The regular meeting of the Town Board of the Town of Warwick was held on Thursday, October 28, 2021 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 Mickey Shuback Councilman Floyd DeAngelo Councilman Russell Kowal

Attorney for the Town, Jay Myrow DPW Commissioner, Benjamin Astorino Police Chief, Thomas F. McGovern Jr. Police Lieutenant, John Rader

Supervisor Sweeton – We are meeting here tonight at the Senior Center because we have early voting here at Town Hall that goes through Sunday and our meeting room is full of voting equipment. We do not have a live screen but we do have it recording and it will be put on cable channel tomorrow.

ACCEPTANCE OF MINUTES

1. Regular Meeting- October 14, 2021

Motion Councilman Shuback, seconded Councilman Gerstner to accept the minutes as written from the Regular Meeting held on October 14, 2021.

Motion Carried (5 ayes, 0 nays)

CORRESPONDENCE:

MATTHEW K FELTER – Resident, Town of Warwick. Letter to the Town Board received September 23, 2021 regarding fines for 16 Blackrock Road.

JENNIFER L. CROVER – Supervisor of Transportation, Town of Warwick. Email dated October 15, 2021 to the Supervisor regarding the resignation of Diane Nevarez.

TONYA E. CUBBY – Planning Board Secretary, Town of West Milford. Letter dated October 13, 2021 regarding a Notice of Public Hearing in order to consider an amendment to the Master Plan with the adoption of the Sustainable Economic Development Plan as an element of the Township Master Plan pursuant to N.J.S.A. 40:55D-28(7). The Public Hearing has been set for October 28, 2021 at 7:00pm at the West Milford Township Municipal Building.

JENNIFER L. CROVER – Supervisor of Transportation, Town of Warwick. Email dated October 19, 2021 to the Supervisor requesting approval to hire a part-time bus driver.

KARA J. CAVALLO – Jacobowitz & Gubits, Counselors at Law. Letter dated September 13, 2021 regarding the settling of a tax certiorari claim for SBL# 49-2-35.

CONNIE SARDO – Planning Board Secretary, Town of Warwick. Letter dated October 19, 2021 to the Town Board regarding Planning Board Pre-App. Conference Escrow refund request for Chongtul Sherpa.

DEIDRE ELLIS – Clerk's Office, Township of West Milford. Email dated October 21, 2021 to the Clerk regarding adopted Ordinance 2021-035, Amending Chapter 420 Land Use Procedures, Chapter 470 subdivision of land and site plan review, adding a new section to chapter 500-xx exceptions and supplemental regulations to bulk and area requirements and mending Chapter 500-68 Fences, Walls and Sight Triangles and adopted Ordinance 2021-036 to create a new section within chapter 500 zoning "entitled "Medical and Recreational Cannabis Activity" Amended.

DODY NICHOLAS – Secretary/Treasurer, Greenwood Lake Joint Fire District. Email dated October 21, 2021 to the Town Clerk submitting the Adopted 2022 Fire District Budget to the Town Clerk.

ERIK DENEGA – Commissioner, Orange County Department of Public Works Division of Environmental Facilities & Services. Letter dated October 21, 2021 to the Town Board regarding Orange County Transfer Stations Tipping Rates. Single Stream Recycling (SSR) is \$110 per ton. This rate reflects no change. The Haul & Processing bid request for SSR is being re-bid due to some technical issues with the original bid. The SSR rate could be lowered somewhat pending the new bid results. Municipal Solid Waste (MSW)-\$121.25 per ton (2021 rate \$113.50/ton). This rate reflects an increase in the bid price for Haul and Dispose of MSW.

BONNIE KANE – Comptroller, Town of Warwick. Email dated October 25, 2021 to the Clerk regarding increase in pay for part-time employee Denise White.

RON SMITH – Resident, Town of Warwick. Email dated October 21, 2021 to the Supervisor regarding a speed reduction request on East Ridge Road.

NICHOLAS CARBONE- Resident, Town of Warwick. Email dated September 16, 2021 to the Town Supervisor regarding a speed reduction request on Route 17A in the vicinity of Kain and Continental Roads.

SUZANNE GREENHILL – Secretary, Florida Fire District. Email dated October 25, 2021 submitting the adopted 2022 Fire District Budget to the Town Clerk.

JOHN M. GRAHAM – Treasurer, Pine Island Fire Department. Adopted Budget submitted October 27, 2021 to the Town Clerk.

BOARD'S DISCUSSION ON CORRESPONDENCE

Supervisor Sweeton stated that we have a motion later in the meeting for the gentleman who requested the reduction in the penalty from the Building Department charge, so we will discuss that later.

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

Catch Basins	Neiland Drive	Repair Basins
	Green Meadow Rd.	Repair Basins
	Covered Bridge Rd.	Repair Basins
	The Circle	Repair Basins
	Cornfield Ln.	Repair Basins
Pave Road	Cascade Rd.	Pave end of Cascade Rd.
Tree Work	Nelson Rd.	Take down 2 trees with bucket truck
Mowing	Town wide	Mow roadsides
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
Kutz Camp Park (Residents Only)	POOL CLOSED / Fishing Pond Open Only
Town of Warwick Dog Park	Open
Airport Road Park	Open
Wickham Woodland Park	Open
Pine Island Park	Open
Thomas P. Morahan Waterfront Park	NO SWIMMING (No Lifeguards on duty)
Ben Winstanley Park	Open
Village of GWL Dog Park	Open

ENVIRONMENTAL CONSULTANTS REPORT

COUNCILMAN DE ANGELO REPORT

- 1. The Post Report for September 2021 is as follows: Greenwood Lake had 149 calls, the Town outside the Village had 597 calls, Pine Island had 333 calls, the Village of Warwick had 513 calls and the Greenwood Lake Volunteer Ambulance District had 44 calls for a total of 1,636 for the month of September.
 - 2. The Warwick Valley Humane Society Headquarters is now located at 48 Ronald

Reagan Blvd. in Merchant Square. The telephone, fax and email all remain the same. All visitors, volunteers, adoptions and redemptions will continue by appointment only.

- 3. They currently have 9 dogs, 26 adult cats, 29 available kittens and 4 rabbits. They are all looking for forever homes.
- 4. The Warwick Valley Humane Society 's Pet Photos with Santa are back. This year's event will be held at Fetch Bar & Grill at 48 Main Street of Warwick, on Saturday, November 20th from 10:00 a.m. until 12:00 p.m. and children are also welcome. The photos will be taken by a professional photographer with 3 poses for \$25. They are asking for cash and the exact amount is appreciated. All of the proceeds benefit the homeless animals. This is their last fundraiser of the year; no pre-registration and you can call 845-986-2473 for more information.

Supervisor Sweeton – They did get their building permit for the new facility and they are excited about that. This is an organization that has served the town well for 30 or 40 years and we are excited that they are going to get that facility built.

COUNCILMAN KOWAL REPORT

1. If anyone has been out to the Pine Island Park you might have noticed that there's a new string of utility poles that went through there. They are going to reroute the power from Treasure Lane to Glenwood Road. The old power poles at a time only known to O&R will be removed and decommissioned. This will supply power to the water pump, water system, the pavilion and whatever else is out there to supply and I believe there's a submersible well out there. Basically, what they are doing is upgrading the power lines in the area. They managed to avoid the butterfly garden, everything has been avoided and they tried staying on the edge like they promised to. When they get the time, they will get the other lines down and pull those poles out, it will look slightly different but there is no interruption with service there.

Supervisor Sweeton – We attended the Pine Island installation of officers and recognized Joe Maggio as the Citizen of the Year in Pine Island and it was well deserved. We are also working with the Pine Island Chamber and the Pine Island Rec Committee on replacing the gazebo at the Pine Island Park, so that will be a project to look forward to in the spring.

COUNCILMAN GERSTNER REPORT

- 1. As we are all aware our pool up at Kutz Camp is closed. We had a great first year for opening up a little late. The guys did a great job on that. The Board will be meeting to set fees for next year, this year the Board had no fees for the Town of Warwick Residents, but it was well received. Bill Roe gave a report and I need to get the numbers of what we had, but I think it was a great year and I look forward to it. Jerry Sommer rest his soul would have been jumping up and down right now, when I got on the Board he always wanted a town pool and now we have one for Jerry.
- 2. Early voting will be for three more days, tomorrow from 7:00 a.m. until 3:00 p.m. and Saturday and Sunday from 9:00 a.m. until 2:00 p.m. at 7 locations with one being here at Town Hall and Election Day will be on Tuesday at your regular poling sites within the town and county from 6:00 a.m. until 9:00 p.m. Everyone exercise your right to vote and I wish all the candidates well and thank them for running.

COUNCILMAN SHUBACK REPORT

1. The Town DPW has been very busy repairing catch basins at five different locations, on Nelson Road they took down two trees with their bucket truck, mowing townwide where it's needed, filling pot holes with hot mix, road signs were needed, all of the parks are open, Kutz Camp pool is closed and the fishing pond is open only and the Waterfront Park is open with no swimming.

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. GENERAL ELECTION INFORMATION

* General Election will be held on Tuesday, November 2, 2021 from 6:00am – 9:00pm at your scheduled Polling sites. Early Voting will continue to be held at the Warwick Town Hall located at 132 Kings Highway on the following days:

Date Thurs. Oct 28:	Hours of Voting 9 am to 5 pm
Fri. Oct 29:	7 am to 3 pm
Sat. Oct 30:	9 am to 2 pm
Sun. Oct 31:	9 am to 2 pm

- 2. I want to follow up on Councilman Gerstner's announcement regarding the early voting, if anyone has any questions on where they are supposed to vote on Election Day, they can call us in the Clerk's Office and we can help them find what district they are in and where they are to vote.
- 3. Also, a lot of people don't understand that early voting means no matter where you live in Orange County you can vote at any of those 7 poling sites that we have listed on our website and it is also on the Orange County Board of Elections website.

Councilman Gerstner - Orangegov.com.

Town Clerk – a lot of people don't understand if you're in Middletown for lunch even though you live in Warwick you can vote in Middletown if you like.

SUPERVISORS REPORT

1. 2022 Budget has been presented to the Clerk, it currently stands at a very modest 1% increase. For a town resident it equates to about \$11 for the average house, for a village resident who only pays a portion of the tax they would be looking at a \$3.60

increase. It allows us to fund our departments adequately and invest in equipment, road improvements that we need to make, public safety and I think we are very proud of the budget as presented. Next Thursday, November 4th at 7:00 p.m. in the meeting room we will have a hearing on that budget, the Main Budget as well as the Special District Budget. The Special Districts under New York State Law are benefit districts that only people living in that district that benefit from it pay a tax for it. Examples are the water and sewer districts, Kings Estates Park District and essentially those things. We will have a hearing on that preceding the general budget and we encourage residents if they have a question to come out and ask and we will be happy to answer them. Again, I want to thank the employees who worked very hard to present their budgets to the Town Board and I want to thank the Town Board Members for their assistance in helping me craft that budget. I think it's a responsible budget, a conservative budget and one that benefits our town, so we are looking forward to that hearing.

- 2. I did send out an RFP for bids to have the tennis courts, at least one of the tennis courts at the Kutz Camp which had recently been resurfaced to be marked for pickleball. It's a pretty exciting sport for older residents and I had a lot of enquiries from residents about more pickleball areas, so this will create 4 more pickleball courts. We currently have 2 in Pine Island and Warwick has one at Park Avenue School. This will be a good addition and we hope we can get those bids in and then get those lined out in early spring so it's part of the opening of Kutz in a broader sense. I'm kind of excited about that and we'll see what it brings us.
- 3. A public service note, the New York State Department of Public Service is currently conducting a survey authorized by the Comprehensive Broadband Connectivity Act. If you go to the Town of Warwick Website or Facebook Page there are links where you can go to that and fill out that survey for how Broadband service exists in our area. Please do that residents and chime in.
 - 4. The Community Preservation Fund receipts for the month of September were \$159,954.87 which brings the balance currently in the Community Preservation Fund to \$5,561,385.09.
 - 5. I want to give congratulations to the Spartans of Florida they advanced in the soccer tournament they beat a longtime rival that they had not beaten in the past to advance, so good luck to them.
 - 6. The journal entries were made with the Comptroller, they were done, verified and are all in order.
 - 7. Supervisors Corner is published each week in the Warwick Dispatch, with excerpts printed in the Warwick Advertiser.

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

There were no comments or questions on the agenda items.

NEW BUSINESS:

#R2021-275 HALLOWEEN CURFEW

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to impose a curfew in the Town of Warwick against congregating and loitering by those under 18 years of age or younger to begin at 8:00 p.m. on Saturday, October 30, 2021 to 6:00 a.m. on Sunday October 31, 2021 and from 8:00 p.m. Sunday, October 31, 2021 to 6:00 a.m. Monday, November 1, 2021.

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

Discussion: Supervisor Sweeton stated that we don't go out and start hauling people out at 8 this is a reminder to finish up and get home, this has worked well in the past years and give the young kids the opportunity to trick-or-treat really well.

#R2021-276 REDUCE FEES- 16 BLACK ROCK ROAD

Motion Councilman Kowal, seconded Councilman DeAngelo to adopt a resolution to reduce the fee of \$700.00 for fines accrued for the property of Matthew Felter located at 16 Black Rock Road to \$200.00.

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

Discussion: Supervisor Sweeton stated that this was a request sent into us, we evaluated it, he was charged with 3 different things 2 technically finable but in an effort to get the resident in compliance to get his home in a position so he can continue, I think its reasonable to reduce it to the \$200 number.

#R2021-277 APPOINT DIAL-A-BUS DRIVER - SUSAN FIERRO

Motion Councilman DeAngelo. Seconded Councilman Gerstner to adopt a resolution to appoint Susan Fierro as a part-time Dial -A-Bus Bus Driver at a rate of \$18.77 per hour, effective October 29, 2021.

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

#R2021-278 REQUEST TO SERVE ALCOHOL – PETRA WEGE-BEERS

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution granting permission to Petra Wege-Beers to serve alcohol at the Wickham Woodlands Manor on November 13, 2021 for a family party. All New York State regulations, recommendations and mandates must be followed in regards to COVID-19. 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.

#R2021-279 REFUND ESCROW – CHONGTUL SHERPA (SBL#16-1-47.22)

Motion Councilman Kowal, seconded Councilman Gerstner to adopt a resolution to refund the remaining escrow in the amount of \$116.25 back to Chongtul Sherpa for property located at 226 Little York Road, SBL #16-1-47.22 as per letter dated October 19, 2021 from the Planning Board Secretary.

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

#R2021-280 PROCLAMATION - SMALL BUSINESS SATURDAY

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

Whereas, the government of Warwick, New York, celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are 31.7 million small businesses in the United States, they represent 99.7% of firms with paid employees, and they are responsible for 65.1% of net new jobs created from 2000 to 2019; and

Whereas, small businesses employ 47.1% of the employees in the private sector in the United States, 88% of U.S. consumers feel a personal commitment to support small businesses in the wake of the pandemic, and 92% of small business owners have pivoted the way they do business to stay open during the pandemic; and

Whereas, 97% of Small Business Saturday® shoppers recognize the impact they can make by shopping small, 85% of them also encouraged friends and family to do so, too; and

Whereas, 56% of shoppers reported they shopped online with a small business on Small Business Saturday in 2020; and more than 50% of consumers who reported shopping small endorsed a local business on social media or shopped at a local business because of a social media recommendation; and

Whereas, Warwick, New York supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

Whereas, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

Now, Therefore, I, Michael P. Sweeton, Supervisor of the Town of Warwick, New York do hereby proclaim, November 27, 2021, as:

SMALL BUSINESS SATURDAY

And urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

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

#R2021-281 REQUEST SPEED REDUCTION – EAST RIDGE RD. FROM ROUTE 94 TO THE CHESTER BORDER.

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to file the necessary TE9 forms with the County of Orange to request the NYS Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to lower speed limit from 35 mph to 30 mph on East Ridge Road beginning at Route 94 in the Town of Warwick to the Chester Border.

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

Discussion: Supervisor Sweeton stated that this came to the Board from a longtime resident of the road and Chief you would concur with that recommendation on East Ridge?

Police Chief McGovern - I don't object to it.

#R2021-282 SETTLE TAX CERTIORARI CLAIM SBL# 49-2-35- TOWN OF WARWICK ADV. HAMASPIK OF ORANGE COUNTY

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

WHEREAS, HAMASPIK OF ORANGE COUNTY, INC. has commenced a tax certiorari proceeding against the Town of Warwick in the Supreme Court of the State of New York, County of Orange for the 2021-2022 tax assessment year bearing Orange County Index No. EF005498-2021; and

WHEREAS, it appears from the recommendation of the Town Assessor and Kara J. Cavallo, Esq., of Jacobowitz and Gubits, LLP counsel for the Town of Warwick in the aforesaid proceedings, upon a thorough investigation of the claims that further proceedings and litigation by the Town would involve considerable expense with the attendant uncertainty of the outcome and that the settlement of the above matter as more fully set forth below is reasonable and in the best interests of the Town; and

WHEREAS, HAMASPIK OF ORANGE COUNTY, INC. is willing to settle these proceedings without interest, costs or disbursement, in the following manner:

- (1) That the proceeding for the 2021-22 tax year be compromised and settled by placing the property identified as Warwick Tax Map Parcel 49-2-35 on the exempt portion of the Town's 2021-2022 final assessment roll;
- (2) That the Petitioner's real property taxes on the said parcel above described for the 2021-22 School taxes and for the 2021 and 2022 County and Town taxes be adjusted accordingly and the Petitioner be reimbursed for any overpayment or be credited with the corresponding decrease in taxes, as the case may be;

NOW, BE IT THEREFORE RESOLVED, that the proposed settlement as set forth and described above is hereby accepted pursuant to § 68 of the Town Law, and it is further;

RESOLVED, that Deborah Eurich, Assessor of the Town of Warwick and Kara J. Cavallo Esq. on behalf of Jacobowitz and Gubits, LLP be and they hereby are designated as the officers of the Town who shall apply for such approval pursuant to the aforesaid section and law.

Motion Carried (4 Ayes, 0 Nays, 1 Abstain Councilman Gerstner Abstain) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that this was the agency that was licensed by the State of New York when they first took the property and applied for the exemption, they had not gotten their license and didn't follow procedures originally, but they did subsequently get their license and if we were to pursue this spending taxpayer's money to go to court to defend this we would loose the tax certiorari because they did openly prove that they could get their license and they did obtain it, so it makes sense to withdrawal this.

#R2021-283 AUTHORIZE SUPERVISOR TO SIGN AGREEMENT – ORANGE COUNTY SHERIFF'S DEPARTMENT

Motion Councilman Kowal, seconded Councilman Gerstner to adopt a resolution authorizing the Supervisor to sign an agreement with the Orange County Sheriff's Department for the purpose of having Orange County Sheriff's Department hold arrestees who require arraignment in Orange County.

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

Discussion: Supervisor Sweeton stated for the publics information this goes back to the lawsuit and subsequent direction by the State of New York up on central arraignments, whereby defendants are by right able to have council before an arraignment. They went to a central arraignment situation and the Sherriff's Department has agreed in the event of off hours to set up a holding area where the Police Department can bring someone who's being charged to be held until the next arraignment when court opens. They want this document signed between each municipality that wants to do that and we need to do this.

#R2021-284 AUTHORIZE SUPERVISOR TO SIGN LICENSE AGREEMENT – NEARMAP US INC.

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution authorizing the Supervisor to sign a license agreement with NEARMAP US Inc. for the new county GIS System at a cost not to exceed \$2,500 per year for a term of three (3) years effective January 1, 2022.

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

Discussion: Supervisor Sweeton stated that the County has a GIS System that is only upgraded periodically every year or every other year. It's used by our Assessors to check properties so they can assess properly, it's used by the police department and the building department. The County is going to this new system that gets updated on a regular, regular basis throughout the year multiple times, so it will be a much more accurate system

and they are asking municipalities to contribute \$2,500 per year cost to that and it's a 3-year agreement.

#R2021-285 REQUEST SPEED REDUCTION – VILLAGE OF GREENWOOD LAKE BORDER TO VILLAGE OF WARWICK BORDER

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to file the necessary TE9 forms with the County of Orange to request the NYS Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to lower speed limit from 55 mph to 45 mph on Route 17A from the Village of Greenwood Lake Border to Village of Warwick Border.

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

Discussion: Police Chief McGovern stated the original language was to Iron Forge Road, which is already covered by that 45-mph zone. When you come out of the Village of Warwick it goes from 30 to 55 until you get to Pumpkin Hill Road. I would say make that 45 as well because you're traveling past Homestead Village which is probably the most densely populated part of the Village of Warwick, less confusion and one speed limit. When you get to the top of the mountain at approximately at the Winslow driveway it changes from 45 back to 55 all the way to the Village of Greenwood Lake. The Village of Greenwood Lake speed limit has always been 30 in the location they posted it now, but now you go from a 55 to a 30 in a downhill manor which comes up on you by surprise. So, maybe from the Village of Greenwood Lake all the way back to Winslow should be 45 as well and then you have a one uniformed speed limit which covers that entire distance of about 4 or 4 1/2 miles. Of course, all of the attractions at the top of the mountain on any given day creates a lot more traffic then there ever was in the past. To get in and out of the parking zones for the Appalachian Trail, certainly to get out of Kain Road and I would also recommend they might want to put a little bit more signage on ether side of Kain Road because on the weekends when you have traffic there you can have 5 or 6 cars stop dead in the road in front of you when you're currently going 55 mph, it's a recipe for an accident.

Supervisor Sweeton – It makes sense, the Chief and I talked about this earlier and I think it does make sense. The top of the hill is congested and homestead you have the park and ride, it does make sense.

Police Chief McGovern – There is a bus stop there for New Jersey Transit. Maybe it's not the final solution but certainly 45 is better than 55 on the count of that kind of congestion. While we are discussing this it might be a good time to do something with Jarmain Road. It's been a mess for a number of years, there was somebody killed there which was the original reason it was closed at the top, but since then I think complaints were made by one of the neighbors who said if you close it the fire department couldn't get to his house. The fire department has since moved from the village out to Lakes Road, so they've cut the distance in half between his house and the fire house. I really think if you had some kind of a semi-permanent gate there that the fire department had emergency access to, they would prevent cars from using that because it's not safe. The crown of the road is such that vehicles will get

hung up trying to make those turns and all the GPS systems now don't really recognize that Jarmain Road is a disaster when you get to the top when they send cars up there and you certainly don't want to make a left and go back to the Village of Greenwood Lake. They want you to make a 140 degree turn back to the Village of Warwick which is impossible to do without going into the wrong lane, it's just another serious accident waiting to happen.

Supervisor Sweeton – It is dangerous, I have communicated with the DOT about that and waiting to hear back from them, but we had put those tilt down barriers but they get chewed up pretty quick.

Police Chief McGovern – It's being used pretty regularly, the highway departments up there replacing them or reinstalling them plus they aren't cheap.

DPW Commissioner Astorino – We ordered another 6 of them yesterday.

Police Chief McGovern – Plus there's a lot of man hours with that, the bottom line is it's long overdue to eliminate the possibly of somebody getting seriously injured or killed there again.

Supervisor Sweeton – It was precipitated from the tragedy death of a young girl.

Councilman DeAngelo – As far as the 45-mph speed limit when you're going up the Village of Greenwood Lake has decreased to 30, so that makes more sense.

Police Chief McGovern – I think it was always 30 Floyd, they just never posted it that way at the village line, so now maybe if you're going 45 it's a lot easier to bring it down to 30 in a reasonable amount of time.

Supervisor Sweeton – Because a lot of times you've got people trying to turn onto Scott Lynch Way and they're around the corner.

Police Chief McGovern – And if they are slowing down in front of you and people are coming up behind you at 55.

#R2021-286 AMEND RESOLUTION #R2016-272 BOND RESOLUTION OF TOWN OF WARWICK - AUTHORIZING CONSTRUCTION OF TOWN PUBLIC TRANSIT BUS GARAGE

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

WHEREAS, the Town Board of the Town of Warwick, in the County of Orange, New York, has heretofore duly authorized the construction of a town public transit bus garage and an administration facility at the estimated maximum cost of \$3,200,000.00, which amount was appropriated therefore pursuant to the bond resolution adopted by said Town Board on December 8, 2016; and

WHEREAS, said bond resolution provided that the proposed maturity of the bonds authorized by said resolution will not exceed five (5) years, and the Town Board desires to

amend the said resolution to provide for the proposed maturity of the bonds authorized by resolution to exceed five (5) years and it is necessary and in the public interest to amend said bond resolution to provide that the maturity of said bonds will exceed five (5) years;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF WARWICK, IN THE COUNTY OF ORANGE, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Town Board) AS FOLLOWS:

Section (A). The bond resolution of said Town adopted by the Town Board on December 8, 2016, entitled:

BOND RESOLUTION OF THE TOWN OF WARWICK, ADOPTED DECEMBER 8, 2016, AUTHORIZING CONSTRUCTION OF TOWN PUBLIC TRANSIT BUS GARAGE, STATING THAT THE ESTIMATED MAXIMUM COST THEREOF IS \$3,200,000.00, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,000,000.00 SERIAL BONDS TO FINANCE SAID APPROPRIATION, AND STATING THAT THE TOWN EXPECTS TO BE REIMBURSED BY THE COUNTY OF ORANGE IN AN AMOUNT NOT TO EXCEED \$2,884,000.00 AND AUTHORIZING ANY AMOUNTS SO RECEIVED TO BE EXPENDED TOWARDS THE COST OF SAID SPECIFIC OBJECTS OR PURPOSE OR REDEMPTION OF ANY BONDS OR NOTES ISSUED THEREFOR OR BUDGETED AS AN OFFSET TO THE TAXES TO BE LEVIED FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS OR NOTES.

is hereby amended as follows:

BOND RESOLUTION OF THE TOWN OF WARWICK, ADOPTED DECEMBER 8, 2016, AND AMENDED OCTOBER 28, 2021, AUTHORIZING CONSTRUCTION OF TOWN PUBLIC TRANSIT BUS GARAGE, STATING THAT THE ESTIMATED MAXIMUM COST THEREOF IS \$3,200,000.00, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,000,000.00 SERIAL BONDS TO FINANCE SAID APPROPRIATION, AND STATING THAT THE TOWN EXPECTS TO BE REIMBURSED BY THE COUNTY OF ORANGE IN AN AMOUNT NOT TO EXCEED \$2,884,000.00 AND AUTHORIZING ANY AMOUNTS SO RECEIVED TO BE EXPENDED TOWARDS THE COST OF SAID SPECIFIC OBJECTS OR PURPOSE OR REDEMPTION OF ANY BONDS OR NOTES ISSUED THEREFOR OR BUDGETED AS AN OFFSET TO THE TAXES TO BE LEVIED FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS OR NOTES.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including the filing of a negative declaration and compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW THEREFORE,

BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WARWICK IN THE COUNTY OF ORANGE, NEW YORK, (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

- Section 1. The Town is hereby authorized to construct a public transit bus garage and an administration facility at the Town municipal campus on Kings Highway. The estimated maximum cost of said specific object or purpose, including preliminary costs, cost of maps, plans, surveys, estimates, advertisements, legal documents and costs incidental hereto and the financing thereof, is \$3,200,000.00 and the said amount is hereby appropriated therefor. The plan of financing is the issuance of \$1,000,000.00 serial bonds to finance said appropriation and the levy of a tax on all the taxable real property within the Town to pay the principal of said bonds and interest thereon as the same shall become due and payable. It is expected that the County of Orange (with funds from the Federal Transit Administration and the State of New York) will reimburse the Town in an amount not to exceed \$2,884,000.00 and the Town is hereby authorized to expend any amounts so received towards the cost of said specific objects or purposes or redemption of said bonds or any bond anticipation notes issued in anticipation of the sale of such bonds or to be budgeted as an offset to taxes to be levied for payment of such principal and interest.
- Section 2. Serial bonds in the principal amount of \$1,000,000.00 are hereby authorized to be issued pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

- a) The period of probable usefulness applicable to the purpose for which said serial bonds herein authorized are to be issued, within the limitations of Section 11.00a.(11) of the Law, is thirty (30) years.
- b) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.
- c) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- Section 4. The bonds authorized by this resolution and any bond anticipation notes in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Sec. 52.00 of the Law and said bonds and any notes issued in anticipation of such bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or

amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest of said bonds and any notes issued in anticipation of said bonds, and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and notes to mature in each year and (b) the payment of interest to be due and payable in each year.

- Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Sec. 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, and of Sec. 30.00 relative to the authorization of the issuance of bond anticipation notes and of Sec. 50.00 and Sec. 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to providing for substantially level or declining annual debt service, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.
- Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:
- (a) such obligations are authorized for an object or purpose of which the Town is not authorized to expend money, or
- (b) the provisions of the law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication or

- (c) such obligations are authorized in violation of the provisions of the constitution.
 - Section 7. This resolution is subject to a permissive referendum.
- Section 8. The object or purpose described in Section 1 hereof has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, with respect to which said Town Board has made a "Negative Declaration."
- Section (B) The amendment of the bond resolution set forth in Section A of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.
- Section (C) The Town Clerk of said Town of Warwick shall, within ten (10) days after the adoption of this resolution, cause to be published, in full, in the "WARWICK VALLEY DISPATCH,"

a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication, and posted on the sign board of the Town maintained pursuant to the Town Law.

Section (D) Said bond resolution, as herein amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution, as amended, and requesting that it be submitted to the electors of said Town for their approval or disapproval is filed and the Proposition submitted therefor is defeated, the validity of the bond resolution adopted December 8, 2016, shall not be in any way affected and shall remain in full force and effect.

Section (E) After said bond resolution, as herein amended, shall take effect, the Town Clerk is hereby directed to cause said bond resolution as herein amended, to be published, in summary, in the newspaper hereinabove referred to in Section C hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section (F) This resolution shall take effect immediately.

RESOLVED BY THE TOWN BOARD OF THE TOWN OF WARWICK IN THE COUNTY OF ORANGE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in WARWICK VALLEY DISPATCH, a newspaper published in Warwick, New York, the official newspaper of said Town and having a general circulation therein, together with Notice attached in substantially the form as prescribed by Sec. 81.00 of the Local Finance Law of the State of New York.

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

ROLL CALL VOTE

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

Discussion: Supervisor Sweeton stated that this was a five-year bond taken out for what's called a short-term bond anticipation note because the rates were almost zero. Knowing that we wanted to pay this over 10 and in order to pay it over 10 years you do need to have it subject to a permissive referendum that's what modifies the resolution and that is what we are entertaining tonight.

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

PRIVILEGE OF THE FLOOR (GENERAL)

Supervisor Sweeton – The only last comment I would say is for people to get out and vote on November 2^{nd} or in the next 3 days.

ADJOURN: Motion Councilman DeAngelo, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 8:06 p.m. 10-28-21 CP.

Eileen Astorino, Town Clerk

Date: 10/22/2021 Time: 1:44:53PM

Selective Check Register

TOWN OF WARWICK

Including all check statuses

User: Page:

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For Bank Id ST and Check Date from 10/28/2021 to 10/28/2021

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ZERO WASTE USA	WOODARD'S CONCRETE PRODUC	VILLAGE OF WARWICK	VERIZON WIRELESS	UNITED AG & TURF NE, LLC	TRI-STATE PAPER & CLEANING SUPPLY	TILCON NEW YORK, INC.	TEXAS REFINERY CORP	MICHAEL P. SWEETON	SWEEPER PARTS SALES, INC.	SCHMIDT'S WHOLESALE, INC.	ROGO FASTENER CO., INC.	OPRANDY'S FIRE & SAFETY EQUIPMENT, INC.	MIDNITE AUTO PARTS	MATERIAL PROCESSORS INC.	KONICA MINOLTA BUSINESS SOLUTIONS USA INC	INTERSTATE WASTE SERVICE	PROF. RICHARD W. HULL	GLOBAL MONTELLO GROUP CORP.	G AND T AUTO PARTS INC.	FLORIDA SENIOR CITIZENS CENTER	FISCHER'S AUTO REPAIR	FISCHER'S AUTO REPAIR	ROBERT W. FINK, ESQ.	ERIE AND NIAGARA INSURANCE ASSOCIATION	ENVIRONMENTAL LABWORKS, INC	ELEGANT LANDSCAPING AND LAWN CARE	DOWSER, LLC	WARWICK VALLEY DISPATCH	ARIANA DALTON	MAGNA5	CHONGTUL SHERPA	CHEMUNG SUPPLY CORP.	AMAZON CAPITAL SERVICES, INC	AGL WELDING SUPPLY CO.INC	VENDOR NAME
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Time: 1:44:53PM Date: 10/22/2021

Selective Check Register

TOWN OF WARWICK

Including all check statuses

For Bank Id ST and Check Date from 10/28/2021 to 10/28/2021

VENDOR#

BANK ID

CHECK#

STATUS

Bank ID:

ST

Name: STERLING NATIONAL BANK

VENDOR NAME

Checking Account #:

6700102910

CHECK DATE

Bank ID Totals: RECONCILE / VOID DATE

AMOUNT EFT DP

Report Totals:

91,055.06

91,055.06

To the Supervisor:

certify that the vouchers listed above were audited by the town learn on 16 3 - 21 and allowed in the amounts shown. Board on 16 3 and directed to pay to each of the you are hereby authorized and directed to pay to each of the claimants the amount opposite his name.

16-26-01

Town Clerk

User: Page: BONNIE

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102.51	10/28/2021	ACLEY AUTO BODY INC	
850 <u>00</u>	10/28/2021	HNOLOGIES	· · · · · · · · · · · · · · · · · · ·
1,945.64	10/28/2021	WALLING ROAD INCOMPANY, INC.	O WARWING ON A
627.69	10/28/2021	W.E. TIMMERMAN COMBAND	0
436.96	10/28/2021	IAM ENTERPRISES, INC	0
1,735.00	10/28/2021	SUPERIOR PLUS ENERGY	C
503.26	10/28/2021	STAPLES CREDIT PLAN	060455
1,331.80	10/28/2021	SNAP-ON INDUSTRIAL	060454
58,750.00	10/28/2021	SLACK CHEMICAL COMPANY INC	060453
1,008.38	10/28/2021	SCHMIDT'S WHOLESALE, INC	060452
288.00	10/28/2021	ROGO FASTENER CO., INC.	060451 O
7,220.29	10/28/2021	MARILYN QUACKENBUSH	060450
0.00	10/28/2021	MACHINEBRASKY PLUMBING HEATING	060449
40.00	10/28/2021	PARE AND BURGLAR ALARM SYCT	060448
88.42	10/28/2021	ORANGE AND ROCKLAND UTILITIES	060447 O
59,056.48	10/28/2021	ORANGE AND ROCKLAND UTILITIES	060446 O
1,500.97	10/28/2021	L-I RON CORPORATION	060445
1,495.35	10/28/2021	NONICA MINOLTA BUSINESS SOLLTION	060444 O
1,782.66	10/28/2021	NEY BANK	060443
664.15	10/28/2021	JW WARWICK	060442
85.50	10/28/2021	JACOBOWITZ & GUBITS, LLP	060441
3,111.06	10/28/2021	HA HOME INSPECTIONS	060440 O
4,851.98	10/28/2021	GURDA OIL CO., INC.	060439
1,075.00	10/28/2021	GREENPLAN, INC.	060438 O
44.35	10/28/2021	GLOBAL MONTELLO GROUP CORP	060437
220.00	10/28/2021	FLOR-WICK FRIENDS	060436
1,682.00	10/28/2021	FLORIDA SEWARD SENIORS	060435 O
2,175.00	10/28/2021	FEDERAL EXPRESS CORP	060434
97.00	10/28/2021		060433.
4,504.28	10/28/2021		060432
10,732.20	10/28/2021		060431
142.19	10/28/2021		060430
23.24	10/28/2021		060429
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Time: 11:31:27AM Date: 10/28/2021

Selective Check Register

TOWN OF WARWICK

Including all check statuses

For Bank Id ST and Check Number from 060424 to 060460

172.263.74	Report Totals:	Rep						
172,263.74	Bank ID Totals:		6700102910	Checking Account #:	Name: STERLING NATIONAL BANK	Name: S	ST	Bank ID:
509.92		10/28/2021		W.B. MASON CO., INC.	WB MASONCO	0	460	060460
2,625.00		10/28/2021		TOWN OF WARWICK PBA, INC.	WARWICK PB	0	060459	060
AMOUNT EFT	RECONCILE / VOID DATE	CHECK DATE		VENDOR NAME	STATUS VENDOR#	STATUS	CHECK#	CHE

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BANK ID

To the Supervisor:

l certify that the vouchers listed above were audited by the town. Board on 16-22-21 and allowed in the amounts shown. Board on the arround a thin the amount opposite his name.

Town Clerk

User: Page:

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BONNIE 2

Time: 9:45:49AM Date: 10/22/2021

Selective Check Register

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TOWN OF WARWICK

Including all check statuses

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For Bank Id ST and Check Date from 10/29/2021 to 10/29/2021
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7,599.50	Report Totals:	Rep						
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1.462.00		10/29/2021		GREENTLAN, INC.		Ċ		2
1,170.00		1.202/62/01)	060370	ST
	VOID DATE			JOHN D. BOLLENBACH ESO	BOLLENBACH	0	060369	ST
AMOUNT EFT DP	RECONCILE /	CHECK DATE		VENDOR NAME	JS VENDOR#	STATUS	CHECK#	BANKID
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To the Supervisor:

certify that the vouchers listed above were audited by the town.

Board on 16-28-21 and allowed in the amounts shown.

Board on 16-28-21 and allowed in the amounts shown.

You are hereby authorized and directed to pay to each of the claimants the amount opposite his name.

16-39-31 Date

Town Clerk

Time: 2:39:00PM Date: 10/22/2021

Selective Check Register

User: Page:

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TOWN OF WARWICK

Including all check statuses

For Bank Id ST and Check Date from 10/27/2021 to 10/27/2021

2,480.80	Report Totals:	Rep						
2,480.80	Bank ID Totals:		6700102910	Checking Account #:	Name: STERLING NATIONAL BANK	Name: S1	Bank ID: ST	_
990.80		10/27/2021		MAUREEN J. SPACE	SPACE00000	0	060377	ST
800.00		10/27/2021		DANIEL MEYERSON	MEYERSON00	0	060376	ST
80.00		10/27/2021		THOMAS FULLER	FULLER, TOM	0	060375	ST
600.00		10/27/2021		DOUGLAS FREUND	FREUNDO000	0	060374	ST
10.00		10/27/2021		FINE, OLIN & ANDERMAN	FINE, OLIN,	0	060373	ST
AMOUNT EFT DP	RECONCILE / VOID DATE	CHECK DATE		VENDOR NAME	VENDOR#	STATUS	CHECK #	BANK ID

To the Supervisor:

certify that the values listed above were audited by the town.
Board on 10 -3 -31 -31 and allowed in the amounts shown.
You are hereby authorized and directed to pay to each of the claimants the amount opposite his name.