

September 26, 2019

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, September 26, 2019 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Sweeton called the meeting to order at 7:30 p.m.

ATTENDANCE: Supervisor Michael Sweeton
Councilman James Gerstner - Absent
Councilman Mickey Shuback
Councilman Floyd DeAngelo
Councilman Russell Kowal

Attorney for the Town, Jay Myrow
Deputy DPW Commissioner, Benjamin Astorino
Police Sergeant, Edward Mullins

ACCEPTANCE OF MINUTES

1. Public Hearing, Unsafe Building (Cleary), September 12, 2019
2. Regular Meeting, September 12, 2019

Motion Councilman DeAngelo, seconded Councilman Kowal to accept the minutes as written from the Public Hearing for an Unsafe Building (Cleary) held on September 12, 2019 and the Regular Meeting held on September 12, 2019.

Motion Carried (4 ayes, 0 nays & 1 absent Councilman Gerstner absent)

CORRESPONDENCE:

RICHARD TRIPLETT – Laborer, Town of Warwick Department of Public Works (DPW). Letter dated September 15, 2019 informing the Town Board of his intent to retire in March 2020.

ERIK DENEGA – Commissioner, Orange County Department of Public Works, Division of Environmental Facilities & Services. Letter dated September 5, 2019 regarding the Orange County Transfer Station #2 (Newburgh Transfer Station) Closure for Reconstruction.

WAYNE H. BARBER JR. – Heavy Equipment Operator, Town of Warwick Department of Public Works (DPW). Letter dated September 16, 2019 informing the Town Board of his intent to retire in March 2020.

DANIEL GIBSON – Building Inspector, Town of Warwick. Letter dated September 11, 2019 to the Town Board regarding a request for a refund of permit application # 20170207 for a one-family dwelling.

ERIK DENEGA – Commissioner, Orange County Department of Public Works, Division of Environmental Facilities & Services. Letter dated September 5, 2019 regarding the sudden increase in recycling costs due to China's ban on importation of recyclables.

THOMAS F. MCGOVERN JR. – Police Chief, Town of Warwick. Letter dated September 16, 2019 to the Town Board regarding A Budget Deposit from an Orange County NY grant check for the Police Training in the amount of \$10,000.00 into the Police Overtime line.

WARWICK VALLEY ROTARY – Not-for -Profit organization, Town of Warwick. Beefsteak Dinner and Tricky Tray to be held at the Greenwood Lake American Legion located at 40 Mountain Lakes Lane in Greenwood Lake. Tickets are available: warwickvalleyrotary.org. The event will be held on November 2, 2019 from 6pm – 10pm.

MIKE D'OZZOLLINNI – President, Every Second Counts. Email dated September 15, 2019 to the Clerk regarding Child Safety ID Kits – Partner with your Community.

SARAH PAWLICZAK – Environmental Analyst, Division of Environmental Permits. Email dated September 16, 2019 to the Town Clerk regarding Pulpit Rock Inn.

DR. REEVE BRENNER – National Association for Recreational Equality (NARE). Email to Town Clerk dated September 19, 2019 regarding Bankshot's concept of merging art, inclusion and diversity at play. Bankshot is a new game of skill and challenge that is often described as a "mini golf, but with a basketball." Players of all ages and abilities, including disabled participants, proceed through a course of 19 angled, curved and non-conventionally configured brightly colored Bank boards, banking shots through the rims at each increasingly challenging station. Bankshot Sports are non-aggressive and entirely inclusionary. Participants play alongside, not against, each other.

MICHAEL M. GRANT – Manager-Regional & Community Affairs, Orange & Rockland Utilities. Email dated September 20, 2019 to the Supervisor regarding Municipal Notification for Warwick O & R 2019 Gas Main Replacement Project.

GREGORY SOBO - Resident, Town of Warwick. Request to serve Alcohol at Wickham Woodland Manor House on October 4, 2019 for company picnic.

JOHN RADER- District Administrator, Board of Fire Commissioners Warwick Fire District. Email dated September 20, 2019 to the Town Clerk regarding the 2020 proposed Preliminary Budget for the Warwick Fire District.

DAVID A. GETZ – P.E. Lehman & Getz Engineering. Letter dated September 20, 2019 to the Town Board regarding drainage easement modification on 6 Clark Street.

DODY A. NICHOLAS – Secretary, Greenwood Lake Joint Firer District. Letter received September 25, 2019 to the Town Clerk regarding the Greenwood Lake Joint Fire District Public Hearing for the 2020 Budget. Public Notice Posted on Town Sign Board and Town Website.

JEFFREY FEAGLES – Commissioner of Department of Public Works, Town of Warwick. Letter dated June 18, 2019 to the Town Board regarding a formal letter of retirement.

THOMAS F. MCGOVERN – Police Chief, Town of Warwick. Memo dated September 23, 2019 to the Town Board regarding a budget transfer of a private donation from the Perrone family in the amount of \$50.00 to be deposited into the Police 466 line.

DORIS RUBINSKY – Program Director, Jewish Family Service of Orange County Inc. Town of Warwick Friendly Visitor Program report for August 2019 submitted

BOARD’S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

Vincent Copello- Chairman, Town of Warwick Friendly Visitor Program – For the month of August the total number of services provided by volunteers to date is 2,076. The number of volunteer hours that were provided to date are 1,429. The current neighbors in the program year to date are 137. We have 70 volunteers in the program. Our next training session for volunteers will be Wednesday, November 18th from 9:30 a.m. until 12:30 p.m. at the Albert Wisner Public Library. If anyone is interested in being a volunteer 986-1124 ext. 400 and please leave your name, number and the type of service you are looking for.

DEPARTMENT OF PUBLIC WORKS REPORT

Culvert Pipes	Cliff Rd	Replace 40’ culvert pipe	Town
	East Shore Road	Replace 40’Culvert Pipe	Town
	Morgan’s Way	Replace 12 x 40’	Village of GWL
Catch Basins	Old Brook Ln.	Rebuild Basin	Town
	2 Almond Tree Ln.	Repair Basin	Town
Drainage	Division St.	Replace Berm	Village of GWL
	Lakelands Ext.	Replace Berm	Village of GWL
Ditch Work	East Shore Rd.	Clean Ditches	Town
	Old Dutch Hollow Rd.	Clean ditches	Town
Mowing	Town Wide	As Needed	Town
	Village Wide	As needed	Village of GWL
Ball Fields	Town Wide	Mow & Maintain	Town
	Village Wide	Mow & Maintain	Village of GWL
Pot Holes	Town Wide	Fill with hot mix	Town
	Village Wide	Fill with hot mix	Village of GWL
Vehicle Maint.	As needed		Town
	As needed		Village of GWL
Emerg. Repairs	As needed		Town
	As needed		Village of GWL
Road Signs	Town Wide		Town
	Village Wide		Village of GWL

Haul Material	To Stock Pile	Haul Item #4	Village of GWL
---------------	---------------	--------------	----------------

PARKS DEPARTMENT

ALL PARKS OPEN	Mowing & Maintaining	Town & Village of GWL
----------------	----------------------	-----------------------

COUNCILMAN DE ANGELO REPORT

1. The Warwick Humane Society current resident count is 17 dogs, 94 adult cats, 42 kittens, 12 rabbits, 2 guinea pigs, 1 rooster, 7 hens, 3 mice and 1 rat with a total of 179 resident animals. There are a couple of events coming up to benefit the shelter. On October 5th from 3:00 p.m. until 4:00 p.m. there's a blessing of the animals at the Sugar Loaf United Methodist Church on Kings Highway. The invitation is opened to all two-legged, four-legged, winged, scaled or gilled pets. All pets must be restrained or in carriers. The participants have been asked to bring one or more of the following items from their wish list. There will be a short service and each pet will receive a blessing. For more information please call 469-8605. The Warwick Valley Humane Society will be participating in the 2019 annual Applefest celebration. They will have a booth at South Street and the Railroad crossing. Their annual raffle drawing will be at 4:00 p.m. and winners not need to be present. They are having these events to try and raise money for a new shelter because they desperately need more room. Their wish list this month is bleach, paper towels, pate style cat/kitten food, heavy duty garbage bags, equine pine pellets, rabbit toys and food, spray bottles, KMR kitten milk replacer, non-automatic shut off heating pads and adopters. They want to thank the Town for the spay/neuter program, it's very successful.

COUNCILMAN KOWAL REPORT

1. This time of year, in Pine Island it's the height of the harvest season and I would like to ask the residents to have some patience and indulgence for tractors and trucks going up and down the highway. They are busy harvesting and want to get the crops in as quickly as they can and they are harvesting our food supply. If you get stuck behind a bulk truck or a tractor just listen to the radio and be patient. If you need to pass them do it in a safe spot and its dangerous and illegal to pass on a double yellow line.

2. There will be another Pumpkinfest in Pine Island on Monday, October 14th at the Pine Island Park from 11:00 a.m. until 3:00 p.m. I was asked by the chairman if we could have a few extra trashcans out there and paper products for the restrooms. A lot of people attend that event and last year there were over 500 kids plus adults there's over 1,000 people during the day, so that's a lot of taxes on the facility. We appreciate the job that DPW does to make sure everything is cleaned up and stays cleans.

Deputy Commissioner Astorino – We will make sure there are extra garbage bags and paper products available.

COUNCILMAN GERSTNER REPORT – Absent

COUNCILMAN SHUBACK REPORT

1. There was a watermain break in Eurich Heights in the beginning of the week. It

has been fixed, the water restriction has been lifted and you don't have to boil the water.

2. There are 3 people retiring from the Town of Warwick Highway Department, Richard Triplett a laborer, Wayne Barber a heavy equipment operator and Mr. Feagles is retiring as the Commissioner of the department. The town has been picking up all the work they dug up. Maybe someday they will catch up.

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

SUPERVISORS REPORT

1. The State Controller's Office has a program they initiated a few years ago called Fiscal Stress Monitoring and it's designed to objectively identify issues with budget solvency and the ability to generate enough revenue to meet expenditures. They've been measuring this for every town, village city and county in New York State and they publish them once a year. They look at the financial condition as it relates to town, village, cities and counties, they look at yearend fund balances, deficits or surpluses, cash positions fixed costs and how you're managing your budget. Our number last year came at 18 and it's a scaled system, so 0-24 is you're ok there's no designation, from 25-44 you're susceptible to stress, from 45-64 says you're moderate stressed and 65-100 is significant stress. We have always had a no designation, but after the recession of 2008-09 and the slow recovery from that our numbers have generally been in the double-digit area and we worked really hard as a Board and employees and department heads to be as fiscally conservative as we possible could. I'm very pleased to tell the Board that our number for 2018 was 1.7 and it was one of the lowest in the County. I want to congratulate all of you and all of the employees and the department heads for continuing to make modest budget recommendations and for the Board helping me formulate a budget that is truly fiscally responsible and fair to our taxpayers. That score just came to us and I think in about 3 weeks they will be publishing the entire data base of New York. You go on line to the State Controllers Office and you can see the fiscal monitoring spreadsheets. You can actually download into excel and I want to congratulate everybody for that, good job.

2. Applefest is coming up on Sunday, October 6th and it will be as it usually is with 30-35,000 of our closest friends and it will be tough to get around. Our PD will be active and not only visibly active but active in ways you won't see to ensure that the festival area and the people attending are safe and knock on wood we will have another great day and a good festival. I know it presents a burden sometimes for residents, but all of our not-for-profits get a good significant amount of money for the year from that festival from out of town people. It's a good thing and we ask that you kind of grin and bear it.

3. I will be going on an Ag Business Tour tomorrow sponsored by Cornell Cooperative Extension and the Orange County Citizens Foundation. It is leaving from the Jolly Onion and visiting Westtown, Minisink farms the Minkus Farm and then to SS&O, and then back to the Jolly Onion and we are going to do a little presentation on the hemp project that we have going at the prison to the group. It's a way to get people familiar that may be not so familiar with agriculture and the kinds that we have in the County to understand that, so I'm looking forward to that.

4. The Receiver of Taxes wanted me to give a public service notice about School Tax Collection. Monday is the last day to pay it in person without penalty here. She wants everyone to know she knows it's a Jewish holiday but the tax office is open and if people can get it here, we will be here.

5. The Journal entries were made with the Comptroller this month and they were all in order, signed off on and approved.

6. 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:

**#R2019-252 AUTHORIZATION TO SIGN AGREEMENT WITH DIAL-A-BUS
DISPATCHING SERVICES – TOWN OF WALLKILL**

Motion Councilman Shuback, seconded Councilman DeAngelo to adopt a resolution to authorize the Supervisor to sign an agreement to provide Dial-A-Bus dispatching services to the Town of Wallkill from January 1, 2020 to December 31, 2020.

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

Discussion: Supervisor Sweeton stated that this one and the next resolution are renewals of agreements we've had with Wallkill. We are helping manage their system, make it efficient, it's a shared service, they're paying us to do this, so its really a great effort and it makes our system stronger.

**#R2019-253 AUTHORIZATION TO SIGN AGREEMENT WITH DIAL-A-BUS
ADMINISTRATION AND CONSULTING SERVICES– TOWN OF
WALLKILL**

Motion Councilman Kowal seconded, Councilman DeAngelo to adopt a resolution to authorize the Supervisor to sign an agreement to provide Dial-A-Bus Administration and Consulting services to the Town of Wallkill from January 1, 2020 to December 31, 2020.

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

**#R2019-254 AUTHORIZATION TO SIGN AGREEMENT WITH TOWN OF TUXEDO
FOR SNOW AND ICE CONTROL OF OLD FORGE ROAD**

Motion Councilman DeAngelo seconded, Councilman to adopt a resolution to authorize the Supervisor to sign an agreement with the Town of Tuxedo for the control of snow and ice on Old Forge Road for the sum of \$6,000.00.

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

Discussion: Supervisor Sweeton stated that this is a renewal of an agreement, it's the road that's very far from the center of everything here and it's cost effective.

**#R2019-255 ACCEPT RESIGNATION DPW HEAVY EQUIPMENT OPERATOR -
WAYNE H. BARBER JR.**

Motion Councilman Shuback, seconded Councilman Kowal to adopt a resolution to accept the resignation of Town of Warwick Department of Public Works Heavy Equipment Operator, Wayne H. Barber Jr. for the purpose of retirement effective March 26, 2020. Motion carried (4 Ayes, 0 Nays, 1 Absent Councilman Gerstner Absent) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton wished him the best and stated that he had a very long career and did an exceptional job.

#R2019-256 ACCEPT RESIGNATION DPW LABORER – RICHARD TRIPPLETT

Motion Councilman Shuback, seconded Councilman DeAngelo to adopt a resolution to accept the resignation of Town of Warwick Department of Public Works Laborer, Richard Triplett. for the purpose of retirement effective March 26, 2020. Motion carried (4 Ayes, 0 Nays, 1 Absent Councilman Gerstner Absent) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that he has done a good job for us, worked many years and we wish him the best.

#R2019-257 REFUND BUILDING DEPARTMENT FEE – APPLICATION #20170207

Motion Supervisor Sweeton seconded, Councilman DeAngelo to adopt a resolution to refund building permit fee application # 20170207 in the amount of \$3,000.00 back to Peter Ladka at 3 Old Mt. Peter Road, Warwick, New York as per letter from Building Inspector dated September 11, 2019. Motion carried (4 Ayes, 0 Nays, 1 Absent Councilman Gerstner Absent) Supervisor Sweeton declared this resolution duly adopted.

**#R2019-258 ACCEPT RESIGNATION DPW COMMISSIONER – JEFFREY J.
FEAGLES**

Motion Councilman Shuback, seconded Councilman DeAngelo to adopt a resolution to accept the resignation of Town of Warwick Department of Public Works Commissioner, Jeffrey J. Feagles. for the purpose of retirement effective January 17, 2020. Motion carried (4 Ayes, 0 Nays, 1 Absent Councilman Gerstner Absent) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton expressed their gratitude to Commissioner Feagles he had done an exceptional job for the Town, he's one of the first hires I made in a management

position here and he reshaped the department and he will be missed. We wish him the best and he has left the department in good hands at the moment with Deputy Commissioner Astorino and we hope he has a happy and healthy retirement.

Supervisor Sweeton – Remember last meeting we had done this; we had actually held the hearing but what we discovered after that was the process server that had engaged to serve the Cleary’s failed to do so. Under the advice of our attorney we are rescheduling the unsafe building hearing on 4 Waterbury Road.

#R2019-259 SCHEDULE HEARING UNSAFE BUILDING– CLEARY

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt the following resolution to Order to Repair or Remove Structure(s), Tax Map Section 42, Block 1, Lot 80.1:

WHEREAS, the Building Inspector of the Town of Warwick has made a personal inspection of structure(s) located at 4 Waterbury Road., Warwick, New York, designated as Section 42, Block 1, Lot 80.1, of the tax map of the said Town, and has deemed the said structure(s) to be dangerous or unsafe to the public as defined in Chapter 67-3 of the Code of Ordinances and Local Laws of the Town of Warwick, and such determination has been reported to the Town Board together with the report and recommendations of the Town’s Building Inspector, dated August 13, 2019, which reports conclude that the said structure(s) is a hazard to the community; and

WHEREAS, the Town Board of the Town of Warwick, after reviewing said report and the building inspector’s determination and recommendation to the Town Board, and having duly deliberated thereon;

BE IT RESOLVED as follows:

The Town Board determines that the structure(s) located at 4 Waterbury Road., in the Town of Warwick, designated as Section 42 Block 1, Lot 80.1, of the Town of Warwick tax map, record owner(s) being Karen Cleary and last residing at 4 Waterbury Road., Warwick, NY is unsafe, dangerous, unhealthy and a fire hazard and shall be repaired or removed by the said owner(s); such finding being based on the report and the recommendation of the Building Inspector dated August 13, 2019; and

BE IT FURTHER RESOLVED, that a hearing shall be conducted to consider the affirmance of, modification of or vacatur of this Order. Said hearing shall commence on or about 7:30 PM on October 10, 2019, and shall be conducted at the Town Hall of the Town of Warwick, 132 Kings Highway, Warwick, New York. The Attorney for the Town shall serve notice of the said hearing together with this resolution and the report of the Building Inspector to the owner(s) of record of the said premises or persons having an interest therein; proof of such service shall be delivered to the Town Clerk at or before the opening of the public hearing and such notice of hearing shall be served on the record owner(s) at least five days before the commencement of the public hearing.

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

**#R2019-260 REQUEST TO SERVE ALCOHOLIC BEVERAGES WICKHAM
WOODLAND MANOR - GREGORY SOBO**

Motion Councilman Kowal, seconded Councilman DeAngelo to adopt a resolution to grant Gregory Sobo permission to serve alcoholic beverages at Wickham Woodland Manor House on October 4, 2019. Pending proof of Liquor Liability Insurance. Application on file in the Clerk's office.

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

**#R2019-261 APPROVE PROPOSED REALIGNMENT OF DRAINAGE EASEMENT –
CLARK STREET**

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to approve proposed realignment of a drainage easement located at 6 Clark Street (SBL# 38-1-7) for the purpose to convey surface runoff to a stormwater detention basin located on an adjacent property.

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

Discussion: Supervisor Sweeton stated for the Board's information that this was a lot that had a house recently built on it and was part of a subdivision Wickham Lake Homes that never got completed. Someone bought the lot built the house and it's infringing upon the drainage easement that's been filed, so they just need to move that easement and all of that survey work has been done. We want to get that done so the homeowners can get into their home and make sure everything is fine.

#R2019-262 AUTHORIZE PAYMENT -LUZON OIL COMPANY

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to approve an adjustment of payment to Luzon Oil Co. Inc. in the amount of \$841.31 for a fuel dispenser replacement at 65 Public Works Drive approved in #R2019-121.

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

Discussion: Supervisor Sweeton stated that originally, they were going to use a hardwire connection from the new fuel pumps to the building and those wires were not useable so they went with a wireless system. We had a little dispute with them and we are splitting the cost. We are paying for the hardware and they are taking the cost of installation and labor.

**#R2019-263 AUTHORIZE SUPERVISOR TO SIGN AGREEMENT – HUDSON
VALLEY SPORTS COMPLEX**

Motion Councilman Kowal, seconded Councilman DeAngelo to authorize the Supervisor to sign an agreement with Hudson Valley Sports Complex to allow Kayak Tours of Wickham Lake through December 31, 2019. Upon final approval of the Town Attorney and our Insurance Agent.

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

Discussion: Supervisor Sweeton stated that this is a trial until the end of the year and it's limited to 10.

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

PRIVILEGE OF THE FLOOR (GENERAL)

No comments were made under the privilege of the floor by the Town Board or the public.

ADJOURN: Motion Councilman DeAngelo, seconded Councilman Kowal that the regular meeting be adjourned. Motion Carried (4 ayes, 0 nays & 1 absent Councilman Gerstner absent) 7:50 p.m.

09-26-19 CP.


Eileen Astorino, Town Clerk