The regular meeting of the Town Board of the Town of Warwick was held on Thursday, September 28, 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 - Absent

Councilman Floyd DeAngelo Councilman Russell Kowal Councilman Kevin Shuback

Attorney for the Town, Jay Myrow - Absent

DPW Commissioner, Ben Astorino

Police Chief, John Rader 1<sup>St</sup> Sergeant, Alton Morley

DISCUSSION: REVOCATION OF 20 MILLERS LANE

Supervisor Sweeton — We did have testimony from the owners of 20 Millers Lane and that was one revocation that we were considering. They came to say they understood the issues that they were cited for and that they were moving to correct them. I did get a text message today from the neighbor saying that it appears they've attempted to take down some of the listing issues they had, there still may have been an issue with a few more cars, so I think the Board needs to think about for our next meeting what kind of resolution you want to do, is this an opportunity to give them a second chance or not. I just will say as a general note I think the feeling of the Board is two strikes your out, not three. If the decision of the Board is to give them that second opportunity there will be no third opportunity for a violation and that does put the onus back on the owner of the Airbnb, is that your understanding?

Town Board - Yes.

Supervisor Sweeton – I will prepare a resolution for you for the next meeting for your consideration.

#### MOMENT OF SILENCE:

Supervisor Sweeton asked the public to pause for a moment of silence in memory of a dear employee, Scott Brady.

## ACCEPTANCE OF MINUTES

- 1. Regular Meeting- September 14, 2023
- 2. Revocation Hearing September 14, 2023 (20 Miller Lane) Motion Councilman Shuback, seconded Councilman DeAngelo to accept the minutes as written from the Regular Meeting held on September 14, 2023 and the Revocation Hearing for 20 Miller's Lane held on September 14, 2023.

Motion Carried (4 Ayes, 0 Nays & 1 Absent Councilman Shuback absent)

## **CORRESPONDENCE:**

NYS LOCAL RETIREMENT SYSTEM – Letter dated August 23, 2023 to the Town Comptroller regarding the retirement date of Kelly Chirico.

JOHN RADER – Chief of Police, Town of Warwick. Memo dated September 22, 2023 to the Supervisor recommending the appointment of Matthew A. Laya as a Full-time officer.

SIMONIA BROWN – Assistant Comptroller, NY State. Email dated September 21, 2023 to the Town Supervisor congratulating the Town Board, Fiscal Team and all our employees for once again helping to obtain a perfect fiscal stress (less) score.

KARA J. CAVALLO – Attorney, J&G Law. Letter dated September 21, 2023 to the Town Board regarding 2023-2024 Certiorari Proceedings.

ARIANA DALTON – Letter dated September 1, 2023 to the Town Board requesting to be added to the list of Marriage Officiants for the Town of Warwick.

BARRY G. O'NEIL – Resident, Village of Warwick. Letter dated August 9, 2023 Board requesting to be added to the list of Marriage Officiants for the Town of Warwick.

MARK TIANO – P.E. Regional Design Engineer, NYS DOT. Letter dated September 14, 2023 to the Town Supervisor regarding NY Route 94/17A Improvements Project.

DEIDRE ELLIS – Clerk, West Milford. Email dated September 14, 2023 to the Clerk regarding Ordinance 2023-021 Adopted; Ordinances 2023-024; 2023-025; 2023-026; and 2023-027 introduced.

PAULETTE WILK RUDY – Secretary, Pine Island Fire District. Letter dated September 29, 2023 to the Town Clerk regarding the Pine Island Fire District annual budget hearing for the proposed 2024 budget.

LAURA BARCA – Planning Board Engineer, Town of Warwick. Letter dated September 25, 2023 to the Town Board recommending a partial release of a performance bond for Pioneer Farm.

CONNIE SARDO – Planning Board Secretary, Town of Warwick. Letter recommending an Escrow Refund back to Planning Board Applicant, Cerref LLC Site Plan & Special Use Permit (631 County Route 1).

# BOARD'S DISCUSSION ON CORRESPONDENCE

## VISITING ELECTED OFFICIALS

# REPORTS OF BOARDS AND COMMISSIONS

## **COMMITTEE REPORTS**

## DEPARTMENT OF PUBLIC WORKS REPORT

WORK BEING DONE		REASON FOR WORK
CULVERT PIPES	Silo Ln.	Replace 80' x 12" culvert pipe
		Replace 300' x 18" culvert pipe
		Replace 80' x 24" culvert pipe
CATCH BASINS	Royal Ct.	Rebuild basin
DRAINAGE	Belivale Lakes Rd.	Clear ditches various locations
PAVE ROAD	Penaluna Rd.	Pave road
MOWING	Town wide	Mow roadsides
BALL FIELDS	Town wide	Mow & maintain
POT HOLES	Town wide	Fill with hot mix
VEHICLE MAINT.	As needed	
EMERG. REPAIRS	As needed	
ROAD SIGNS	Town wide	Replace as needed

#### 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

## COUNCILMAN DE ANGELO REPORT

- 1. The Post Report for August 2023 is as follows: Greenwood Lake had 104 calls, the Town outside the Village had 531 calls, Pine Island had 192 calls, the Village of Warwick had 457 calls and the Greenwood Lake Volunteer Ambulance District had 49 calls for a total of 1,333 for the month of August.
- 2. The Warwick Valley Humane Society has a job opening for a full-time Animal Control officer. You just be 21 years of age or older, clean drivers' licenses and background and be able to work weekends, have assigned night calls, animal experience preferred and must live within 20 minutes of the Warwick Animal Shelter. Please call the shelter at 845-986-2473 to apply.
- 3. This was the last call to register for Warwick Humane's 7<sup>th</sup> Annual Fore the Animals golf outing on October 4<sup>th</sup> at the Golf Course at Mansion Ridge in Monroe. The event includes 18 holes, cart, continental breakfast, shot cart, hot dogs on the turn, lunch, prizes and contests. All proceeds will benefit our Critical Care Fund for animals needing emergency medical care. You can register at wyhumane.org/event.
- 4. The Warwick Valley Humane Society will be at the Applefest on October 1st on South Street next to the railroad tracks with animal related items for sale. All proceeds will benefit our homeless pets.

#### COUNCILMAN KOWAL REPORT

COUNCILMAN GERSTNER REPORT - Absent

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#### **COUNCILMAN SHUBACK REPORT**

#### **ATTORNEY'S REPORT - Absent**

#### TOWN CLERK'S REPORT

1. I would like to wish my parents a Happy 60th Wedding Anniversary.

### SUPERVISORS REPORT

- 1. The Town is in the process of its Town Budget. The Tentative Budget is due to the Clerk on October 3<sup>rd</sup>, which we will deliver. The Preliminary Budget which is generally close to what we adopt will be introduced on November 1<sup>st</sup> and there will be a budget hearing here in this room on November 9<sup>th</sup> and the adoption of the budget will be by law on November 16<sup>th</sup>.
- 2. Applefest is this Sunday, it gets very congested. I know the Chief has made great arrangements for the safety of everyone who attends, so we thank him for that. Come out and have fun, it's going to be a beautiful day.
- 3. Journal entries were made with the Comptroller and for the Boards information they were in order and I did double check them.

4. 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:**

# #R2023-337 REQUEST TO BE ADDED TO MARRIAGE OFFICIENT LIST – ARIANA DALTON

Motion Councilman Kowal, seconded Councilman Shuback to adopt a resolution to add Ariana Dalton to the Town of Warwick Marriage Officiant list.

Motion Carried (4 ayes, 0 nays & 1 Absent —Councilman Gerstner absent) Supervisor Sweeton declared this resolution duly adopted.

# #R2023-338 REQUEST TO BE ADDED TO MARRIAGE OFFICIENT LIST - BARRY G. O'NEILL

Motion Councilman DeAngelo, seconded Councilman Shuback to adopt a resolution to add Barry G. O'Neill to the Town of Warwick Marriage Officiant list.

Motion Carried (4 ayes, 0 nays & 1 Absent – Councilman Gerstner absent) Supervisor Sweeton declared this resolution duly adopted.

# #R2023-339 APPOINT JACOBOWITZ AND GUBITS, LLP – 2022-2023 TAX CERTIORARI PROCEEDINGS

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

That the Town of Warwick Town Board hereby appoints J&G Law, LLP, to represent the Town in the tax certiorari proceedings commenced against the Town to contest the 2023-24 assessment rolls in the following matters:

- 1. Koithara Akasalsa (Index No. EF004672-2023)
- 2. 123 Windermere LLC c/o CVS Pharmacies (Index No. EF004894-2023)

Motion Carried (4 ayes, 0 nays & 1 Absent -Councilman Gerstner absent) Supervisor Sweeton declared this resolution duly adopted.

# #R2023-340 AMEND #R2023-303 ACCEPT RESIGNATION FOR RETIREMENT PURPOSES POLICE DISPATCHER - KELLY CHIRICO

Motion Councilman DeAngelo, seconded Councilman Shuback to amend resolution #R2023-303 ACCEPT RESIGNATION FOR RETIREMENT PURPOSES POLICE

DISPATCHER - KELLY CHIRICO changing the resignation date of Police dispatcher Kelly Chirico for the purpose of retirement from August 25, 2023 to August 26, 2023.

Motion Carried (4 ayes, 0 nays & 1 Absent -Councilman Gerstner absent) Supervisor Sweeton declared this resolution duly adopted.

## #R2023-341 APPOINT FULL-TIME POLICE OFFICER - MATTHEW A. LAYA

Motion Councilman DeAngelo, seconded Councilman Shuback to adopt a resolution to appoint Matthew A. Laya as a full-time police officer Step 1, as specified in the PBA Collective Bargaining Agreement at a rate of pay \$35.47 per hour effective September 30, 2023.

Motion carried (4 ayes, 0 nays & 1 Absent – Councilman Gerstner Absent) Supervisor Sweeton declared this resolution duly adopted.

# #R2023-342 APPOINT PRINCIPAL ACCOUNT CLERK - KIMBERLY CONNER

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to appoint Kimberly Conner as a Principal Account Clerk, Grade 7, Step 1 as specified in the CSEA contract at a pay rate of \$30.58 per hour effective September 30, 2023.

Motion carried (4 ayes, 0 nays & 1 Absent — Councilman Gerstner Absent) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that Kim has been in our office and has done an exceptional job and came up to speed in about a week and is now performing all of the functions necessary in that office, so well done.

## #R2023-343 REQUEST TO SERVE ALCOHOL – NATALIE COZZO

Motion Councilman Kowal, seconded Councilman Shuback to adopt a resolution granting permission to Natalie Cozzo to serve alcohol at the Mountain Lake Park on October 21, 2023. Certificate of Liability and Liquor Liability Insurance is on file in the Clerk's office.

Motion carried (4 ayes, 0 nays & 1 Absent – Councilman Gerstner Absent) Supervisor Sweeton declared this resolution duly adopted.

## #R2023-344 REQUEST TO SERVE ALCOHOL - KIM MANDARINO

Motion Councilman Shuback, seconded Councilman Kowal to adopt a resolution granting permission to Kim Mandorino to serve alcohol at the Union Corners Park on October 7, 2023. Certificate of Liability and Liquor Liability Insurance is on file in the Clerk's office.

Motion carried (4 ayes, 0 nays & 1 Absent – Councilman Gerstner Absent) Supervisor Sweeton declared this resolution duly adopted.

# #R2023-345 RELEASE PERFORMANCE BOND – PIONEER SUBDIVISION 12-14 CARROLL DRIVE, SBL# 52-1-26.24 & 52-1-26.23

Motion Supervisor Sweeton, seconded Councilman Shuback to adopt a resolution for a partial release of Performance Bond for Pioneer Subdivision 12-14 Carroll Drive, SBL # 52-1-26.24 & 52-1-26.23 in the amount of \$9,510.00 to Mr. Jason Hartman pending authorization from Pioneer Farm/Matthew Hedge.

Motion carried (4 ayes, 0 nays & 1 Absent – Councilman Gerstner Absent) Supervisor Sweeton declared this resolution duly adopted.

# #R2023-346 ACCEPT PROPOSAL FOR (7) DELL DESK TOP PC & (7) DELL MONITORS- EDMONDS GOV TECH

Motion Councilman Kowal, seconded Councilman DeAngelo to adopt a resolution to accept proposal from Edmonds GovTech for (7) seven Dell Desk Tops and (7) seven Dell Monitors including installation in an amount not to exceed \$10,185.00.

Motion carried (4 ayes, 0 nays & 1 Absent – Councilman Gerstner Absent) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that this has been budgeted.

## #R2023-347 REFUND PLANNING BOARD ESCROW CERREF LLC

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to refund the remaining escrow back to Planning Board Applicant Cerref LLC in the amount of \$1,604.25 in regards to SBL# 12-2-18.1 as per recommendation letter from the Planning Board Secretary dated September 7, 2023.

Motion carried (4 ayes, 0 nays & 1 Absent – Councilman Gerstner Absent) Supervisor Sweeton declared this resolution duly adopted.

# #R2023-348 ACCEPT PROPOSAL FOR PROGRAMMING EVOQUA SAND FILTER – RAYMOND NEBIKER

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to accept a proposal for programming the Evoqua Sand Filters at the Town Sewer Distract No. 1 from Raymond Nebiker at a cost of \$5,000.00.

Motion carried (4 ayes, 0 nays & 1 Absent – Councilman Gerstner Absent) Supervisor Sweeton declared this resolution duly adopted.

## #R2023-349 PROMOTE DETECTIVE TO SERGEANT – FREDERICK M HOFFMAN

Motion Councilman DeAngelo, seconded Councilman Kowal to promote Detective Frederick M, Hoffman to the position of Town of Warwick Sergeant at Step 18 as specified in the PBA Collective Bargaining Agreement at a pay rate of \$60.30 per hour, effective September 30, 2023.

Motion carried (4 ayes, 0 nays & 1 Absent – Councilman Gerstner Absent) Supervisor Sweeton declared this resolution duly adopted.

Police Chief Rader – Just for the Boards future reference we're going to try and do this as a practice of the police department as we hire, promote, move people around we'll bring them to a Board Meeting and you can see who the fine men and women in blue are downstairs. Tonight's a good night and once again I want to thank Supervisor Sweeton and the Town Board for their support of the police department. Tonight, we will be introducing two of our new hires, issuing shields to our new recruits, congratulating a part time officer on becoming full time and promoting a new sergeant. Each of these represents hard work in some form.

We will begin with 2 seasoned police professionals; can I please have Officers Foresteri and Staszeski please come up. I am introducing these two officers to the Board; we hired them this past summer as additional School Resource Officers in the Greenwood Lake Middle School. School Superintendent Sarah Hadden and the School Board have been ahead of the curve when it comes to school safety and security. Beginning this September, we now have two police officers in the Greenwood Lake Middle School every day. The police department would like to introduce Officer William Staszeski and Matthew Foresteri. Will is a retired New York City Police Officer and had a distinguished career including supervising their mounted unit. Matt is a retired New York State Police Sergeant having had many assignments in his career including the Governor's protection detail. Both are residents of the Town of Warwick and have already made a positive impact in the school. The hard work they have already done in their previous careers has prepared them for this assignment, where they are protecting our most precious cargo, the children. They are both excellent additions to our department.

If I could have Officers Donnelly, Paul, Semprivivo and King please come up. This past summer we hired four part time police officers. Their hard work in their career began on day 1 of the academy and will continue well past their graduations this coming December. Tonight, we will be issuing shields to them. Each shield comes with the hard work if the past as they have been worn by other officers in our 51-year history. With these shields comes the honor and the distinction of the service given to this community by the ones that wore them before them. It is now your responsibility to continue that tradition.

Officer Curtis Paul is a recent college graduate and had worked security at St. Anthony's Hospital. He came highly recommended and has already been placed in a leadership role in his academy class. Recruit Paul will be wearing Shield #25.

Brian Donnelly was born and raised in the Town of Warwick, he is second generation Town Employee. His mother Doreen recently retired from the Town and is still missed to this day. Brian hit the ground running hard on day one of the academy and unfortunately suffered a medical emergency and other injuries and is recovering as we speak. Brian will be in the next class as soon as he is cleared to return. We wish him a speedy recovery and an even faster return to basic training. He will be wearing Shield #19. Congratulations and welcome aboard.

Dylan Semprivivo started with us as a part time dispatcher. He was a quick learner and was able to finish his training early and fill a big void we had in the schedule last winter. Dylan is a volunteer firefighter with the Chester Fire Department. He will be wearing Shield #21. Welcome aboard Dylan.

They are not twins but it seems like they are. Ryan King also started with us as a part time dispatcher. In a similar fashion to Dylan, Ryan picked up on his responsibilities very quickly and also helped fill voids in our schedule and to keep overtime at a minimum. He

too is a volunteer firefighter with the Chester Fire Department. he will be wearing Shield #23. Welcome aboard Ryan.

I would like to have Officer Matthew Laya please come up. Tonight, the Town Board approved part time Police Officer Matthew Laya as a full-time police officer. This distinction is tremendous in the sense that Officer Laya has not only chosen law enforcement as his job but he has chosen serving the Town of Warwick as his career. Officer Laya's dedication to this department showed recently when he turned down offers to remain here. Matt started in January of 2021 attending the Orange County Police Academy. He was able to begin working solo shifts in January of 2022. These last 21 months working on an average of 8 shifts a month, Matt made over 20 arrests and has been the assisting officer in 20 others. He's handled 66 criminal cases and the assisting officer in 43 others. He has issued 204 tickets, handled over 1,000 calls and has been the assisting officer in 231 others. Officer Laya exemplifies what a Town of Warwick Police Officer is and we are proud to add him to our full-time force.

Finally, not last and not least, Sergearnt Harter and Slesinksi can you join us up here. We are extremely happy tonight to be promoting a sergeant to fill the vacancy that was created when Sergeant Marsh retired in July. Detective Frederick Michael Hoffman Jr. began his law enforcement career with the NYPD in 1999. He started with the Town of Warwick in 2005. He was promoted to detective in 2008. As a detective he has investigated or assisted in some of the most serious cases that not only resulted in arrest, but they resulted in convictions. These major cases include arsons, intentional homicides, robberies, fatal motor vehicle accidents and vehicular homicides. He is currently on the Orange County White Collar Crime Task Force, the Orange County Fire Investigation Unit as a certified Arson Investigator, he's our Counter Intelligence Officer and has made officer safety one of his top priorities. Even when he is on a scheduled day off or on vacation, we get important bulletins forwarded to us. Detective Hoffman mentors our new officers and is an excellent addition to our supervisory staff. Here with him tonight is his wife Stephanie, if I can have you, please come up and Detective Hoffman. Stephanie will be pinning Detective Hoffmans new shield as we welcome him as a Sergeant of the Town of Warwick Police Department. we congratulate him on this well-deserved accomplishment and will give him our full support to keep up the great work. Congratulations Sergeant.

In closing once again I would like to thank the Town Supervisor and the Board for their continued support of the mission of the police department. Retired Chief McGovern and I met today and he too wanted to express his gratitude to the Board and his congratulations to everyone here tonight. Thank you.

Supervisor Sweeton – Congratulations to the officers and well-deserved promotions, welcome to the new recruits, we look forward to having you on the force going forward in the future and the town is very proud of the work that you do. People don't understand how difficult it is even in a small town, but you do it well, you do it professionally and we're grateful, so thank you all.

BILLS: Motion Councilman DeAngelo, seconded Councilman Shuback to pay the bills as audited. Motion Carried (4 ayes, 0 nays & 1 Absent – Councilman Gerstner Absent)

## 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 Shuback that the regular meeting be adjourned. Motion Carried Motion carried (4 ayes, 0 nays & 1 Absent – Councilman Gerstner Absent) 7:51 p.m. 09-28-23 CP.

Eileen Astorino, Town Clerk

Date: 09/26/2023 Time: 3:03:07PM

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TOWN OF WARWICK

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TOWN OF WARWICK

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ST	066209	0	CHAMPIONEL.	EVATOR CORP	09/29/2023	1,604.25
ST	066210	0	CINTASCORP	CINTAS CORPORATION	09/29/2023	315.46
ST	066211	0	COMMREALPR	ANCE	09/29/2023	244.89
ST	066212	0	CORSITIRE0		09/29/2023	2,713.80
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ST	066227	0	GRANTGRAPH	GRANT GRAPHICS, LLC 1911 COMMAND TO SERVE STATES	2.00	13,283.96
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ST	066229	0	GREENWOODT		1.09/29/2023	0.00
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Date: 09/29/2023 Time: 9:47:52AM

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TOWN OF WARWICK

Including all check statuses

For Bank Id ST and Check Number from 066197 to 066283

	1,0/2,155.85	Report Fotals:	Ze				ð			
		BOST TOTAL	0					•		
	1,072,155.85	Bank ID Totals:		Checking Account #: 6700102910	Checking Acc	STERLING NATIONAL BANK	Name:	Daily ID.		
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v	4,999.00		09/29/2023		WICKHAW WORKS	VALCADAM, VAC		066262	ને -	g c
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	8,750.00		09/29/2023		UBICQUIA, INC	UBICQUIAIN		066375	<del>.</del> .	vi o
	250.00		09/29/2023			ומוסטווייויי	D (	066274	<del>-</del> 1	Ņ
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	0.00		00/00/0000		TILCON NEW YORK INC	TILCON0000	0	066272	37	Ś
	1,253.50		09/29/2023		TILCON NEW YORK, INC.	TILCON0000	* <u>*</u>	066271	34	S
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		VOID DATE				STADD HAILE	D	782880	TS	S
되   당	AMOUNT FET DP	RECONCILE /	CHECK DATE		VENDOR NAME	US VENDOR#	STATUS	CHECK #	BANK ID	

To the Supervisor:

I certify that the vouchers listed above were audited by the town. Board on 5-28-23 and allowed in the amounts shown. You are hereby authorized and directed to pay to each of the claimants the amount opposite his name.

16-2-23 Date

Town Clerk