AGENDA – TOWN BOARD MEETING November 17, 2022 7:30pm

REGULAR MEETING:

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

ACCEPTANCE OF MINUTES

- 1. Public Hearing Proposed Introductory Local Law #6 of 2022 to Exceed Two Percent Property Tax Cap October 27, 2022
- 2. Public Hearing- Proposed Introductory Local Law #7 of 2022 establishing a six-month Moratorium Prohibiting the review and approval of Short-term Rental Permit Applications in the town of Warwick October 27, 2022
- 3. Regular Meeting- October 27, 2022
- 4. Public Hearing –MS4 Annual Report, November 3, 2022
- 5. Regular Meeting- November 3, 2022
- 6. Public Hearing: 2023 Preliminary Budget, November 10, 2022
- 7. Public Hearing: 2023 Special District Budget, November 10, 2022

REGULAR MEETING:

CORRESPONDENCE:

ALLISON WAGNER – Greenwood Lake Commission. Email dated November 7, 2022 to the town Clerk regarding the Greenwood Lake Commission regular meeting for November has been cancelled and the regular scheduled meeting for December will be on December 14, 2022 at the Senior Center in the Village of Greenwood Lake.

BRENDA FAULLS – Receiver of Taxes, Town of Warwick. Letter dated November 7, 2022 to the Town Board regarding her retirement.

PAULETTE WILK RUDY – Secretary, Pine Island Fire District. Letter dated November 4, 2022 to the Town Clerk regarding the public notice of the annual election for the Pine Island fire District.

DODY A. NICHOLAS – Secretary, Greenwood Lake Joint Fire District. Letter dated November 4, 2022 to the Town Clerk regarding the public notice of the annual election for the Greenwood Lake Joint fire District.

MELISSA SHAW-SMITH - WICKHAM WORKS. Love Local Maker Market on Friday, November 25th, 2022 10am – 5pm, Lewis Park, Warwick, NY. At this festive holiday market in downtown Warwick you can bring the family and shop local, support small artisan run businesses, and find beautiful and unique gifts. There are more than forty vendors to browse offering handmade creations ranging from body care products to housewares, jewelry, fashion and decorative art. \$3 suggested admission supports two local community non-profits, the Warwick Historical Society and Wickham Works. Rain date: Saturday, November 26th.

THOMAS PRIOR- Part-time Police Officer, Town of Warwick. Letter received on November 8, 2022 to Chief Rader in regards to his retirement.

CONNIE SARDO – Planning Board Secretary, Town of Warwick. Letter dated November 9, 2022 to the Town Board requesting an Escrow refund for the Ball Farm Lot line Change.

DIANE J. BRAMICH – Member, Town of Warwick Zoning Board of Appeals. Letter dated November 9, 2022 to the Town Board requesting to be re-appointed to the Zoning Board of Appeals.

BENNY MUTO – Owner, Benito's Pizza. Letter dated November 10, 2022 notifying the Town that he will be renewing the liquor license at Benitos located at 32 Ronald Reagan Blvd.

KINGSLEY ONYECHE – Transportation Analyst, NYSDOT. Letter dated October 24, 2022 to Michael Villarosa from the Orange County DPW regarding Study# 822-6386/file # 33.37-180 County Road 84 (Long Meadow Road) Town of Warwick, Orange County T22-099. The NYSDOT's review revealed that conditions on the subject segment of roadway do not support a lower maximum speed limit.

DEIDRE ELLIS - Clerk's Office, Town of West Milford. Email dated November 3, 2022 to the Clerk regarding West Milford Township Ordinance 2022-053 and Ordinance 2022-054 Introduced. Ordinance 2022-053 - ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AMEND AND SUPPLEMENT CERTAIN PORTIONS OF CHAPTERS 420 "LAND USE PROCEDURES" AND 500 "ZONING" SECTION 500-90 FARM ANIMALS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP. Ordinance 2022-054 -ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, **STATE OF NEW JERSEY TO AMENDING CHAPTER 500-ZONING SECTION 500-68** FENCES, WALLS AND SIGHT TRIANGLES OF THE REVISED GENERAL **ORDINANCES OF THE TOWNSHIP**

BENJAMIN ASTORINO – Planning Board Chairman, Town of Warwick. Letter to the Town Board dated October 19, 2022 regarding Zoning § 164-73.

SUZANN GREENHILL- Secretary, Florida Fire District. Email dated November 15, 2022 regarding the adopted 2023 budget.

BOARD'S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

| Drainage | Iron Mountain Rd. | Vac Leaves |
|--------------------------|---------------------|-----------------------------|
| | Sandfordville Rd. | Vac Leaves |
| | Sleepy Valley Rd. | Vac Leaves |
| | Cascade Rd. | Vac Leaves |
| Ditch Work | Covered Bridge Rd. | Clean ditches |
| | Bowen Rd. | Clean ditches |
| | Schoolhouse Rd. | Clean ditches |
| Pave road | Old Forge Rd. | Pave road with 2" hot mix |
| Tree Work | Old Dutch Hollow Rd | Clean up storm debris |
| | Cascade Rd. | Clean up debris |
| | Ryerson Rd. | Clean up storm debris |
| Pot Holes | Town Wide | Fill with hot mix |
| Vehicle Maint. | As Needed | |
| Emergency Repairs | As Needed | |
| Road Signs | Town wide | Replace as needed |
| Haul Material | Stockpile | Haul road grit to stockpile |
| Water Dept. | Jersey Ave. | Replace curb box |
| Town Park | All Parks | Winterize |

PARKS DEPARTMENT

| Union Corners Park | Open (Bathrooms Closed) | Town |
|-----------------------------------|--------------------------------|----------------|
| Mountain Lake Park Camp | Open | Town |
| Town of Warwick Dog Park | Open | Town |
| Airport Road Park | Open (Bathrooms Closed) | Town |
| Cascade Park | Open | Town |
| Wickham Woodland Park | Open | Town |
| Wickham Passive Boat Launch | Closed | Town |
| Pine Island Park | Open (Bathrooms Closed) | Town |
| Thomas P. Morahan Waterfront Park | Beach Closed | Village of GWL |
| Ben Winstanley Park | Open | Village of GWL |
| Village of GWL Dog Park | Open | Village of GWL |

ENVIRONMENTAL CONSULTANTS REPORT OCTOBER 2022

Wickham Water District

| Wells #11 | 1,776,300 gal |
|--------------------------|---------------|
| Average daily use | 57,300 gal |
| Sodium Hypochlorite used | 100 qt |
| Orthophosphate used | 40 qt |
| Caustic Soda | 20 gal |

Bellvale Park Water District

| Total monthly production | 88.200 gal | |
|--------------------------|------------|--|
| Average daily use | 2,800 gal | |
| Sodium Hypochlorite used | 8 qt | |

Eurich Heights Water District

| Total monthly production | | 182,600 gal |
|--------------------------|--|-------------|
| Average daily use | | 5.900 gal |
| Sodium Hypochlorite used | | 18 qt |
| Orthophosphate used | | 12 qt |
| | | |

206,900 gal

6,700 gal

Pine Island Water District Total monthly production Average daily use

| Sodium Hypochlorite used | 16 qt |
|----------------------------|-------|
| | |
| Westside #1 Water District | |

| Total monthly production | 1,776,700 gal |
|--------------------------|---------------|
| Average daily use | 57.300 gal |
| Sodium Hypochlorite used | 110 qt |
| Orthophosphate used | 40 qt |
| Caustic Soda | 60 gal |

The Fairgrounds

| Total monthly production | 139,700 gal |
|--------------------------|-------------|
| Average daily use | 4,500 gal |
| Sodium Hypochlorite used | 10 qt |

The Warwick Tech Park

| Total monthly production | 442,400 gal |
|--------------------------|-------------|
| Average daily use | 14,245 gal |
| Sodium Hypochlorite used | 60 qt |

Sewer District #1 Wastewater Treatment Facility

| Warwick Tech Park | 111,370 gal | 3% |
|--|------------------------------|------|
| Wickham Village District | 1,841,983 gal | 52% |
| Kings Estates District | 1,613,937 gal | 45% |
| Total District Flow | 3,567,290 gal | 100% |
| Average Daily Flow | 115,074 gal | |
| All facility maintenance has been done for the m | oonth. (Oil grease, filters) | |

The belt press ran for 30 hrs. and 2 gal of polymer was used.

| Sewer District #2 Wastewater Treatment Facility – The Fair | rgrounds |
|--|------------|
| Total District Flow | 92,965 gal |
| Average Daily Flow | 2,998 gal |
| COUNCILMAN DE ANGELO REPORT | |
| COUNCILMAN KOWAL REPORT | |
| COUNCILMAN GERSTNER REPORT | |
| COUNCILMAN SHUBACK REPORT | |
| ATTORNEY'S REPORT | |

TOWN CLERK'S REPORT

3. Unofficial Town of Warwick and Orange County Districts Election Results – The unofficial election results for the November 8, 2022 Elections according to the Orange County Board of Elections is as follows as of November 9, 2022: You can find the most

Official Results on the Orange County Board of Election's Website when all the absentee ballots have been counted

Political Party Key:

DEM – Democratic CON- Conservative LRO – LaRouche **REP- Republican** WOR- Working Families

Governor / Lieutenant Governor (Vote 1)

| Candidate | Party | Orange County | # of Votes in Warwick |
|-----------------|----------|---------------|------------------------------|
| Kathy C. Hochul | | | |
| Antonio Delgado | DEM, WOR | 53,007 | 5,797 |
| Lee Zeldin | | | |
| Alison Esposito | REP, CON | 68,086 | 7,939 |
| Write-in | | 193 | - |

Comptroller (Vote 1)

| Candidate Party | | Orange County | # of Votes in Warwick | |
|-------------------------|---------------------|----------------------|-----------------------|--|
| Thomas DiNapoli | s DiNapoli DEM, WOR | | 6,107 | |
| Paul Rodriguez REP, CON | | 60,806 | 7,419 | |
| Write -in | | 63 | - | |

Attorney General (Vote 1)

| Candidate | Party | Orange County | # of Votes in Warwick | |
|---------------------------|-------|---------------|-----------------------|--|
| Letitia A. James DEM, WOR | | 55,091 | 5,622 | |
| Michael Henry REP, CON | | 63,806 | 7,633 | |
| Write-in | | 65 | - | |

United States Senator (Vote 1)

| Candidate | Party | Orange County | # of Votes in Warwick | |
|-----------------|----------|----------------------|-----------------------|--|
| Charles Schumer | DEM, WOR | 56,810 | 5,997 | |
| Joe Pinion | REP, CON | 61,993 | 7,464 | |
| Diane Sare | LRO | 488 | 53 | |
| Write-in | | 87 | - | |

Representative in Congress 18th District (Vote 1)

| Candidate Party | | Orange County | # of Votes in Warwick |
|---------------------------|--|---------------|-----------------------|
| Pat Ryan DEM, WOR | | 54,401 | 5,912 |
| Colin J. Schmitt REP, CON | | 64,184 | 7,608 |
| Write-in | | 81 | - |

State Senator 42nd District (Vote 1)

| Candidate | Party | Orange County | # of Votes in Warwick | |
|------------------|----------|----------------------|-----------------------|--|
| James G. Skoufis | DEM, WOR | 48,445 | 6,133 | |
| Dorey Houle | REP, CON | 47,265 | 7,324 | |

| Write-in 35 - |
|---------------|
|---------------|

Member of Assembly 98th District (Vote 1)

| Candidate | Party | Orange County | # of Votes in Warwick | |
|---------------------------|-----------------|---------------|-----------------------|--|
| Bruce M. Levine | e M. Levine DEM | | 5,353 | |
| Karl A. Brabenec REP, CON | | 20,279 | 8,009 | |
| Write-in | | 12 | - | |

Sheriff (Vote 1)

| Candidate | Party | Orange County | # of Votes in Warwick | |
|----------------------|-------|---------------|-----------------------|--|
| Bernie Rivers DEM | | 46,764 | 5,567 | |
| Paul Arteta REP, CON | | 69,807 | 7,786 | |
| Write -in | | 103 | - | |

State Supreme Court Justice (Vote 7)

| Candidate | Party | Orange County |
|------------------------|----------|---------------|
| Anne E. Minihan | DEM, CON | 55,354 |
| Linda M. Murray | REP | 55,904 |
| David J. Squirrell | DEM, CON | 51,180 |
| Richard Guertin | REP | 59,247 |
| Amy Puerto | DEM | 48,612 |
| John A. Sarcone III | REP, CON | 58,310 |
| Keri A. Fiore | DEM | 48,237 |
| John Ciampoli | REP, CON | 61,094 |
| Elena M. Velazquez 🛛 | DEM, CON | 48,834 |
| Robert S. Cypher Jr. | REP | 51,057 |
| Sherri Eisenpress | DEM, CON | 46,669 |
| Joseph I. Farca | REP | 51364 |
| David S. Zuckerman | DEM, CON | 51,450 |
| Michael J. Grace | REP | 51,548 |
| Write-in | | 335 |

Ballot Proposal 1:

A PROPOSITION

Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022

| Yes | 63,755 |
|-----|--------|
| No | 44,024 |

SUPERVISORS REPORT

- 1. CPF Receipts for October
- 2. Speed Reduction Long Meadow Rd- Denied by NYS
- 3. Toys for Military Tots-drop off at Town Hall
- 4. Happy and Blessed Thanksgiving
- 5. Journal entries

6. <u>Supervisors Corner</u> – Published each week in the Warwick Dispatch, with excerpts printed in the Warwick Advertiser.

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

NEW BUSINESS:

- 1. ADOPT 2023 TOWN PRELIMINARY AND SPECIAL DISTRICT BUDGETS
- 2. AUTHORIZE SUPERVISOR TO SIGN AMENDMENT TO AN AGREEMENT HOMELAND TOWERS
- **3. REFUND ESCROW BALL FARM LOT LINE CHANGE**
- 4. ACCEPT RESIGNATION PART-TIME POLICE OFFICER THOMAS PRIOR
- 5. ACCEPT PROPOSAL FOR INTERIOR INSPECTION OF WESTSIDE WATER DISTRICT STORAGE TANK – PITTSBURG TANK & TOWER GROUP
- 6. AUTHORIZE THE SUPERVISOR TO SIGN AGREEMENT- TOWN OF WARWICK POLICE BENEVOLANT ASSOCIATION (PBA)
- 7. ACCEPT RESIGNATION RECEIVER OF TAXES BRENDA FAULLS
- 8. APPOINT ANA KANZ- RECEIVER OF TAXES
- 9. ACCEPT LOMBARDO/DPPRWAYTO, LLC SUBDIVISION ROAD DEDICATION STRIPS – TAYLOR & JESSUP ROADS SBL# 18-1-31.2
- 10. AUTHORIZE SUPERVISOR TO SIGN WORK AGREEMENT CHIEF JOHN RADER
- 11. ACCEPT PROPOSAL CEDARWOOD ENGINEERING SERVICE PLLC
- 12. RE-APPOINT ZONING BOARD OF APPEALS MEMBER DIANE BRAMICH
- **13.** REQUEST TO SERVE ALCOHOL –BEVERLY BRAXTON
- 14. REQUEST TO SERVE ALCOHOL –KIM CORKUM
- 15. AUTHORIZE THE SUPERVISOR TO SIGN MEMBER PARTICIPATION AGREEMENT – COMP ALLIANCE
- 16. SCHEDULE PUBLIC HEARING INTRODUCTORY LOCAL LAW NO. 8 OF 2022 – MODIFY CHAPTER 164 ENTITLED "ZONING" SECTION 73 C TO EXTEND DEADLINE FOR FILING CONDITIONALLY APPROVED SUBDIVISIONS, SITE PLANS OR SPECIAL USE PERMIT APPLICATIONS
- 17. ESTABLISH LEAD AGENCY INTRODUCTORY LOCAL LAW NO. 8 OF 2022 MODIFY CHAPTER 164 ENTITLED "ZONING" SECTION 73 C TO EXTEND DEADLINE FOR FILING CONDITIONALLY APPROVED SUBDIVISIONS, SITE PLANS OR SPECIAL USE PERMIT APPLICATIONS
- 18. SEQR INTRODUCTORY LOCAL LAW NO. 8 OF 2022 MODIFY CHAPTER 164 ENTITLED "ZONING" SECTION 73 C TO EXTEND DEADLINE FOR FILING CONDITIONALLY APPROVED SUBDIVISIONS, SITE PLANS OR SPECIAL USE PERMIT APPLICATIONS
- 19. ACCEPT RESIGNATION BUILDING DEPARTMENT ACCOUNT CLERK DANA TUCK
- 20. APPOINT DATA ENTRY OPERATOR- DANA TUCK

BILLS:

PRIVILEGE OF THE FLOOR (GENERAL)

RECONVENE:

ADJOURN:

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

THIS INDENTURE made the

day of September, two thousand twenty-two,

BETWEEN DOORWAYTO, LLC having a mailing address at 22 Taylor Road, Warwick, New York 10990, party of the first part, and the TOWN OF WARWICK, a municipal corporation with offices at 132 Kings Highway, Warwick, New York 10990, party of the second part,

WITNESSETH that the party of the first part, in consideration of ONE AND 00/100 (\$1.00) DOLLAR, lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land situate in the Town of Warwick, County of Orange, State of New York, more particularly described on Schedule "A" attached hereto and made a part hereof, for highway purposes.

BEING AND INTENDED to be a portion of the premises described in a deed dated November 2, 2021, from Norma Jean Fusco to Doorwayto, LLC, recorded in the Orange County Clerk's Office on December 13, 2021 in Liber 15112 at Page 316.

Tax Map Reference: Portion of SBL 18-1-31.2.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above-described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

(The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.)

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

DOORWAYTO, LLC

By:

Tanya Lombardo, Manager

STATE OF NEW YORK)

COUNTY OF ORANGE

>ss:

)

On the _____ day of September in the year 2022, before me, the undersigned, a Notary Public in and for said State personally appeared Tanya Lombardo personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity and that by his/her/their signature(s) on the instrument the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

LANC & TULLY ENGINEERING AND SURVEYING, P.C.

John J. O'Rourke, R.E., Principal David E. Higgins, P.E., Principal John Queenan, R.E., Principal

з**с**, ,

Rodney C. Knowlton, L.S., Principal Jerry A. Woods, L.S., Principal John D. Russo, P.E., Principal John Lanc, P.E., L.S. Arthur R. Tully, P.E.

AUGUST 29, 2022

DESCRIPTION PARCEL "B" – LOMBARDO/DOORWAYTO, LLC SUBDIVISION TOWN OF WARWICK ORANGE COUNTY, NEW YORK

All that certain plot, piece, or parcel of land situate in the Town of Warwick, County of Orange, State of New York, said lands being shown as Parcel "B", a 25' wide strip dedicated to the Town of Warwick on a map entitled "Subdivision Plan Prepared For Lombardo/Doorwayto, LLC, Subdivision, Town of Warwick, Orange County, New York", dated September 30, 2005, last revised August 29, 2022; prepared by Lanc & Tully Engineering and Surveying, P.C., said lands being more particularly bounded and described as follows:

Beginning at a point marked by an iron rod lying on the southeasterly line of Jessup Road, said point being the southwesterly corner of lands now or formerly DeJong and the northwesterly corner of Lot 1, as shown on the previously mentioned map; thence running along the northwesterly line of said Lot 1 being the southeasterly line of lands herein described (1) South 38°-16'-32" West, as per Liber 15112 of Deeds at Page 316, a distance of 216.03 feet to an iron rod being the southerly corner of lands herein described, the westerly corner of said Lot 1 and lying on the northeasterly line of lands now or formerly SunDown Properties, Inc.; thence running along a portion of the northeasterly line of lands of said SunDown Properties, Inc. being the southwesterly line of lands herein described (2) North 48°-04'-00" West, a distance of 25.05 feet to a point being the westerly corner of lands herein described and lying at the centerline of Jessup Road; thence running along the approximate centerline of said Jessup Road, being the northwesterly line of lands herein described (3) North 38°-16'-32" East, a distance of 189.24 feet to a point being the northwesterly corner of lands herein described (4) North 83°-03'-21" East, a distance of 35.49 feet to the point or place of beginning.

Containing 0.116± acres.

Premises herein described being a portion of Tax Map Lot No. 31.2, in Block 1, within Section 18, as shown on the Tax Maps of the Town of Warwick, Orange County, New York, dated 2021.

Premises herein described being a portion of the same premises as described in Liber 15112 of Deeds at Page 316, as filed in the Orange County Clerk's Office.

Premises herein described being subject to any other easements, rights-of-way, covenants or restrictions of record.

parcel.b.fusco.desc.docx

(845) 294-3700 • P.O. Box 687, Route 207, Goshen, N.Y. 10924 • FAX (845) 294-8609 www.lanctully.com

LANC & TULLY ENGINEERING AND SURVEYING, P.C.

John J. O'Rourke, P.E., Principal David E. Higgins, P.E., Principal John Queenan, P.E., Principal

Rodney C. Knowlton, L.S., Principal Jerry A. Woods, L.S., Principal John D. Russo, P.E., Principal John Lanc, P.E., L.S. 'Arthur R. Tully, P.E.

AUGUST 29, 2022

DESCRIPTION PARCEL "A" – LOMBARDO/DOORWAYTO, LLC SUBDIVISION TOWN OF WARWICK ORANGE COUNTY, NEW YORK

All that certain plot, piece, or parcel of land situate in the Town of Warwick, County of Orange, State of New York, said lands being shown as Parcel "A", a 25' wide strip dedicated to the Town of Warwick on a map entitled "Subdivision Plan Prepared For Lombardo/Doorwayto, LLC Subdivision, Town of Warwick, Orange County, New York", dated September 30, 2005, last revised August 29, 2022, prepared by Lanc & Tully Engineering and Surveying, P.C., said lands being more particularly bounded and described as follows:

Beginning at a point marked by an iron rod, lying on the southwesterly line of Taylor Road, said point lying on a westerly line of lands now or formerly Flordale Realty, Inc. and being the southeasterly corner of lands herein described and the easterly corner of Lot 9, as shown on the previously mentioned map; thence running along the northeasterly line of said Lot 9 and continuing along northeasterly and northerly lines of Lots 1 & 2 as shown on the previously mentioned map, being southwesterly and southerly lines of lands herein described on the following thirteen (13) courses and distances: (1) North 53°-13'-20" West, as per Liber 15112 of Deeds at Page 316, a distance of 32.54 feet; (2) North 47°-22'-06" West, a distance of 77.23 feet; (3) North 42°-26'-08" West, a distance of 77.81 feet to a stone cairn; (4) North 34°-28'-10" West, a distance of 52.55 feet; (5) North 23°-11'-05" West, a distance of 51.77 feet; (6) North 06°-43'-44" West, a distance of 49,78 feet; (7) North 01°-22'-02" West, a distance of 84.68 feet; (8) North 11°-26'-54" West, a distance of 36.06 feet; (9) North 30°-10'-58" West, a distance of 30.37 feet; (10) North 63°-25'-24" West, a distance of 30.42 feet; (11) North 81°-55'-52" West, a distance of 86.94 feet; (12) North 85°-24'-12" West, a distance of 71.08 feet; and (13) North 85°-59'-40" West, a distance of 486.75 feet to a point marked by an iron rod being the southwesterly corner of lands herein described, said point lying on the easterly line of lands now or formerly Wallenburg and being the northwesterly corner of Lot 2 as shown on the previously mentioned map; thence running along a portion of the easterly line of lands of said Wallenburg and continuing to the centerline of Taylor Road, being the westerly line of lands herein described (14) North 07°-14'-34" East, a distance of 25.04 feet to a point being the northwesterly corner of lands herein described; thence running along the approximate centerline of said Taylor Road being northerly and northeasterly lines of lands herein described on the following thirteen (13) courses and distances: (15) South 85°-59'-40" East, a distance of 485.34 feet; (16) South 85°-24'-12" East, a distance of 72.10 feet; (17) South 81°-55'-52" East, a distance of 91.77 feet; (18) South 63°-25'-24" East, a distance of 41.96 feet; (19) South 30°-10'-58" East, a distance of 41.96 feet; (20) South 11°-26'-54" East, a distance of 42.39 feet; (21) South 01°-22'-02" East, a distance of 85.71 feet; (22) South 06°-43'-44" East, a distance of 44.99 feet; (23) South 23°-11'-05" East, a distance of 45.69 feet; (24) South 34º-28'-10" East, a distance of 48.33 feet; (25) South 42º-26'-08" East, a distance of 74.99 feet; (26) South 47º-22'-06" East, a distance of 74.88 feet; and (27) South 53°-13'-20" East, a distance of 21.64 feet to a point being the northeasteriv corner of lands herein described and lying on a westerly line of lands now or formerly Flordale Realty, Inc.; thence running along a portion of the westerly line of lands of said Flordale Realty, Inc., being the easterly line of lands herein described (28) South 15°-43'-15" West, a distance of 26.79 feet to the point or place of beginning.

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DESCRIPTION PARCEL "A" -- LOMBARDO/DOORWAYTO, LLC SUBDIVISION TOWN OF WARWICK ORANGE COUNTY, NEW YORK

Containing 0.671± acres.

Premises herein described being a portion of Tax Map Lot No. 31.2, in Block 1, within Section 18, as shown on the Tax Maps of the Town of Warwick, Orange County, New York, dated 2021.

Premises herein described being a portion of the same premises as described in Liber 15112 of Deeds at Page 316, as filed in the Orange County Clerk's Office.

Premises herein described being subject to any other easements, rights-of-way, covenants or restrictions of record.



NOTICE OF ANNUAL ELECTION GREENWOOD LAKE JOINT FIRE DISTRICT

PLEASE TAKE NOTICE that the Annual Election of the Greenwood Lake Joint Fire District will take place on December 13, 2022, between the hours of 6:00 P.M. and 9:00 P.M. at the firehouse located at 17 Mountain Lakes Lane, Greenwood Lake, New York for the following purpose:

To elect one (1) Fire District Commissioner for a five (5) year term commencing January 1, 2023 and ending December 31, 2027.

All residents of the Greenwood Lake Joint Fire District, who are duly registered to vote with the Orange County Board. of Elections on or before November 21, 2022 shall be entitled to vote at this election.

Any person desiring to have his or her name appear on the ballot for the above office must have filed a petition, specifying the office by term expiration date for which the name should appear, signed by at least twenty-five (25) qualified electors of the Fire District, with the Secretary of the Fire District, not later than November 23, 2022.

DODY A. NICHOLAS, SECRETARY GREENWOOD LAKE JOINT FIRE DISTRICT

NOTICE OF ANNUAL ELECTION <u>PINE ISLAND FIRE DISTRICT</u>

PLEASE TAKE NOTICE, that the Annual Election of the Pine Island Fire District will take place on December 13, 2022, between the hours of 6:00 p.m. and 9:00 p.m. at the firehouse located on County Route 1, Pine Island, New York for the following purpose:

To elect one (1) Fire District Commissioner for a five (5) year term commencing January 1, 2023 and ending December 31, 2027.

All residents of the Pine Island Fire District who are duly registered to vote with the Orange County Board of Elections on or before November 21, 2022 shall be entitled to vote at this election.

Any person desiring to have his or her name appear on the ballot for the above office must have filed a petition, signed by at least twenty-five (25) qualified electors of the Fire District, with the Secretary of the Fire District not later than November 23, 2022.

PAULETTE WILK RUDY, SECRETARY PINE ISLAND FIRE DISTRICT

NOTICE OF ELECTION

Warwick Fire District, Warwick New York

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Board of Fire Commissioners, the annual election of the qualified voters of the Warwick Fire District in the town of Warwick, County of Orange, State of New York, will be held at 25 Church St, Warwick, NY 10990 at the Warwick Fire District, on the 13th day of December 2022, between the hours of 6 p.m. and 9 p.m. for the purpose of electing one (1) Fire District Commissioner for a 5 year term commencing on first day of January, 2023 and ending on the last day of December, 2027.

All duly registered residents of that Warwick Fire District shall be eligible to vote. Individuals wishing to vote must have resided in the Warwick Fire District for at least 30 days preceding the election and must have registered to vote with the Orange County Board of Election on or before Nov 11, 2022.

THEN EITHER:

Any person wishing to be a candidate for a Fire District Office shall file their names with the Secretary of the Warwick Fire District at 25 Church St, Warwick, NY 10990, no later than November 23, 2022.

OR

Any person wishing to be a candidate for a Fire District Office shall file their names with the Secretary of the Warwick Fire District at 25 Church St, Warwick, NY 10990, no later than November 23, 2022, in petition form subscribed by twenty-five qualified voters of the district.

11-10-22

· · · · · ·

Town Clerk J Benny Muto of Benito's P1229 32 R. Rogon Blud will be Renewing our Liquor dicence that expires 12-31-22 RECEIVED thank you! # 2008823 NOV 14 YOLL Town of the railer Town Cicali Berry Unto

Department of Transportation

KATHY HOCHUL Governor

MARIE THERESE DOMINGUEZ Commissioner

> LANCE MacMILLAN, P.E. Regional Director

October 24, 2022

NEW YORK

STATE OF OPPORTUNITY.

RECEIVED

Michael Villarosa, P.E Orange County Department of Public Works P.O Box 509 Goshen, NY 10924 NOV 0 3 2022

Town of Warwick Town Clerk

Re: Study# 822- 6386/ File #: 33.37-180 County Road 84 (Long Meadow Road) Town of Warwick, Orange County T22-099

Dear Mr Villarosa:

Thank you for your correspondence to the New York State Department of Transportation (NYSDOT), dated April 12, 2022 requesting a 35 MPH lower speed limit on County Road 84 between Old Forge Road and Kings Drive in the Town of Warwick.

NYSDOT has completed a review of the existing speed limit on the subject location. The study included field reviews of the geometry, road conditions. There currently is no existing speed limit on this road.

NYSDOT's review revealed that conditions on the subject segment of roadway do not support a lower maximum speed limit. A speed limit set too low often creates significant speed differentials which negatively impact safety. It is the determination of NYSDOT that the speed limit on Long Meadow Road (County Road 84) between Old Forge Road and Kings Drive remain unposted. Motorists should drive to conditions, and not exceed the State Speed Limit of 55 MPH.

Additionally, it is the responsibility of the Orange County Department of Public Works to review these roads and determine what, if any, additional warning signs may be appropriate. The specific type and placement of warning signs must adhere to the specifications outlined in the Federal Manual of Uniform Traffic Control Devices (MUTCD).

Thank you for your interest and support for the transportation system. If you have any questions regarding this matter, please call the Regional Traffic and Safety Group at (845) 437-3320.

Sincerely

C. Kingsley Onyeche Transportation Analyst

cc: The Honorable Eileen Astorino, Clerk, Town of Warwick

Warwick Town Clerk

From: Sent: To:

Subject:

Attachments:

Deidre Ellis (ClerksOffice2@WestMilford.org) <ClerksOffice2@westmilford.org> Thursday, November 3, 2022 10:07 AM

bsmith@bloomingdalenj.net; clerk@butlerborough.com; jbakalarczyk@hardyston.com; clerk@villageofgreenwoodlake.org; mreilly@jeffersontownship.net;

kiuele@kinnelonboro.org; cclipperton@rockawaytownship.org; clerk@ringwoodnj.net; townclerk@vernontwp.com; Warwick Town Clerk; salvatorep@passaiccountynj.org; dimhof@passaiccountynj.org; pcpb@passaiccountynj.org; Pamela Jordan (PlanningBoard@WestMilford.org); Pamela Jordan (ZBOA@WestMilford.org) West Milford Township Ordinance 2022-053 and Ordinance 2022- 054 Introduced 2022-053-AmendChap420Fowl500-90FarmAnimals.pdf; 2022-054-AmendChap500-68FencesWallsSighTriangles.pdf

November 3, 2022

RECEIVED

NOV 0'3 2022

Town of Warwick Town Clerk

TO: Borough of Bloomingdale Borough of Butler Borough of Kinnelon Borough of Ringwood Passaic County Clerk Passaic County Planning Board Township of Hardyston Township of Jefferson Township of Jefferson Township of Vernon Township of Vernon Town of Warwick Township of West Milford Planning Board Village of Greenwood Lake

Re:

Ordinance 2022-053 - ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AMEND AND SUPPLEMENT CERTAIN PORTIONS OF CHAPTERS 420 "LAND USE PROCEDURES" AND 500 "ZONING" SECTION 500-90 FARM ANIMALS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP

Ordinance 2022-054 – ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AMENDING CHAPTER 500-ZONING SECTION 500-68 FENCES, WALLS AND SIGHT TRIANGLES OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP

1

Dear Sir/Madam:

Please take notice that the above Ordinances 2022-053 and 2022--054 were Introduced at a Workshop/Regular Meeting of the Mayor and Governing Body of the Township of West Milford held on November 2, 2022.

Enclosed herewith is a copy of Ordinance 2022-053 and 2022-054 as referenced above.

Deidre Ellis

Deidre Ellis Clerk's Office 973-728-2714

Warning: This email transmission may contain confidential or privileged information. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance on the content of this message is strictly prohibited. If you have received this communication in error, please notify the sender by replying to this message, and then delete it from your system. Although the managing agency attempts to filter e-mails and attachments for viruses, it does not guarantee that either are virus free and accepts no liability for any damage sustained as a result of viruses. This message is automatically appended to each e-mail leaving the managing agency's e-mail system. ----Would you like to Unsubscribe from one of our mailing lists? Please visit our website www.WestMilford.org select the "Services" Tab & then "Email Subscriptions", select the mailing list which you subscribed and use the Unsubscribe box.----

2

Agenda No. XIII 5

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2022 – 053 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AMEND AND SUPPLEMENT CERTAIN PORTIONS OF CHAPTERS 420 "LAND USE PROCEDURES" AND 500 "ZONING" SECTION 500-90 FARM ANIMALS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP

WHEREAS, upon discussion the Township Council of the Township of West Milford finds it desirable and necessary to provide certain clarifications to the standards regulating fowl and farm animals to ensure proper and efficient implementation of same.

NOW, BE IT ORDAINED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that the Land Development Ordinance shall be amended and supplemented as provided herein.

SECTION 1. Chapter § 420 Land Use Procedures

§ 420-6 Definitions

FOWL

Domesticated chickens, ducks, peahens, and the like, excluding roosters and male chickens of any age.

SECTION 2. § 500-90. Farm animals.

- Notwithstanding any other provisions of this chapter, farm animals shall be housed and kept in a Α. manner which will not constitute a public nuisance.
- A minimum tract for the keeping of farm animals shall be: В.
 - One acre for the keeping of horses, except as provided in Subsection B(5) of this section. (1)The number of horses permitted shall be determined by the size of the accessory structure(s) housing the animals, using 100 square feet of roof area per animal as the criteria for determining the number of horses permitted on the property. A minimum of 32 square feet of roof area shall be required per animal.
 - One acre for the keeping of cows, sheep, pigs and goats, except as provided in Subsection (2)B(5) of this section. No more than one animal shall be kept per acre of lot area.
 - One acre for the keeping of poultry and fowl as defined in § 420-6, except as provided in (3) Subsection B(5) of this section and subject to the following standards:
 - There shall be allowed a maximum amount of 12 fowl, as defined in § 420-6, [a] allowed on lots of less than one acre.
 - The keeping of roosters (mature male chickens) and cockerels (young male [b] chickens) is prohibited.
 - No more than 32 animals shall be kept per acre of lot area.
 - [c] [d] Fowl shall be provided with a fully enclosed shelter (coop) and a run or fenced enclosure, with the following requirements:
 - Portable (not permanently affixed to the ground) coops do not require a [1] Zoning Permit Application. Permanent coops must submit a Zoning Permit Application.
 - Coops and runs or fenced enclosures shall meet the Accessory Structure [2] setback requirements per § 500-12 and must be a minimum of 25 feet from any residential dwelling.
 - Coops and shelters shall have a maximum permitted height of twelve (12) [3] feet.

- [e] The shelter and enclosures shall remain in good repair and in a clean and healthy condition, free from the accumulation of waste, free from noxious or offensive odor, and free from any condition which may breed flies or other insects. Slaughtering fowl in public view is prohibited.
- [f] Storage of manure, waste, and odor or dust producing substance shall be kept in a water-tight container, disposed of in accordance with health code and accepted agricultural practices; and such manure and waste storage shall be located at least 15 feet from any lot line and a minimum of 25 feet from any residential dwelling.
- (4) There shall be no minimal lot size for the keeping of rabbits. No more than 25 rabbits shall be kept on lots of one acre or less and no more than 75 rabbits shall be kept on lots of over one acre.
- (5) No farm animals shall be kept on one-acre lots in subdivisions of over five lots which have received major subdivision approval from the West Milford Planning Board. (6) The housing and keeping of all other farm animals is prohibited.
- C. No farm animals shall be kept unless they can be contained on the property of their owner or the agent of their owner.
- D. Any use for the keeping of farm animals prior to the adoption of this chapter shall be considered nonconforming, provided that the owner register the use with the Township Zoning Officer within 90 days of the passage of this chapter.
- E. The provisions of this section shall not apply to farms or commercial horse stables as defined in § 420-6, Definitions.
- **SECTION 3.** If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other section or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.
- **SECTION 4.** All ordinances of the Township of West Milford which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
- **SECTION 5.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
- **SECTION 6.** This ordinance shall take effect immediately upon final passage, approval and publication as required by law.
- **SECTION 7.** This Ordinance may be renumbered for codification purposes.

Introduced: November 2, 2022 Adopted: Effective Date:

TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY

ATTEST:

William Senande, Township Clerk

By:____

Michele Dale, Mayor

Agenda No. XIII 6

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2022 – 054 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AMENDING CHAPTER 500-ZONING SECTION 500-68 FENCES, WALLS AND SIGHT TRIANGLES OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP

WHEREAS, upon discussion the Township Council of the Township of West Milford finds it desirable and necessary to provide certain clarifications to the standards regulating fences, walls and sight triangles to ensure proper and efficient implementation of same.

NOW, BE IT ORDAINED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that the Land Development Ordinance shall be amended and supplemented as provided herein.

SECTION 1. Chapter § 500 Zoning § 500-68. Fences, walls and sight triangles.

- A. All permitted fences shall be situated on a lot in such a manner that the finished side of the fence shall face adjacent properties. No fence shall be erected of barbed wire, topped with metal spikes, or constructed of any material or in any manner which may be dangerous to persons or animals, except that these provisions shall not apply to farms or where necessary for the keeping of farm animals as provided in § 500-90 and except further that fences permitted for commercial and industrial uses may be topped by a barbed wire protective barrier. Moreover, notwithstanding any other provisions of this section, retaining walls which are under four feet in height, part of a larger project certified by an engineer, or on a site plan approved by the Township Engineer do not require a separate zoning or building permit application. Retaining walls over four feet in height require both a zoning and building permit application. Any Township review of the submitted request shall consider the safety and aesthetic aspects of the proposed retaining wall. [Amended 10-20-2021 by Ord. No. 2021-035]
- B. On any lot in any residential district, no wall or fence shall be erected or altered so that such wall or fence is over four feet in height in the front yard areas and six feet in height in the side and rear yard areas except: [Amended 11-4-1998 by Ord. No. 1998-19]
 - (1) A private residential swimming pool area shall be surrounded by a fence at least four feet, but no more than six feet, in height. Swimming pool areas shall be located in rear or side areas only. See § 500-86 for additional standards.
 - (2) A tennis court area, located in rear yard areas only, may be surrounded by a nonopaque fence, a maximum of 15 feet in height. The fence shall be set back from any lot line the distances required for accessory buildings in the zoning district as specified.
 - (3) Buffer areas shall meet the requirements specified in this chapter.
 - (4) Off-street parking, loading, and driveway areas shall meet the requirements specified in § 500-73.
 - (5) Where necessary for the keeping of farm animals as provided for in § 500-90.
- C. On any lot in any nonresidential district, no wall or fence shall be erected or altered so that the wall or fence shall be over three feet in height in the front yard areas and six feet in height in side and rear yard areas. [Amended 11-4-1998 by Ord. No. 1998-19]

- D. Sight triangle easements shall be required at intersections, in addition to the specified right-ofway width, in which no grading, planting or structure shall be erected or maintained except for street signs, fire hydrants, and light standards. The "sight triangle" shall be defined as that area outside of the street right-of-way which is bounded by the intersecting street lines and the straight line connecting "sight 1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I). :1 points," one each located on the two intersecting street center lines; arterial streets at 300 feet; collector streets at 200 feet; and local streets at 90 feet. Where the intersecting streets are both arterials, both collectors, or one arterial and one collector, two overlapping sight triangles shall be required, formed by connecting the "sight point" noted above with a "sight point" 90 feet on the intersecting street. Such easement dedication shall be expressed on the site plans as follows: "Sight triangle deeded for the purposes provided for and expressed in the Land Development Ordinance."
- E. In all zone districts, any walls must be located at least one foot from any property line. Walls are prohibited from being placed within any right-of-way.

SECTION 2. All ordinances of the Township of West Milford, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. No provision of this Ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this Ordinance or from other law.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

SECTION 6. This Ordinance may be renumbered for codification purposes.

Introduced: November 2, 2022 Adopted: Effective Date:

TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY

ATTEST

William Senande, Township Clerk

Michele Dale, Mayor

By:

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| tilties- water | \$800.00 | \$516.00 | \$284.00 | \$800.00 | | · |
| tilities. Sewage | \$500.00 | \$263.75 | \$236,25 | \$500.00 | | |
| pparatus Maintenance & Repairs | \$82,000.00 | \$14,393.40 | \$67,606,60 | \$60,000.00 | | |
| Jarm System | \$750.00 | \$0.00 | \$750.00 | \$750.00 \$1.000.00 | | |
| dvertisment | \$1,000.00 | \$458,52 | \$541,48 | \$10,000.00 | | |
| leaning Services | \$10,000.00 | \$7,129,60 | \$2,870.40 | \$1,500.00 | | |
| ues & Association fees | \$1,500.00 | \$355,00 | \$1,145.00 | \$14,000.00 | | |
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| rofessional Fees Auditor | \$4,000.00 | \$0,00 | \$4,336.00 | \$4,500.00 | | |
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| orkers Compensation Insurance | \$50,000,00 | | \$0.00 | \$0.00 | | |
| ond Principal Redeemption | \$0.00 | \$0.00 | \$0.00 | \$0.00 | | |
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| stimated Revenues | \$3,500.00 | \$14,581.58 | | \$3,500.00 | | |
| stimate Appropriated Unreserved Fund | \$200,000.00 | ······································ | | \$239,000.00 | | |
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| axes to be raised | \$811,200.00 | \$610,870.60 | | \$000,700,00 | | |
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| ssessed valuation | | rate 49.50% | \$246,939,543.43 | 26.47% | \$160,583.63 | \$1.31 |
| own of Goshen | \$122,235,074.00 | 10.85% | \$686,137,382.49 | 73.53% | \$446,136.37 | \$5.99 |
| own of Warwick | \$74,445,906.00 | 10.00 % | \$933,076,925.92 | 100.00% | \$606,700.00 | |
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| ssessed valuation | \$124,279,187.00 | 56.00% | \$221,927,119.64 | 27.12% | \$165,757.68 | \$1.35 |
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| | | , | \$818,314,135.64 | | \$611,200.00 | |

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Warwick Town Clerk

From: Sent: To: Subject: Warwick Town Clerk Tuesday, November 15, 2022 8:58 AM Suzanne Greenhill RE: 2023 Approved Budget

Received. Thank you *Eileen M Astorino Town Clerk/Registrar 132 Kings Highway Warwick, NY 10990 845-986-1124 ext. 246* **Town of Warwick**



From: Suzanne Greenhill <floridafiredistrictsecretary@gmail.com> Sent: Monday, November 14, 2022 6:13 PM To: Warwick Town Clerk <clerk@townofwarwick.org>; clerk@townofwarwick.com Subject: Fwd: 2023 Approved Budget

Hello... Please let me know if the email of the approved budget below was received.

Thank you Suzanne Greenhill Secretary

------ Forwarded message ------From: Suzanne Greenhill <<u>floridafiredistrictsecretary@gmail.com</u>> Date: Tue, Oct 25, 2022 at 2:43 PM Subject: 2023 Approved Budget To: Warwick Town Clerk <<u>clerk@townofwarwick.org</u>>

Please find attached the 2023 Budget that was approved and adopted by the Florida Fire District on October 17, 2022.

1

Please reply with a received message.

Thank you.

Suzanne Greenhill Secretary

TOWN OF WARWICK

132 KINGS HIGHWAY WARWICK, NEW YORK 10990



BUILDING & PLANNING DEPT FAX NO. BUILDING DEPT PLANNING DEPT ENGINEER

(845) 986-1127 (845) 987-9644 EXT. 258/260 EXT. 261 EXT. 275

MEMO

GEIVED NOV 1 5 2022

Town of Warwick

To: Michael Sweeton, Supervisor Town of Warwick Town Board
From: Benjamin Astorino, Planning Board Chairman Town of Warwick Planning Board
Re: Zoning §164-73
Dated: October 19, 2022

Dear Supervisor Sweeton:

The Planning Board recommends that the Town Board amend the Zoning Code §164-73. "Applications submitted and permits issued before the adoption of Chapter" to extend Section "C. Filing Deadline" to January 1, 2024.

These applications have been diligently pursued and would likely have been perfected but for unforeseen delays exacerbated by Covid. For example, there have been ongoing delays in outside Agency approvals, delays in surveying and engineering services primarily due to personnel shortages and delays in the recording of required documents such as offers of dedication, deeds and declarations.

The eligible pending subdivision applications are as follows:

Warwick Isle 33-Lots SBL #3-1-6.21 Wheeler Road Estates 31-Lots SBL #8-2-44.223 Fusco/Lombardo Subdivision 9-Lots SBL #18-1-31.2

Town of Warwick, NY Tuesday, October 18, 2022

Chapter 164. Zoning

Article VII. Miscellaneous Provisions

§ 164-73. Applications submitted and permits issued before adoption of chapter.

A. Eligibility. The Planning Board shall be empowered to continue its consideration and determination of subdivision applications now before the Board under the current Zoning Law known as the "2002 Zoning Law of the Town of Warwick, New York," and as thereafter amended, in the following circumstances:

[Amended 11-18-2010 by L.L. No. 4-2010]

- (1) On the effective date of this Subsection A, the Town Attorney shall certify a list of all pending subdivision applications which have previously been made to the Town Planning Board and have obtained preliminary subdivision approval prior to February 18, 2010.
- (2) For the purpose of this section, a preliminary subdivision application shall be deemed grandfathered only to the extent of lot count (yield) and shall otherwise substantially meet the requirements of the "2010 Zoning Law of the Town of Warwick, New York" and Planning Board rules and regulations currently in effect.
- B. Due diligence.
 - (1) The Planning Board and the applicant shall confer within 45 days of the effective date of this chapter and make a written determination of actions that are required to be completed, in order to allow the Board to make its determination on the matters pending before the Board, and a schedule for undertaking and completing such actions.
 - (2) It shall be the responsibility of each applicant whose application is pending before the Board to appear at each meeting or workshop of the Planning Board as scheduled.
 - (3) In the event that action is not scheduled to be undertaken upon an application at a Planning Board meeting, or if the applicant does not appear to report upon the status of the application, the applicant shall submit to the Planning Board a written statement prior to the meeting, indicating the current status of all items related to the application pending before the Board and the reason, if any, that no action could be taken at that Board meeting.
 - (4) Failure to appear before the Board at any regularly scheduled meeting, or in lieu of appearance, to submit a written status report in a timely manner that reasonably explains the applicant's failure to appear, shall be presumed to be a withdrawal of the pending application, and the application shall be deemed withdrawn at the conclusion of such meeting, with prejudice to its submission under the provision of this section.
 - (5) The Planning Board may waive the provisions of Subsection **B(4)** immediately above upon presentation by the applicant of sufficient evidence of due dillgence or excuse at the next meeting of the Board.

Town of Warwick, NY Applications submitted and permits issued before adoption of chapter.

- C. Filing deadline. The terms of the 2002 Zoning Law of the Town of Warwick, New York, in effect at the time of acceptance of any final conditionally approved subdivision, site plan or special use permit application that is still pending before the Planning Board under the provisions of this section must receive complete approval by the Planning Board and have a map filed, as the case may dictate, in the Town Clerk's office or the Orange County Clerk's office by January 1, 2023. After such time, all such applications shall be subject to the Zoning Law then in effect, unless such application has been filed in sections as per § 137-12D of the Town Subdivision Regulations. [Amended 11-18-2010 by L.L. No. 4-2010; 10-25-2012 by L.L. No. 3-2012; 2-13-2014 by L.L. No. 2-2014; 12-30-2014 by L.L. No. 7-2014; 10-27-2016 by L.L. No. 4-2016; 2-14-2019 by L.L. No. 1-2019; 5-13-2021 by L.L. No. 2-2021]
- D. Construction deadline. All permits issued under the 2002 Zoning Law of the Town of Warwick, New York, shall expire unless construction shall have been diligently prosecuted within four years of the date of the adoption of this chapter. Any extensions may be granted on approval of the Building Inspector for an additional eighteen-month period. After such time, all such permits shall be subject to the Zoning Law then in effect, unless the Planning Board finds just cause for additional extensions.

[Amended 11-18-2010 by L.L. No. 4-2010; 10-25-2012 by L.L. No. 3-2012; 2-13-2014 by L.L. No. 2-2014; 12-30-2014 by L.L. No. 7-2014]