

May 27, 2021

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, May 27, 2021 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Sweeton called the meeting to order at 7:53 p.m.

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

Attorney for the Town, Jay Myrow – Absent
DPW Foreman, Walter Shultz
Police Lieutenant, John Rader

ACCEPTANCE OF MINUTES

1. Regular Meeting- May 13, 2021

Motion Councilman DeAngelo, seconded Councilman Kowal to accept the minutes as written from the Regular Meeting held on May 13, 2021.

Motion Carried (5 ayes, 0 nays)

CORRESPONDENCE:

COLLEEN JOHNSON – Community Outreach and aging In Place Advocate. Email dated May 18, 2021 to the Clerk regarding Aging & Senior Resources. A website called HomeCare.org. It is a website designed to offer access to the latest research, real world insight from experts, and financial resources in order to live independently: You can learn more about our recent work here: <https://www.homecare.org/>, <https://www.homecare.org/does-medicare-cover-in-home-care/> and <https://www.homecare.org/the-cost-of-24-7-in-home-care/>.

JULIA ROMANO – Dispatcher, Town of Warwick Police. Letter to the Chief of Police dated May 14, 2021 regarding her intention to retire effective May 24, 2021.

AMIE M. MCGRADY – Police Officer, Town of Warwick. Letter to the Chief of Police dated May 14, 2021 regarding her intention to retire effective May 31, 2021.

TOO GOOD TO TOSS @ HOME 2021- June 12th and 13th from 10-4pm. This year they will be piloting a modified swap event where 100 Warwick Households will bring their items that are Too Good To Toss outside of their home for “shoppers” to take away. For more information contact Elizabeth Knight-Moss eknightMoss@gmail.com or Payton Swenson at PaytonSwen@gmail.com Please put “TGTT” in your email subject line.

BENJAMIN ASTORINO – Chairman, Town of Warwick Planning Board. Letter dated May 19, 2021 to the Supervisor and Town Board regarding comments on the Proposed Local Law No.2 of 2021 – Zoning Amendments.

CHASE CLASS – Police Officer, Town of Warwick. Letter dated May 21, 2021 to the Chief of Police regarding his formal resignation.

BOARD’S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

Culvert Pipes	State School Rd.	Replace 15”x60’ Culvert Pipe	Town
	State School Rd.	Replace 18”x30’ culvert pipe	Town
Catch Basins	Scenic Pond Dr.	Rebuild basin	Town
Ditch Work	Upper Wisner Rd.	Ditch roadsides	Town
	Pumpkin Hill Rd.	Ditch roadsides	Town
	State School Rd.	Ditch roadsides	Town
Tree Work	Nelson Rd.	Take down 3 trees w/bucket truck	Town
Mowing	Town wide	Mow road sides	Town
Ball Fields	Town wide	Mow and maintain	Town
Pot Holes	Town wide		Town
Vehicle Maint.	As needed		Town
Emerg. Repairs	As needed		Town
Haul Material	Stockpile	Haul ¼” stone to stockpile	Town

PARKS DEPARTMENT

***Please practice Social Distancing while visiting the Town Parks*
(Due to COVID-19)**

Union Corners Park	Open	Town
Kutz Camp	Fishing Pond Open (residents only)	Town
Town of Warwick Dog Park	Open	Town
Airport Road Park	Open	Town
Wickham Woodland Park	Open	Town
Pine Island Park	Open	Town
Thomas P. Morahan Waterfront Park	Open (No Swimming)	Village of GWL
Ben Winstanley Park	Open	Village of GWL
Village of GWL Dog Park	Open	Village of GWL

ENVIRONMENTAL CONSULTANTS REPORT APRIL 2021

Wickham Water District

Wells #11	2,253,200 gal
Average daily use	75,100 gal
Sodium Hypochlorite used	120 qt
Orthophosphate used	48 qt
Caustic Soda	60 gal

Bellvale Park Water District

Total monthly production	101,900 gal
Average daily use	3,400 gal
Sodium Hypochlorite used	4 qt

Eurich Heights Water District

Total monthly production	216,800 gal
Average daily use	7,200 gal
Sodium Hypochlorite used	15 qt
Orthophosphate used	12 qt

Pine Island Water District

Total monthly production	319,000 gal
Average daily use	10,600 gal
Sodium Hypochlorite used	20 qt

Westside #1 Water District

Total monthly production	2,646,200 gal
Average daily use	88,200 gal
Sodium Hypochlorite used	220 qt
Orthophosphate used	40 qt
Caustic Soda	60 gal

The Fairgrounds

Total monthly production	202,500 gal
Average daily use	6,800 gal
Sodium Hypochlorite used	8 qt

The Warwick Tech Park

Total monthly production	206,700 gal
Average daily use	4,500 gal
Sodium Hypochlorite used	40 qt

Sewer District #1 Wastewater Treatment Facility

Warwick Tech Park	125,000 gal	2%
Wickham Village District	2,703,495 gal	62%
Kings Estates District	1,545,585 gal	35%
<u>Total District Flow</u>	4,374,080 gal	100%

Average Daily Flow 145,802 gal

All facility maintenance has been done for the month. (Oil grease, filters)

The belt press ran for 27 hrs. and 2 gal of polymer was used.

Sewer District #2 Wastewater Treatment Facility – The Fairgrounds

Total District Flow 127,802 gal

Average Daily Flow 4,260 ga

Greenwood Lake Commission Monthly Meeting Dates 2021

June	23	2021	NY
July	28	2021	NJ
August	25	2021	NY
September	22	2021	NJ
October	27	2021	NY
November	17	2021	NJ
December	15	2021	NY

June – October are on the 4th Wednesday of each month
November and December are on the 3rd Wednesday of the month.

COUNCILMAN DE ANGELO REPORT

1. The Warwick Valley Humane Society would like the public to know that the shelter

is closed but always available for animal emergency calls.

2. They have an opening at the Humane Society for an Animal Control Officer with 85% of the duties are animal care and they also include duties of picking up and impounding stray dogs and rescuing injured animals and ill species. You can call them for an appointment if you're interested in the job at 845-986-2473.

3. They also ask that the public to continue to be aware of the wildlife that are appearing, as things are warming up babies are being born. Please call Warwick Humane before intervening to determine if an intervention is needed.

4. Currently at the shelter they have 10 dogs, 35 adult cats, 22 kittens not yet available for adoption, 7 rabbits and 1 guinea pig.

5. They also have a wish list for Chewy and Amazon which are available on their website at www.wvhumane.org.

6. This evening let me give you the following report for the Friendly Visitor Program. For the Month of April, they had 42 number of neighbors assisted, 26 number of volunteers and 423 total number of services provided by volunteers. They are always in need of more volunteers and they are volunteer training on June 8th at 10:00 a.m. and Thursday June 24th at 5:30 p.m. You can check the Town website and Cablevision Channel 21 for the training dates. They are desperately in need of more volunteers.

COUNCILMAN KOWAL REPORT

1. Speaking in regards to the wildlife on the road, the last couple of days I saw a very unusual number of turtles crossing the road. It must be their season to lay eggs or find out if it's greener on the other side of the road. Snapping turtles and a lot of painter turtles are what I've observed the last couple of times. I actually moved one because there's nothing sadder than seeing a smashed turtle along the road.

2. At the Kutz Camp there's some activity, we are in the process of taking down a few Buildings that we looked at and decided for different reasons to take them down. There are two bungalows that are the oldest ones that are there nearest the road and we decided to remove them to make room for parking for future events. The pavilion and two bungalows are going to be taken out and there's also some bunk houses in the middle that were up on pilons which were failing. The foundations under them were starting to shift and we don't want to be responsible for having them, so we are in the process of having them taken down to make room for parking for the pools and tennis courts up further. On the weekend of June 19th Troop 45 is going to have a campout by the lake. They are going to be there for a couple of days camping and fishing and they are going to do a few projects for us and it's great to have them there, that's what it's there for.

COUNCILMAN GERSTNER REPORT

1. I had the privilege to attend Cub Scout Pack 177 Crossover Ceremony at the Town Park. The young men move from the Cub Scouts to the Boy Scouts and I was able to present the certificates from the Supervisor and they thank you for that. That was a great event and the next day I had a Cub Scout event with my grandson and hopefully next year he should be attending that event.

2. I urge the residents to try to get out Monday to attend one of the services to remember the men and woman who gave their all for our nation. Their will be a parade in the Village of Warwick and I believe the Supervisor will have a report on that.

COUNCILMAN SHUBACK REPORT

1. The Town of Warwick DPW is doing normal repairs replacing a couple of culverts, took down 3 trees on Nelson Road, Kutz Camp is opening for fishing at the ponds for residents only and all of the Town Parks are open including the dog parks.

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

SUPERVISORS REPORT

1. I want to remind residents that St Anthony's continues to do the Walk-In Vaccination clinics, they had one today and their next one is next Tuesday, June 1st from 8:00 a.m. until 2:00 p.m. It's for those 18 and over because it is the Moderna Vaccine and it's only approved for 18 and older, so again if you haven't got the vaccine, it is important and I would urge you to go to St. Anthony's and get the vaccine administered. If you know of a homebound senior that has not been able to get out or can't get out Orange County will go to that home and do a vaccination if you call 615-3700, they will happily come to the homebound senior.

2. Orange County Household Hazardous Waste Day is going to be held on Saturday June 5th from 9:00 a.m. until 3:00 p.m. at the Port Jervis High School in the lower parking lot which is on Route 209 just outside of Port Jervis. This is free to Orange County residents you just need to bring your ID and have your items in the backseat or trunk and you don't even have to get out of the car people will take care of it. If you want more information, you can call 291-3246 and it's a good way to get rid of all those empty cans and things you have. If you have water base paint you can take the top off and let the water evaporate and that can be disposed of with your regular trash, everything else has to go to one of these collection days.

3. Too Good To Toss is going to be a modified event we talked about this before you need to sign up, if you go to the Town of Warwick Facebook page you can find it and get the link to see where the locations are and also the form for you to register. That's going to be held on June 12th-13th you put the stuff down at the end of your driveway, you'll have a sign and you're told to bring the stuff back in and you can't charge for it. Whatever doesn't get taken by Sunday the 13th you have to dispose of it yourself, so this is a way to keep that program going as opposed to the normal taking it all and congregating at Stanley Deming.

4. Memorial Day Parade Remembrance as Councilman Gerstner mentioned is getting sort of back to what we normally do which is a good thing because it does honor those who have lost their lives in service to our nation. In Pine Island they are going to have a ceremony at 9:00 a.m. and the Village of Warwick will have its traditional parade starting at 11:00 a.m. at Village Hall which will go to the Warwick Cemetery, St. Stephen's Cemetery and then the Fireman's Memorial in Memorial Park. The Village of Florida is just doing a ceremony at their monument on Main Street at 11:00 a.m. and in Greenwood Lake they will do their traditional 2:00 p.m. ceremony at the American Legion on Lakes Road. There's plenty of opportunity for the public to come out and pay your respects to

the men and woman who have lost their lives to give us the ability to have a long weekend and enjoy a day, they can't do that.

5. Journal entries were made with our new Comptroller and I double checked and they are all in order. We are preparing for our audit which will be happening at the end of June and that's the independent audit that we get every year and we are preparing for that.

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:

#R2021-163 ACCEPT RESIGNATION DISPATCHER –JULIA ROMANO

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution accepting the resignation of police dispatcher Julia Romano effective May 24, 2021.

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

#R2021-164 ACCEPT RESIGNATION FULL-TIME POLICE OFFICER –AMIE M. MCGRADY

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution accepting the resignation of Full-time Police Officer Amy McGrady effective May 31, 2021.

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

Discussion: Supervisor Sweeton stated that Amie's last day working was last week and we wish her the best on her retirement and we thank her for her service to our community.

#R2021-165 LEAD AGENCY -ACQUISITION OF PURCHASE OF DEVELOPMENT RIGHTS -FLORDALE & PANORAMIC FARMS

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

WHEREAS, the Town of Warwick Town Board is considering action on a proposed purchase of development rights on two farms including the Flordale Farm (121.6 acres) located at 36 Taylor Road, Florida SBL# 18-1-1, the Panoramic Farm (170.92 acres) located at 129 Old Ridge Rd., Warwick SBL# 18-1-2 totaling 292.52 acres of land in the Town of Warwick, Orange County, New York, and

WHEREAS, an Environmental Assessment Form (EAF) dated May 11, 2021 was prepared to address the environmental effects of the action, and

WHEREAS, after comparing the thresholds contained in 6 NYCRR 617.4 and 5,

the Town Board has determined that the proposed action is an Unlisted Action, and

WHEREAS, after examining the EAF, the Town Board has determined that there are no other involved and/or federal agencies on this matter.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby declares itself Lead Agency for the review of this action.

BE IT FURTHER RESOLVED, that a Determination of Significance will be made at such time as all information has been received by the Town Board to enable it to determine whether the action will or will not have a significant effect on the environment.

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

#R2021- 166 SEQRA NEGATIVE DECLARATION- ACQUISITION OF PURCHASE OF DEVELOPMENT RIGHTS (FLORDALE & PANORAMIC FARMS)

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

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

Name of Action: Flordale Farm & Panoramic Farm Development Rights (PDR) Acquisitions
SEQR Status: Unlisted

Conditioned Negative Declaration:	X	YES
		NO

Description of Action:

The Town Board, following the wishes of the voters of Warwick, intends to acquire the development rights on two farms in the Town.

Locations: Flordale Farm: Taylor Road (SBL# 18-1-1) 121.6 acres
Panoramic Farm: Old Ridge Road (SBL# 18-1-2) 170.92 acres

Reasons Supporting this Determination:

The Town Board has given due consideration to the subject action defined in 6

NYCRR 617.2 (b) and 617.3 (g).

After reviewing the Environmental Assessment Form (EAF) for the action dated 05/11/2021, the Town Board concluded that environmental effects of the proposed action will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7 (c).

The proposed action is designed to implement the Town's Comprehensive Plan and the Town's Purchase of Development Rights Program, previously authorized by voter referendums in the Town of Warwick.

The action is designed to enhance farmland and open space preservation in the Town by extinguishing the potential for subdivision or other development of the subject parcels. This will create beneficial impacts on the Town residents. This includes but is not limited to helping meet the community goals of supporting protection of the rural, natural and scenic character of the Town and its three Villages.

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

#R2021-167 ACQUIRE DEVELOPMENT RIGHTS – FLORDALE & PANORAMIC FARMS

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to acquire the development rights on the Flordale Farm (SBL# 18-1-1) and the Panoramic Farm (SBL# 18-1-2). The farms are included in the Town's Community Preservation Plan.

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

#R2021-168 AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH AMY OLNEY TO PREPARE APPLICATIONS TO NYS AG & MARKETS HUDSON VALLEY AGRICULTURAL ENHANCEMENT

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to authorize supervisor to sign agreement with Amy Olney to prepare applications to NYS Ag & Markets Hudson Valley Agricultural Enhancement Program for the purpose of acquiring the development rights for the Flordale and Panoramic Farms.

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

#R2021-169 REQUEST TO SERVE ALCOHOLIC BEVERAGES WICKHAM WOODLANDS MANOR – GORDON J. BROWN

Motion Councilman Kowal, seconded Councilman Shuback to adopt a resolution granting Gordon J. Brown permission to serve alcoholic beverages at Wickham Woodlands Manor on May 31, 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.

#R2021-170 ACCEPT RESIGNATION – POLICE OFFICER CHASE CLASS

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to accept the resignation of Police officer Chase Class effective June 7, 2021.
Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that Chase hasn't been with us long but he has been a great Officer and we are sorry to see him go.

#R2021-171 REQUEST TO SERVE ALCOHOLIC BEVERAGES WICKHAM WOODLANDS MANOR – DANIELLE STRUBE

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution granting Daniel Strube permission to serve alcoholic beverages at Wickham Woodlands Manor on June 4, 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.

#R2021-172 RESOLUTION OF THE TOWN OF WARWICK, NEW YORK, ADOPTED MAY 27, 2021, AMENDING THE BOND RESOLUTION ADOPTED APRIL 9, 2020

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

WHEREAS, pursuant to the bond resolution adopted by the Town Board of the Town of Warwick, in the County of Orange, New York (the "Town"), on April 9, 2020, the Town Board has heretofore duly authorized the acquisition of a parcel of real property located in the Town and currently owned by Union for Reform Judaism (f/k/a/ Union of American Hebrew Congregations), including the buildings, structures and facilities thereon, to be used for recreational and other Town municipal purposes; and

WHEREAS, said bond resolution limited the maximum maturity of the bonds to five (5) years, and the Town Board has now determined that it is in the best interests of the Town to amend such bond resolution to provide for a longer period of probable usefulness, as authorized pursuant to Section 11.00 a. 21. of the Local Finance Law; and

WHEREAS, the Town Board proposes to authorize a maximum maturity in excess of five (5) years and the amending bond resolution shall therefore be subject to a permissive referendum;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF WARWICK, IN THE COUNTY OF ORANGE, NEW YORK (by 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 April 9, 2020, entitled:

“Bond Resolution of the Town of Warwick, New York, adopted April 9, 2020, authorizing the acquisition of a parcel of real property located in the Town and currently owned by Union for Reform Judaism (f/k/a/ Union of American Hebrew Congregations) for recreational and other Town municipal purposes, stating the estimated maximum cost thereof is \$6,400,000; appropriating said amount for such purpose, including the expenditure of \$650,000 in other available funds to pay a part of said appropriation; and authorizing the issuance of bonds in the principal amount of \$5,750,000 to finance the balance of said appropriation,”

is hereby amended to read as follows:

BOND RESOLUTION OF THE TOWN OF WARWICK, NEW YORK, ADOPTED APRIL 9, 2020 AND AMENDED MAY 27, 2021, AUTHORIZING THE ACQUISITION OF A PARCEL OF REAL PROPERTY LOCATED IN THE TOWN AND OWNED BY UNION FOR REFORM JUDAISM (F/K/A/ UNION OF AMERICAN HEBREW CONGREGATIONS) FOR RECREATIONAL AND OTHER TOWN MUNICIPAL PURPOSES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$6,400,000; APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING THE EXPENDITURE OF \$650,000 IN OTHER AVAILABLE FUNDS TO PAY A PART OF SAID APPROPRIATION; AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$5,750,000 TO FINANCE THE BALANCE OF SAID APPROPRIATION

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

Section 1. The Town of Warwick, in the County of Orange, New York (herein called the “Town”), is hereby authorized to acquire a parcel of real property located in the Town and owned by Union for Reform Judaism (f/k/a/ Union of American Hebrew Congregations), including the buildings, structures and facilities thereon, to be used for recreational and other Town municipal purposes. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,400,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the expenditure of \$650,000 from other available Town funds to pay a part of said appropriation, the issuance of \$5,750,000 bonds of the Town to finance the balance of said appropriation,

and the expenditure of funds contained in and generated by the Town of Warwick Community Preservation Fund Transfer Tax to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$5,750,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance a part of said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized pursuant to Section 11.00 a. (21) of the Law is thirty (30) years; however, the Town Board hereby determines that the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than seven (7) years, two (2) months after the date of original issuance of said bonds or notes.

(b) 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.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds, and any notes in anticipation thereof to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 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 and 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 as to the execution of agreements for credit enhancements, are hereby delegated to the 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 the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, 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 bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in the "*Warwick 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, a Notice in substantially the following form:

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

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 as originally adopted, 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) 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 April 9, 2020, shall not be in any way affected and shall remain in full force and effect.

Section (D) 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 7 thereof, 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.

This resolution shall take effect immediately.

Roll Call:	Aye	Nay	Abstain
Supervisor Michael Sweeton	X		
Councilman James Gerstner	X		
Councilman Floyd DeAngelo	X		
Councilman Mickey Shuback	X		
Councilman Russ Kowal	X		
Total	5	0	

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

Discussion: Supervisor Sweeton stated that Governor Cuomo by executive order authorized any bans that were issued during Covid would be expended from the traditional 5 years to 7 years. Our original resolution did not authorize us to do that and that's why we are amending it tonight. We will extend it to the 7 years as per the executive order and we actually got a better rate, so that's why we went through all of that legalese.

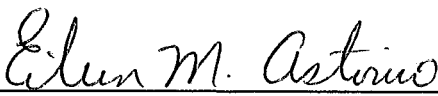
BILLS: Motion Councilman DeAngelo, seconded Councilman Kowal to pay the bills as audited. Motion Carried (5 ayes, 0 nays)

PRIVILEGE OF THE FLOOR (GENERAL)

Supervisor Sweeton – I would like everyone to please take a moment on Monday, May 31st to remember those that lost their lives in the defense of our country.

ADJOURN: Motion Councilman Gerstner, seconded Councilman Kowal that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 8:18 p.m.

05-27-21 CP.


Eileen Astorino, Town Clerk