, Pine Island, and West Side Greenwood Lake Water Districts, Warwick Sewer District, Garbage District, Pine Island Lighting District, Kings Estates Lighting District, Warwick Ambulance District #1 (Warwick), Warwick Ambulance District #2 (Greenwood Lake) and Warwick Ambulance District #3 (Pine Island) and Kings Estates Park District. Said Public Hearing to be held at the Town Hall, 132 Kings Highway, Town of Warwick, on Thursday, November 4, 2010 at 7:15 p.m. or as soon thereafter as the matter can be heard.

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

#R2010-206 AUTHORIZATION TO CHANGE NAME OF ROAD

Motion Supervisor Sweeton, seconded Councilman DeBuck to adopt a resolution authorizing the Supervisor to officially change the name of “Morninglory Ln” to “Morning Glory Lane” at the request of all the residents on this road and to file the appropriate paperwork with the County 911 system.

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

Discussion: Supervisor Sweeton stated that this was a subdivision from a while ago was officially adopted as Morninglory all one word with just one g. Residents through time had been using Morning Glory Lane as three words and submitted a petition to us to correct that for them, so we had to do this so we could actually officially change it on the 911 system to make them safe. Now it is Morning Glory Lane.

Councilman Gerstner – The numbers will remain the same.

Supervisor Sweeton – The numbers will remain the same just the name will change to protect the innocent.

#R2010-207 AUTHORIZATION TO RELEASE BONDS – FAIRGROUNDS, LLC

Motion Supervisor Sweeton, seconded Councilman Shuback to adopt a resolution to authorize the release of a trailer bond in the amount of \$1000.00 plus interest and the survey-pin bond in the amount of \$5,500.00 plus interest to Fairgrounds, LLC, P.O. Box 55, 145 Otterkill Road, Mountainville, NY 10953 as per the recommendation of the Town Engineer.

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

#R2010-208 SUPPORT 2010 JUSTICE COURT JCAP GRANT APPLICATION

Motion Councilman DeAngelo, seconded Councilman Shuback to adopt a resolution to support the 2010 Justice Court grant application for additional office renovations such as furniture, carpeting and paint provided there is no cost to the Town.

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

Discussion: Supervisor Sweeton stated that this is the one we tabled last time because part of the grant was going to 100% and part maybe not, so we're actually supporting it to submit the grant provided that there's no cost to the Town because there is no match available.

#R2010-209 PROCLAMATION – 50TH ANNIVERSARY OF BOY SCOUT TROOP #45

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

WHEREAS Boy Scout Troop #45 is celebrating their 50th Anniversary; and

WHEREAS Boy Scout Troop #45 has provided the youth of Warwick with an exceptional program that builds character and trains them to become responsible, participating citizens and leaders; and

WHEREAS Boy Scout Troop #45 has been an integral part of the Town of Warwick for 50 years helping to enhance our quality of life through scouting projects, support of charity organizations and by their members living the tenets of the scout law every single day.

NOW THEREFORE BE IT RESOLVED, that I, Michael P. Sweeton, Warwick Town Supervisor, on behalf of the Town of Warwick, extends sincerest congratulations to Boy Scout Troop #45 and wishes to congratulate Boy Scout Troop #45 by hereby proclaiming October 26, 2010 as "Boy Scout Troop #45 Day" in the Town of Warwick.

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

#R2010-210 AUTHORIZATION TO SIGN AGREEMENT WITH COUNTY OF ORANGE – TAX COLLECTION SOFTWARE

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to authorize the Supervisor to sign an agreement with the County of Orange to accept the BAS Tax Collection Software System.

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

Discussion: Supervisor Sweeton stated that the County is making this software available to all the municipalities at no cost with training and it will help coordinate the transfer of receipts to the County and the records and billing to the County in one format and hopefully be more efficient and save money.

#R2010-211 BUDGET TRANSFER – POLICE DEPARTMENT

Motion Councilman DeAngelo, seconded Councilman DeBuck to adopt the following Police Department budget transfer:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Check from Selective Way Insurance for damage to Police car	Auto Maintenance (B02.00.3120.403)	\$2,519.20

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

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

PRIVILEGE OF THE FLOOR (GENERAL)

Alan Lipman, Esq. – I appeared here twice once back in August of last year and for the public hearing of the FGEIS and I've seen the comments that were made and the responses to those comments. My comment was in relation to the parcel of land on Route 94 opposite Pennings and there's a parcel that belonged to a guy named Chokilo who was a thorn in your side for a long time and it is now owned by a guy named Siegel. I asked at the end of the hearing whether I would get answers and when I would get answers. I knew what the answer was when the FGEIS was published with your responses. I read the responses and I saw in a response I assume prepared by Ted Fink that he didn't agree with my suggestion that it's appropriate to extend the marginal access road through that parcel out to Sanfordville Road. That was only one of the reasons that I argued that the parcel be included in the district. I have no answer to the question why it wasn't included in the district, why it shouldn't be included in the district not understanding the rational and I believe correct reason that I presented to you at the public hearing and if there is a reason that it's not being included, I would like to know the reason.

Supervisor Sweeton – We'll ask Ted Fink to review the question and review the notes and if it was answered inadequately in the document we'll make sure that he answers it adequately and then you can have that answer.

Alan Lipman – I would really appreciate that.

Supervisor Sweeton – You got it.

Alan Lipman – As I looked at those graphs it looked very familiar like the graphs that I maintain in my office. Exactly the same thing; expenses are up if the staff is maintained they could be contained and if the staff is reduced as I had. Income however is I don't have the benefit to tax people I'd like to have, but I don't have and I find it isn't possible to collect.

Supervisor Sweeton – We recognize it and I think certainly we recognize here and I think government recognizes everybody's in the same boat. What are your choices and nobody wants the choice of going to tax payers and asking for more money. Nobody wants that choice.

Alan Lipman - I have no right to complain or a reason to complain because I was here when times were good. There were a lot of guys behind me who weren't and those are the guys that I feel sorry for in my profession.

**ADJOURN: Motion Councilman DeAngelo, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 8:20 p.m.
10-21-10 cp.**

Marjorie Quackenbush, Town Clerk