

October 12, 2023

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, October 12, 2023 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 James Gerstner
Councilman Floyd DeAngelo
Councilman Russell Kowal
Councilman Kevin Shuback

Attorney for the Town, Jay Myrow – Absent
DPW Commissioner, Ben Astorino
1st Sergeant, Alton Morley

REVOCATION APPEAL HEARING FOR 105 DEKAY ROAD

Supervisor Sweeton – The hearing of revocation potential of an Airbnb permit, short-term rental permit and it's for the property 105 DeKay Road and I believe the owners are here tonight. You had 3 violations that were noticed. We had revised our code to make it easier for the town to act upon short-term rentals that were violating our ordinance. While we are not opposed to short-term rentals, we are opposed to permit holders who failed to obey the regulations. You need to recognize that you are in a neighborhood and that there are neighbors' concerns with a short-term rental. We are going to give you the opportunity because we have that under the code to talk about why the permit should not be revoked. It does remain in effect until such time as we make a decision and we won't make that decision tonight. We take your testimony and then we will confer about that at the next meeting on October 26th and have a decision for the first meeting in November which would be the 2nd. You can come forward and state your name for the record and address the 3 concerns. You were cited for advertisement and occupancy of 12 guests when only 8 maximum are permitted, excessive noise and amount of people 40 to 50 on the site on February 5th and I think there was an issue of a dumpster on the front lawn. If you want to come forward and speak to the issue you can just give us your name for the record.

Solomon Franczoz – I didn't know there was an issue with the dumpster in the front of the house. I would really like to address it and correct it. There was a charity event that the owner made at the house back in February. It was actually the rental which we are very sorry about, so we took steps so it shouldn't happen again, by installing a noise detector from a company called Noise Aware. This gives us a report when people come in and if there's a crowd or if there's excessive smoke going into the house or noise for more than the amount that should be there and we get alerts. We try and greet them at the door so we know how many occupants are coming and make sure it matches to what they wrote on how many occupancies are coming. We do background checks on everyone that books through Airbnb or VRBO. We try to be very consistent on that, so we keep everything. I put the dumpster

there because I didn't want a mess around the house with just one or two garbage cans. I thought it would be safer and cleaner with a dumpster that's covered and picked up twice a week. If that's an issue I really want to fix it. I'm truly sorry about the advertisement, I was on two different sites and in one room we have 4 beds so I automatically changed the number from 8 guests to 12 guests. We corrected it once we got the notice.

Supervisor Sweeton – So your current advertisement shows 8 maximum, correct?

Solomon Franczoz – Yes.

Supervisor Sweeton – Ok. The dumpster can't be on the front there. If it was secured somewhere else on the property and covered. It would have to be a stockade fence or something around it, it can't be out visible on the property. I don't know if people have any questions, again you're in a neighborhood and people are there. We set up a process and the police department will be implementing it that when a complaint comes into them, they'll have the address and the record either owner or agent and they will be called by the department and they will be instructed to be there within an hour. You need a registered agents that's in Orange County, I don't know who yours is I didn't look at your permit but they need to be able to respond within an hour. It's good that you have the devices there to alert you, but there has to be action taken when you get that notice.

Solomon Franczoz – I would really appreciate it if we could get a call if somethings going on so we can know. We do have cameras on all 4 sides of the property so we do monitor it a lot and try to be safe.

Supervisor Sweeton – Any questions gentlemen? So, the process is going to be in 2 weeks when we reconvene, we are going to have a public discussion and you don't have to be here physically but you can. We have YouTube so you can see it and a decision would be made on November 2nd. The permit remains in effect until that time until the decision is rendered.

Solomon Franczoz – Thank you so much.

Supervisor Sweeton – Thank you for coming tonight.

DISCUSSION: REVOCATION OF 20 DEER POND DRIVE

Supervisor Sweeton – We had another discussion, two meetings ago had a presentation by another violation and that was 20 Deer Pond Drive and that was the attorney who came and the agent who came. They had discussed what they have done to ensure that they remain within the code in their operations. I don't know if you had any thoughts on that presentation or any concerns? I haven't had any other calls on them yet, so with your pleasure I can prepare resolutions for you for the next meeting because that's when you would decide anyway. If you want to think about it a little bit more you need to let me know between now and then as to what you want to do with them.

DISCUSSION: REVOCATION OF 20 MILLER'S LANE

Supervisor Sweeton - We were due to have a decision on that permit this evening and based on the testimony from the owners it seemed like they were making efforts, but I did get this week which I provided to all of you subsequent complaints about violations. I think those complaints need to be taken into consideration. This is a repeat violator and we took them at their word when they testified at the last meeting, but this is new information. We need to verify the information and the complaint and then I would say we would have that discussion at our next meeting as well.

Councilman Shuback – I agree.

PRESENTATION: PETITION FOR ZONING CHANGE

Eileen Astorino, Town Clerk – There was a petition for a zone change at Sanfordville Road for senior housing to change the district there.

Supervisor Sweeton – For the public's information we have in the Town's Zoning Code something called a Senior Housing Floating Zone. It's designed to be a zone that is brought down on a parcel of property that has different underlying zoning and it provides some provisions, some bonus benefits to whoever's going to produce the senior housing for doing so. We have had our very first petition to do that and it's a two-part petition, it's a text change and the reason it's a text change is that property on Sanfordville Road is in the Office Industrial Zone, which is a Commercial Zone that has no underlying residential density. The Senior Housing Floating Zone criteria uses for the density of the zone the underlying residential density. The text change is suggesting that you use the adjacent density of the residential district to the OI Zone. The Senior Housing Floating Zone is allowed to be drawn down in the OI Zone, it's a flaw in the analysis when we created the zone back in 2002, that we didn't take into account that there was no residential density in the OI Zone. In my opinion in reviewing the petition this is a perfect use for this piece of property. It's a 70-acre parcel, they're going to use a fraction of it, keep the remainder open, it's across from the Sanfordville School, it will provide moderate income senior housing and it will have little impact, certainly none on the school systems and pretty low amount of traffic. The process is if we are willing to accept the petition tonight and they have submitted it with the fee, we would then refer it to the Town Planning Board and they have 60 days to give us their professional opinion as to the benefit of bringing the zone down. That would then advise us on how we might rule to bring it down. We would then have a hearing to bring the zone down, once we do that it goes to the applicant to make a full application to the Planning Board for a full Planning Board review and environmental review. In the petition the applicant has provided an initial generic environmental impact statement to show if this were to move forward through the Planning Board what impact it might have on again, traffic, school etc. So, there is that analysis for the Planning Board to consider and then we would look forward to take their recommendation and they have 60 days to do it before we can act. We will refer to them and they have a Planning Board meeting next Wednesday, it will formally be given to them at that point and we will hopefully receive their opinions and then we can move forward. I think for us it's rather

exciting because it is the first time that this zone will be used in the town. It will help free up existing housing stock in our town which is at short supply to say the least and it will draw in some moderate-income housing for some of our seniors who would like to remain in town but maybe not in their own single-family home. I have met with the applicant and he has built many of these in New York State, so it's not that he's not familiar with it. He is also familiar with aesthetics of our community and what we would like to see in terms of architectural styles and he's very interested in doing just that. So, do I have the consent of the Board to accept the petition this evening?

Town Board – All reply yes.

Supervisor Sweeton – We will then refer it to the Planning Board. Thank you very much.

ACCEPTANCE OF MINUTES

1. Regular Meeting- September 28, 2023
2. Public Hearing – September 28, 2023 “Introductory Local Law No.5 of 2023 to consider tax exemption for volunteer Fire and EMS Workers”
3. Revocation Hearing – September 28, 2023 (20 Deer Pond)

Motion Councilman Gerstner, seconded Councilman Shuback to accept the minutes as written from the Regular Meeting held on September 28, 2023, the Public Hearing for Introductory Local Law No. 5 of 2023 to consider tax exemption for volunteer Fire and EMS Workers held on September 28, 2023 and the Revocation Hearing for 20 Deer Pond held on September 28, 2023. Motion Carried (5 Ayes, 0 Nays)

CORRESPONDENCE:

LORI MOSHER – Justice Clerk, Town of Warwick. Letter dated September 29, 2023 to the Town Board regarding applying for funding from the Justice Court Assistance Program.

DODY A. NICHOLAS – Secretary, Greenwood Lake Joint Fire District. Letter to the Town Clerk regarding public notice of the annual budget hearing for the 2024 proposed 2024 budget.

ELIZABETH S. KASE – RuskinMoscouFaltischek, Counselors at Law. Letter dated October 3, 2023 to the Town regarding a Notification to Municipality OCM-06009 of adult-use retail dispensary license application required for applying for an Adult Use Microbusiness in the Town of Warwick.

PLANNING BOARD – Town of Warwick. Notice of Public Scoping Session for the Copozza Solar Site Plan and Special Use Permit located on Four Corners Road will be held on October 18, 2023 at 7:30pm at the Town Hall located at 132 Kings Highway, Warwick, NY 10990.

BRENDAN KOLESAR – DPW Laborer, Town of Warwick. Letter dated October 2, 2023 to the DPW Commissioner regarding his resignation.

ROBERT MORSE – Heavy Equipment Operator, Town of Warwick, Department of Public Works. Letter dated September 20, 2023 to the Town Board requesting six (6) vacation days be carried over into 2024 due to unexpected circumstances.

DANIEL GIBSON – Building Inspector, Town of Warwick. Letter dated September 29, 2023 to the Town Board requesting application fees be returned to George DeGraw.

ANDREA O'BRIEN – Liquor License Consultant. Letter to The Town Clerk requesting the town waive the 30-day wait period for a liquor license for the American Grill Inc.

KAREN SCHULZ – Office Administrator, Randie P. Paterno, P.C. a Notification to Municipality letter and application to the NYS Office of cannabis management regarding a Microbusiness located at 49 Newport Bridge Road, Warwick, New York.

BOARD'S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

CATCH BASINS	Royal Ct.	Rebuild catch basin
DITCH WORK	Bellvale Lakes Rd.	Open ditches
TREE WORK	Millers Ln.	Take down dead trees with O & R
	DeKay Rd.	Take down dead trees with O & R
POT HOLES	Town wide	Fill with hot mix
VEHICLE MAINT.	As needed	
EMERG. REPAIRS	As needed	
ROAD SIGNS	Town wide	Replace as needed
WATER DEPT.	Jersey Ave.	Repair water main break

PARKS DEPARTMENT

Union Corners Park	Open	Town
Mountain Lake Park	Fishing Pond Open	Town

Mountain Lake Park Pool	CLOSED FOR THE SEASON	Town
Town of Warwick Dog Park	Open	Town
Airport Road Park	Open	Town
Cascade Lake Park	Open	Town
Wickham Woodland Park	Open	Town
Wickham Passive Boat Launch	Open	Town
Pine Island Park	Open	Town
Thomas P. Morahan Waterfront Park	CLOSED FOR THE SEASON	Village of GWL
Ben Winstanley Park	Open	Village of GWL
Village of GWL Dog Park	Open	Village of GWL

ENVIRONMENTAL CONSULTANTS REPORT SEPTEMBER 2023

Town of Warwick Sewer District #1, Sewer Flow Readings

Warwick Tech Park	385,240 gallons	4.36%
Wickham Village	6,484,010 gallons	73.42%
Kings Estates	1,962,460 gallons	22.22%
Total District Flow	8,831,710 gallons	
Average Daily Flow	294,390 gallons	

The Fairgrounds Sewer District #2

Total flow	125,006 gallons
Average Flow	4,167 gallons

COUNCILMAN DE ANGELO REPORT

1. The Warwick Valley Humane Society is currently housing 17 dogs and they are in need of canned dog food, preferably Merrick or Natural Balance. At the current time they have 12 shelter dogs that are all purebreds and they are all available for adoption.
2. Due to the influx of kittens, they are also in need of Pate canned cat and kitten food.
3. They would like to remind you to please call the shelter before dropping off any donations due to the lack of storage space.
4. The Warwick Valley Humane Society is hiring. They are looking for a full-time Animal Control Officer. You must be 21 years old with a clean drivers license and record, have animal experience, must be able to work weekends and be available on designated nights for emergencies. If you're interested call 845-986-2473 for a interview.

5. Town of Warwick Friendly Visitor Program for the month of September the number Of neighbors helped was 22, the number of volunteers helping those neighbors was 23, the total number of services provided by volunteers was 215 and the number of hours provided was 136. They are having a Friendly Visitor Program Volunteer Training if you're interested in helping someone with transportation, shopping visits, calls and chores. There is going to be a Friendly Visitor Volunteer Training in person at their Middletown office located at 720 Route 17M, Middletown. You can either call 845-341-1173 ext. 305 or email volunteer@ifsorange.org. and that's on October 31st at 10:00 a.m. in person.

COUNCILMAN KOWAL REPORT

COUNCILMAN GERSTNER REPORT

1. The DPW has been busy rebuilding catch basins on Royal Court, opening ditches on Bellvale Lakes Road, taking down trees with O&R on Millers Lane and DeKay Road, filling potholes with hot mix, and as needed doing vehicle maintenance and emergency repairs, replacing road signs townwide as needed and repaired a water main break on Jersey Avenue.

2. The Environmental Consultants report for the month of September for Sewer District #1 flow readings for the Warwick Tech Park were 385,240 gallons 4.36%, Wickham Village 6,484,010 gallons 73.42% and Kings Estates 1,962,460 gallons 22.22%. the total district flow was 8,831,710 gallons with an average daily flow of 294,390 gallons. For the Fairgrounds Sewer District #2 the total flow was 125,006 gallons with an average daily flow of 4,167 gallons.

COUNCILMAN SHUBACK REPORT

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. FEES COLLECTED – SEPTEMBER 2023

Interest in Town Clerk's Checking Account	\$3.63
MLP Deferred Revenue for next year	\$900.00
MLP Cabins	\$3,860.00
MLP Art Studio	\$2,400.00
MLP Apartments	\$12,865.00
MLP Dance Studio	\$225.00
MLP Indoor Theater	\$500.00
MLP Kitchen	\$1,600.00
MLP Kitchen Per Hour	\$1,010.00
MLP Kitchen Storage	\$200.00
MLP Lakeside Pavilion	\$330.00
MLP Lodge Dining Hall	\$400.00
MLP Lounge	\$125.00

MLP – NR Cabins	\$3,735.00
MLP Recreation Building	\$400.00
MLP Round Tables	\$35.00
MLP- Table clothes	\$70.00
Pickle ball Clinics	\$950.00
Mountain Lake Pool Daily	\$24.00
Wickham Woodland Manor Fee	\$250.00
Marriage Officiant One Day License	\$50.00
Mountain Lake Park Access (Former Kutz Camp)	\$5.00
Marriage Certified	\$110.00
Photocopies	\$155.25
Special Event Permit	\$50.00
Use of Kitchen Fee – Senior Center	\$200.00
Use of Room Senior Center	\$100.00
Dog Impoundments	\$635.00
Town Park Pavilion	\$125.00
Marriage License Fee	\$420.00
One Day Officiant License	\$50.00
Conservation	\$751.74
Dog Licenses	\$1,093.00
Registrar Town of Warwick	\$300.00
Street Opening Permit	\$50.00
Wickham Woodland Manor Deposit	\$300.00
MLP Deposit Lakeside Pavilion	\$400.00
MLP Deposit Lodge Dining Hall	\$600.00
MLP Deposit Lodge Lounge	\$100.00
Town Park Deposit	\$200.00
Total Local Shares Remitted	\$35,577.62

2. FEES PAID – SEPTEMBER 2023

NYS Dept. of Health	\$540.00
NYS Ag & Markets for Spay/neuter program	\$137.00
NYS Environmental Conservation	\$12,872.26
Village of Florida Registrar	\$200.00
Village of GWL Registrar	\$130.00
Village of Warwick for Registrar	\$1,890.00
Total Non-Local Revenues	\$15,769.26

3. We are still selling hunting licenses but you can not get doe tags again until November 1st.

SUPERVISORS REPORT

1. We are in the middle of our Town Budget Process. We had a budget hearing the other day and we have a lot of work to do. We will schedule a hearing on a local law to exceed the tax cap. We hope that we do not exceed it, but if we do not pass the local law we would not be able to in the event that we can not get under the cap, which is 2% even though inflation is running anywhere between 4 and 6% and the increase in cost of state required healthcare and retirement are at a double digit number, but we still need to stay under the cap. We'll have to see where we go with this. Just so you know the preliminary budget is due on 11/1 and that is the budget that will go to the hearing. The hearing will be held in this room at 7:00 p.m. on November 9th and it needs to be adopted at our meeting on 11/16.

2. The Community Preservation Fund receipts for September were down a little bit. That's not surprising considering it's the month of September when school taxes are due, but it still came in at a hearty \$85,374.72 which brings the total to date since its inception in 2007 to \$16,471,599.05.

3. I will make note that on October 20th at 7:00 p.m. at Mountain Lake Park at the outdoor pavilion there's going to be a celebration of Hank Williams and it's a benefit to raise money for Spina Bifida Association. You can get tickets by going to hankwilliamscentennial.eventbrite.com. Hank Williams I've learned suffered from Spina Bifida and unfortunately became an alcoholic because of it and died at a young age. This is a great benefit and Roam Food Truck will be there for food and adult beverages will be served. The evening is going to be headlined by our Marty Kupersmith. Marty Coopersmith is one of the original members of the Jay and the Americans, which is exciting. Marty is a great personality and it's going to be a great show and a great tribute to Hank Williams, so please come out and support that effort if you will and you will see the beautiful Mountain Lake Park. Hopefully it will be a crisp evening and not a cold evening.

4. The journal entries were made with the Comptroller and they were all in order and I'm happy about that.

5. Supervisors Corner is published each week in the Warwick Dispatch, with excerpts printed in the Warwick Advertiser.

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

No comments from the Board or the public.

NEW BUSINESS:

#R2023-350 SCHEDULE PUBLIC HEARING – MS4 2022-2023 ANNUAL REPORT

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to schedule a public hearing regarding the 2022-2023 MS4 Annual Report. Said hearing to be held on Thursday, October 26, 2023 at 7:30 p.m. at the Town Hall, 132 Kings Highway Warwick, NY. or as soon thereafter as the matter may be heard.

Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that this is required every year and we're in an MS4 community designated by the New York State DEC. We are required to file a report showing our progress in terms of preserving and protecting the surround areas to the lake, the environment, runoff, septic and how our building and planning departments manage stormwater in applications before it.

**#R2023-351 SCHEDULE PUBLIC HEARING – PROPOSED INTRODUCTORY
LOCAL LAW #7 OF 2023 TO EXCEED TWO PERCENT PROPERTY
TAX CAP**

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to schedule a public hearing to consider the adoption of a proposed Introductory Local Law #7 of 2023 to exceed the two percent property tax cap. Said public hearing to be held at 7:30 p.m. on October 26, 2023, or as soon thereafter as the matter may be heard, at the Town Hall, 132 Kings Highway, Town of Warwick.

Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated as he mentioned in his report it's a safety valve measure and we'll take comment.

#R2023-352 SUPPORT JUSTICE COURT 2023-2024 JCAP GRANT APPLICATION

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution that the Town Board of the Town of Warwick authorizes the Town of Warwick Town Court to apply for a JCAP grant in the 2023-2024 grant cycle for \$7,554.35 to purchase two (2) new stand-alone copiers for the court office and courtroom.

Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton thanked the court staff and justices for pursuing these grants, they've been successful multiple years and it saves us money.

#R2023-353 APPROVE SPECIAL EVENT - KRAFTIFY LLC FALL 5K RUN

Motion Councilman Kowal, seconded Councilman Gerstner to adopt a resolution granting approval for Kraftify LLC DBA Drowned Lands Brewery to hold a 5K run on State School Road October 14, 2023 from 11am – 1pm. A certificate of Liability Insurance is on file in the Clerk's office.

Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

**#R2023-354 REQUEST TO SERVE ALCOHOL – SPINA BIFADA ASSOCIATION OF
NY**

Motion Councilman Gerstner seconded Councilman Shuback to adopt a resolution granting permission to the Spina Bifada Association of NY to serve alcohol at the Mountain Lake Park on October 20, 2023. Certificate of Liability and Liquor Liability Insurance is on

file in the Clerk's office. Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2023-355 REQUEST TO SERVE ALCOHOL – JESSICA KEITH

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution granting permission to Jessica Keith to serve alcohol at the Mountain Lake Park on October 29, 2023. Certificate of Liability and Liquor Liability Insurance is on file in the Clerk's office.

Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2023-356 REQUEST TO SERVE ALCOHOL – MICHAEL COHN

Motion Councilman Kowal, seconded Councilman Gerstner to adopt a resolution granting permission to Michael Cohn to serve alcohol at the Wickham Woodland Manor on November 12, 2023. Certificate of Liability and Liquor Liability Insurance is on file in the Clerk's office.

Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2023-357 ACCEPT RESIGNATION – BRENDAN KOLESAR

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to accept the resignation of Department of Public Works Laborer Brendan Kolesar effective October 14, 2023.

Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton wished him well on his new endeavor.

#R2023-358 ADOPT LOCAL LAW NO. 5 OF 2023 A LOCAL LAW PROVIDING FOR A PARTIAL TAX EXEMPTION UPON REAL PROPERTY BASED UPON THE OWNER'S VOLUNTEER MEMBERSHIP IN FIRE DISTRICTS AND AMBULANCE DISTRICTS OF THE TOWN OF WARWICK PURSUANT TO SECTION 466-a OF THE REAL PROPERTY TAX LAW

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution adopting Local Law #5 of 2023 a local law providing for a partial tax exemption upon real property based upon the owner's volunteer membership in fire districts and ambulance districts of the town of Warwick pursuant to section 466-a of the Real Property Tax Law.

Motion carried (4 Ayes, 0 Nays, & 1 Abstain, Councilman Gerstner- Abstain) Supervisor declared this resolution duly adopted

#R2023-359 AUTHORISE SUPERVISOR TO SIGN SIDE ORDER OF AGREEMENT – CSEA

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution authorizing the Supervisor to sign a side of agreement with CSEA providing additional pay of \$10.00 per hour to for the Department of Public Works Plow drivers during snow events. Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated for the publics information this is a great compromise that we appreciated the union making with us. We use to have to hire riders to ride with the professionals and the Union stepped up during the Covid crisis to say they could do this on their own. They do this very well; there's no diminishing of service and we want to reward them for the extra effort they made and that's what this resolution does.

#R2023-360 AUTHORISE SUPERVISOR TO SIGN INTER-MUNICIPAL AGREEMENT WITH VILLAGE OF GREENWOOD LAKE – SKATE PARK

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution authorizing the Supervisor to sign an inter-municipal agreement with the Village of Greenwood Lake allowing construction of a skate park at Town of Warwick Ben Winstanley Park located in the Village of Greenwood Lake.

Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that we own, it's a town park the Winstanley Park in the Village of Greenwood Lake and the not-for-profit group raised the money to build a skate park, had gotten our consent to put it in the park and now they are ready to get it constructed. That became the issue, they planned to give it to the Village of Greenwood Lake to own and operate and we needed an agreement between us so that our liabilities are reduced and the Village of Greenwood Lakes liability falls on them.

#R2023-361 WAIVE 30-DAY WAIT PERIOD FOR NYS LIQUOR LICENSE – AMERICAN GRILL INC.

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to waive the 30-day wait period for a NYS liquor license for the American Grill Inc. located at 25 County Park Lane, Warwick, New York 10990.

Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated this is a vendor in the County Park.

#R2023-362 APPROVE VACATION TIME CARRIED OVER INTO 2024- ROBERT MORSE

Motion Councilman Gerstner seconded Councilman DeAngelo to adopt a resolution to approve six (6) vacation days to be carried over into 2024 for Heavy Equipment Operator, Robert Morse due to unexpected circumstances.

Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

**#R2023-363 REFUND BUILDING DEPARTMENT APPLICATION PERMIT FEE –
GEORGE DEGRAW**

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to refund a building department application fee in the amount of \$210.00 back to George DeGraw for a withdrawn permit for a carport as per the recommendation letter dated September 29, 2023 from the Building Inspector.

Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2023-364 APPOINT PART-TIME POLICE DISPATCHER- KOLE D. LOSCHIAVO

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to appoint Kole D. LoSchiavo as a part time Police Dispatcher at a rate of pay of \$19.00 per hour effective October 14, 2023 as per recommendation letter dated September 25, 2023 from the Police Chief.

Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2023-365 NEGATIVE DECLARATION – CREATE HILLSIDE WATER DISTRICT

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to accept the following Negative Declaration pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law:

The Town of Warwick, as Lead Agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

Name of Action: Creation of Hillside Water District

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: The project involves the creation of a municipal water district by acquisition of a private water system.

Location: Town of Warwick, Orange County

Hillside Avenue in Hamlet of Bellvale

Reasons Supporting this Determination:

1. The Town of Warwick Town Board has given due consideration to the subject action as defined in 6 NYCRR 617.2(b) and 617.3(g).

2. After reviewing the Environmental Assessment Form (EAF) for the project, the Town Board has concluded that the environmental effects of the proposed action will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).

3. The action will create the Water District service area to encompass the existing private water system. Sufficient Capacity exists to service the district.

4. No construction activities will be authorized by the proposed action. Any future development will be subject to the Town of Warwick Zoning Law after a SEQR review of its environmental effects.

Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2023-366 ADOPT LOCAL LAW NO. 6 OF 2023 LOCAL LAW NO. 6 OF 2023 FORMING A SPECIAL DISTRICT, PURSUANT TO ARTICLE 12-A OF TOWN LAW, ENTITLED "CREATE HILLSIDE WATER DISTRICT".

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution adopting Local Law No. 6 of 2023 Local Law No. 6 of 2023 forming a Special District, pursuant to article 12-A of Town Law, entitled "Create Hillside Water District".

An order and determination creating the Hillside Water District as set forth below:

WHEREAS, a map, plan and report have been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the TOWN OF WARWICK, Orange County, New York, relating to the creating Hillside Water District in said Town, and

WHEREAS, such map, plan and said report was prepared by HDR, a competent engineering firm duly licensed by the State of New York, showing the area of the proposed district and a general plan of the said system and a report on the extent of improvements necessary; and

WHEREAS, the area of said extension is set forth in Schedule "A"; and

WHEREAS, an order was duly adopted by the Town Board of the Town of Warwick, on October 12, 2023, reciting the filing of said map, plan and report, the improvements proposed, the boundaries of the proposed district, the maximum amount proposed to be expended for such improvements to be installed in such district including purchase price is \$75,000.00, the cost to be borne by the properties in the creation, and the fee for new hookups and the annual cost to the typical property owner will be less than current charges from the private owner, the fact that the map, plan and report describing the same are on file in the Town Clerk's office for public inspection, and stating all other matters required by law to be stated, and specifying October 12, 2023, at 7:15 p.m., on that day, as the time and the Town Hall located at 132 Kings Highway, Warwick, New York, as the place where the said Town Board would meet to consider said map, plan and report, and to hear all persons interested in the subject thereof concerning the same, and to take such action thereon as is required or authorized by law; and

WHEREAS, such order was duly published and posted as required by law; and

WHEREAS, permission of the State Comptroller to create such district may be required because the cost is to be financed by bonds or other evidence of indebtedness; and

WHEREAS, a hearing on said matter was duly held by said Town Board on October 12, 2023 at 7:15 p.m. of that day, at the Town Hall located at 132 Kings Highway, Warwick, New York, and full discussion of the matter having been duly heard, and after due consideration; and

DETERMINED AND ORDERED:

Based on the map, plan and report, the Environmental Assessment Form, reviewed by this Board, and the recommendations of the Town's engineering consultant, and for the reasons set forth in the SEQRA Negative Declaration attached hereto, this Board determines that this action will not have a significant adverse impact on the environment.

BE IT FURTHER DETERMINED AND ORDERED:

a) That the notice of hearing was published and posted as required by law and is otherwise sufficient.

b) That all property and property owners, within the proposed district, are benefited thereby.

c) That all the property and property owners benefited are included within the limits of the proposed district.

d) That it is in the public interest to create Hillside Water District; and

BE IT FURTHER DETERMINED AND ORDERED, that the owner of property with the district created shall provide all service connections; and

BE IT FURTHER DETERMINED AND ORDERED, that the Town Clerk shall cause a certified copy of this Order to be duly recorded in the Office of the Clerk in County of Orange, New York, and such Clerk shall also within ten (10) days after adoption of this Order, cause a certified copy thereof to be filed in duplicate in the Office of the State Department of Audit and Control at Albany, New York.

SCHEDULE "A"
SECTION/BLOCK/LOT

57-1-1.1	57-1-1.2	57-1-2.2
57-1-4	57-1-6	57-1-7
57-1-9.1	57-1-10	57-1-12.1
57-1-13.1	57-2-1.1	57-2-1.21
57-2-1.22	57-2-3	57-2-4
57-2-5	57-2-6	57-2-7
57-2-8	57-2-8	57-2-9
57-2-10	57-2-12	57-2-14

A copy of the map entitled "Hillside Water District" dated April 27, 2012, prepared by Leggette, Brasheurs, & Graham, Inc. Engineering is on file at the Orange County Clerk's Office.

ROLL CALL VOTE:

Names	Ayes	Nays	Abstain	Absent
Supervisor Sweeton	X			
Councilman DeAngelo	X			
Councilman Kowal	X			
Councilman Gerstner	X			
Councilman Shuback	X			
TOTAL	5	0	0	0

This resolution is subject to a permissive referendum.

Discussion: Supervisor Sweeton asked for one amendment and that would be to state that the annual cost to the typical property owner will be less than the existing charge.

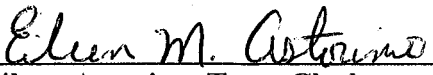
Motion Carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

BILLS: Motion Councilman Gerstner, seconded Councilman Kowal 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 Motion carried (5 ayes, 0 nays) 7:56 p.m. 10-12-23 CP.


Eileen Astorino, Town Clerk

Date: 10/13/2023
Time: 8:07:48AM

Selective Check Register
TOWN OF WARWICK

User: BONNIE
Page: 1

Including all check statuses

For Bank Id ST and Check Number from 066296 to 066395

BANK ID	CHECK #	STATUS	VENDOR #	VENDOR NAME	CHECK DATE	RECONCILE / VOID DATE	AMOUNT EFT	DP
ST	066296	O	ACUTY SPE	ACUTY SPECIALTY PRODUCTS, INC.	10/13/2023		186.11	
ST	066297	O	AFLAC00000	AFLAC-NEW YORK	10/13/2023		2,523.60	
ST	066298	O	AGL00000000	AGL WELDING SUPPLY CO. INC.	10/13/2023		393.66	
ST	066299	O	ALFI000000	ALFI'S UNIFORMS, INC.	10/13/2023		1,917.85	
ST	066300	V	ALTEVA TEL	WWT	10/13/2023		0.00	
ST	066301	O	ALTEVA TEL	WWT	10/13/2023		3,474.45	
ST	066302	O	AMAZONCAP	AMAZON CAPITAL SERVICES, INC.	10/13/2023		594.98	
ST	066303	O	AMERICANNA	AMERICAN NATIONAL RED CROSS	10/13/2023		240.00	
ST	066304	O	AMI SERVIC	AMI SERVICES, INC.	10/13/2023		675.00	
ST	066305	O	BOWERSRENE	RENEE BOWERS	10/13/2023		400.00	
ST	066306	O	CABLEVISIO	OPTIMUM	10/13/2023		962.34	
ST	066307	O	CHEMSEARCH	CHEMSEARCH	10/13/2023		364.13	
ST	066308	O	COUNTRY TI	SOUTH STREET TIRE & AUTO REPAIR	10/13/2023		1,329.78	
ST	066309	O	CUNNINGHAM	KILEY CUNNINGHAM	10/13/2023		1.81	
ST	066310	O	DASHLOCK&K	DASH LOCK & KEY OF MIDDLETOWN INC.	10/13/2023		1,058.00	
ST	066311	O	DAUBERTSILA	DAUBERTS LAWN SERVICES, INC.	10/13/2023		3,400.00	
ST	066312	O	DOMBROWSKI	DOMBROWSKI'S LAWN	10/13/2023		623.99	
ST	066313	O	DOWSER LLC	DOWSER LLC	10/13/2023		70.86	
ST	066314	O	DUTCHESSRE	DUTCHESS COUNTY RESOURCE RECOVERY AGENCY	10/13/2023		150.00	
ST	066315	O	EASTCOASTE	EAST COAST EMERGENCY LIGHTING, INC.	10/13/2023		3,498.72	
ST	066316	O	ELANCITYIN	ELAN CITY, INC.	10/13/2023		6,700.00	
ST	066317	O	ELEGANTLAN	ELEGANT LANDSCAPING AND LAWN CARE	10/13/2023		1,916.67	
ST	066318	O	ENV/LABWOR	ENVIRONMENTAL LABWORKS, INC.	10/13/2023		730.00	
ST	066319	O	EVOQUAWATE	EVOQUA WATER TECHNOLOGIES, LLC	10/13/2023		3,900.00	
ST	066320	O	FERRECDAWN	DAWN/FERREC	10/13/2023		50.00	
ST	066321	O	FL SENIORS	FLORIDA SEWARD SENIORS	10/13/2023		3,019.00	
ST	066322	O	FLEET PRID	FLEETPRIDE	10/13/2023		1,867.54	
ST	066323	O	FLOR-WICK	FLOR-WICK FRIENDS	10/13/2023		4,720.00	
ST	066324	V	G AND T000	G AND T AUTO PARTS INC.	10/13/2023		0.00	
ST	066325	O	G AND T000	G AND T AUTO PARTS INC.	10/13/2023		4,088.98	
ST	066326	O	GLOBAL MON	GLOBAL MONTELLO GROUP CORP.	10/13/2023		17,073.54	
ST	066327	O	GONZALEZBA	BARTOLO GONZALEZ	10/13/2023		50.00	
ST	066328	O	GREENNW DPW	GREENWOOD SUPPLY	10/13/2023		63.73	
ST	066329	O	GURDA OILO	GURDA OIL CO.	10/13/2023		1,743.50	
ST	066330	O	H2OINNOVAT	H2O INNOVATIONS LLC	10/13/2023		58,354.40	

Date: 10/13/2023
Time: 8:07:48AM

Selective Check Register

TOWN OF WARWICK

Including all check statuses

For Bank Id ST and Check Number from 066296 to 066395

User: BONNIE
Page: 2

BANK ID	CHECK #	STATUS	VENDOR #	VENDOR NAME	CHECK DATE	RECONCILE / VOID DATE	AMOUNT EFT	DP
ST	066331	O	HARTY JASON	JASON HARTY	10/13/2023		200.00 ✓	
ST	066332	O	HIA HOMEOO	HIA HOME INSPECTIONS	10/13/2023		2,062.50 ✓	
ST	066333	O	HUMANE SOC	WARWICK VALLEY HUMANE SOCIETY	10/13/2023		9,166.67 ✓	
ST	066334	O	INTER WAST	INTERSTATE WASTE SERVICE	10/13/2023		302.00 ✓	
ST	066335	O	J.M. ELECT	J.M. ELECTRIC & SON INC.	10/13/2023		15,100.00 ✓	
ST	066336	O	J.P. COOKS.	J.P. COOKE COMPANY	10/13/2023		145.00 ✓	
ST	066337	O	KAYTES0000	LEO KAYTES FORD INC.	10/13/2023		1,058.52 ✓	
ST	066338	O	KONICA REP	KONICA MINOLTA BUSINESS SOLUTIONS USA INC	10/13/2023		88.42 ✓	
ST	066339	O	KRYSTAL CL	KRYSTAL KLEANING LLC	10/13/2023		800.00 ✓	
ST	066340	O	L-TRON COR	L-TRON CORPORATION	10/13/2023		1,061.86 ✓	
ST	066341	O	LAROE RIDG	LAROE RIDGE DEVELOPERS, LLC	10/13/2023		1,500.00 ✓	
ST	066342	O	LIBERTY000	RENTOKIL PEST CONTROL/J C EHRlich CO, INC.	10/13/2023		247.15 ✓	
ST	066343	O	MATELJOANN	JOANNA MATEI	10/13/2023		200.00 ✓	
ST	066344	O	MCGLOIN JO	JOHN A MCGLOIN	10/13/2023		7,500.00 ✓	
ST	066345	O	MCKENIZEJE	JENNIFER MCKENIZE	10/13/2023		300.00 ✓	
ST	066346	O	MICHAELSPE	PEGREEN MICHAELS	10/13/2023		200.00 ✓	
ST	066347	O	MONTGOMER	MONTGOMERY OVERALL SERVICES, INC.	10/13/2023		72.00 ✓	
ST	066348	O	MUELLEJANS	RUTH MUELLEJANS	10/13/2023		1,000.00 ✓	
ST	066349	O	NUTRIENAGS	NUTRIEN AG SOLUTIONS, INC	10/13/2023		1,540.00 ✓	
ST	066350	O	NYS UNEMPL	NEW YORK STATE UNEMPLOYMENT INSURANCE	10/13/2023		73.50 ✓	
ST	066351	O	OFFICE-JUS	OFFICE OF THE STATE COMPTROLLER	10/13/2023		6,701.00 ✓	
ST	066352	O	ORANGE MUN	ORANGE COUNTY MUNICIPAL PLANNING FEDERATION	10/13/2023		150.00 ✓	
ST	066353	O	ORANGE/ROC	ORANGE AND ROCKLAND UTILITIES	10/13/2023		2,297.53 ✓	
ST	066354	O	PADHAM-MAS	MELISSA PADHAM-MAASS	10/13/2023		300.00 ✓	
ST	066355	O	PANCO00000	PANCO	10/13/2023		113.89 ✓	
ST	066356	O	PARTNERS S	PARTNERS IN SAFETY INC.	10/13/2023		72.00 ✓	
ST	066357	O	PEAK000000	PEAK POWER SYSTEMS, INC.	10/13/2023		545.00 ✓	
ST	066358	O	PECKHAMMAT	PECKHAM INDUSTRIES INC.	10/13/2023		125,101.08 ✓	
ST	066359	O	PITTINGARO	PITTINGARO & DOETSCH CONSULTING ENGINEERS, PC	10/13/2023		525.00 ✓	
ST	066360	O	QLT.CONSUM	QLT	10/13/2023		13.35 ✓	
ST	066361	O	QUILL00000	QUILL CORPORATION	10/13/2023		0.00 ✓	
ST	066362	O	QUILL00000	QUILL CORPORATION	10/13/2023		713.69 ✓	
ST	066363	O	RINGSQUARE	RINGSQUARED TELECOM LLC	10/13/2023		378.72 ✓	
ST	066364	O	ROE0000000	ROE BROTHERS	10/13/2023		5,169.41 ✓	
ST	066365	O	RS LANDSCA	RS LANDSCAPING LLC	10/13/2023		990.00 ✓	

Date: 10/13/2023
Time: 8:07:48AM

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TOWN OF WARWICK

Including all check statuses

For Bank Id ST and Check Number from 066296 to 066395

BANK ID	CHECK #	STATUS	VENDOR #	VENDOR NAME	CHECK DATE	RECONCILE / VOID DATE	AMOUNT EFT	DP
ST	066366	O	RUDY, NANCY	NANCY RUDY	10/13/2023		24.00	✓
ST	066367	O	SCHMICK SU	SCHMICK SURVEYING, INC.	10/13/2023		7,500.00	✓
ST	066368	O	SCHMIDT500	SCHMIDT'S WHOLESALE, INC.	10/13/2023		19.00	✓
ST	066369	O	SEM SECURI	SEM SECURITY SYSTEMS, INC	10/13/2023		3,596.24	✓
ST	066370	O	SHELTERPOI	SHELTER POINT LIFE INSURANCE COMPANY	10/13/2023		1,543.05	✓
ST	066371	O	STATEFIRE	STATE FIRE EQUIPMENT LLC	10/13/2023		607.00	✓
ST	066372	O	STERLINGCC	CARDMEMBER SERVICES	10/13/2023		359.27	✓
ST	066373	O	STO-COTE00	STO-COTE PRODUCTS, INC.	10/13/2023		664.99	✓
ST	066374	O	STRAUBS000	STRAUB'S WELDING INC.	10/13/2023		1,650.00	✓
ST	066375	O	STRAUS0000	STRAUS NEWSPAPERS	10/13/2023		62.00	✓
ST	066376	O	TAM ENTERP	TAM ENTERPRISES, INC	10/13/2023		2,797.40	✓
ST	066377	O	TEMPLEBETH	TEMPLE BETH SHALOM	10/13/2023		200.00	✓
ST	066378	O	TEXASREFIN	TEXAS REFINERY CORP	10/13/2023		808.80	✓
ST	066379	O	TILCON0000	TILCON NEW YORK, INC.	10/13/2023		3,786.89	✓
ST	066380	O	TJSERVICE0	TJ SERVICE	10/13/2023		125.00	✓
ST	066381	O	TMOBILEUSA	T-MOBILE USA INC	10/13/2023		676.00	✓
ST	066382	O	TOLBTMAIL	TOLLS BY MAIL	10/13/2023		9.48	✓
ST	066383	O	TRACTOR SU	TRACTOR SUPPLY CREDIT PLAN	10/13/2023		899.99	✓
ST	066384	O	TRISTATEPA	TRI-STATE PAPER & CLEANING SUPPLY	10/13/2023		1,110.00	✓
ST	066385	O	USA BLUEBO	USA BLUEBOOK	10/13/2023		519.11	✓
ST	066386	O	VAISGATEL	VAIS GATE LAUNDRY & DRY CLEANING	10/13/2023		686.70	✓
ST	066387	O	VELLENGACO	VELLENGA CONSTRUCTION LLC	10/13/2023		12,680.00	✓
ST	066388	O	VERIZON000	VERIZON	10/13/2023		46.97	✓
ST	066389	O	WADESONS00	WADESON'S HOME CENTER	10/13/2023		418.07	✓
ST	066390	O	WARWICK RE	WARWICK GENERAL RENTAL	10/13/2023		2,632.00	✓
ST	066391	O	WB MASONCO	W.B. MASON CO, INC.	10/13/2023		316.66	✓
ST	066392	O	WESTRANS,L	WESTRANS, LLC	10/13/2023		160.00	✓
ST	066393	O	WILTONREAS	WILTON REASSURANCE LIFE COMPANY OF NEW YORK	10/13/2023		743.82	✓
ST	066394	O	WYLONGEMIL	EMILY WYLONG	10/13/2023		500.00	✓
ST	066395	O	YOUNGMANSK	KIMBERLY YOUNGMANS	10/13/2023		200.00	✓

Bank ID: ST Name: STERLING NATIONAL BANK Checking Account #: 6700102810

To the Supervisor:

I certify that the vouchers listed above were audited by the town Board on 10/13/23 and allowed in the amounts shown. You are hereby authorized and directed to pay to each of the claimants the amount opposite his name.

10/13/23 Date [Signature] Deputy Town Clerk

Bank ID Totals: 357,173.37
Report Totals: 357,173.37

Date: 10/03/2023
Time: 9:09:07AM

User: BONNIE
Page: 1

Selective Check Register

TOWN OF WARWICK

Including all check statuses

For Bank Id ST and Check Date from 10/02/2023 to 10/02/2023

BANK ID	CHECK #	STATUS	VENDOR #	VENDOR NAME	CHECK DATE	RECONCILE / VOID DATE	AMOUNT EFT DP
ST	066284	O	PALMIERIL2	LAURIE PALMIERI	10/02/2023		300.00 ✓
Bank ID:	ST	Name:	STERLING NATIONAL BANK	Checking Account #:	6700102910	Bank ID Totals:	300.00
						Report Totals:	300.00

Reissue of check
approved at 9.14.23 meeting

To the Supervisor:

I certify that the vouchers listed above were audited by the town Board on 10/12/23 and allowed in the amounts shown. You are hereby authorized and directed to pay to each of the claimants the amount opposite his name.

10/13/23 Date
[Signature] Deputy Town Clerk