

AGENDA - TOWN BOARD MEETING

February 10, 2022

7:15 pm

**PUBLIC HEARING: INTRODUCTORY LOCAL LAW NO.1 OF 2022 ENTITLED
“AMEND CHAPTER 129 SHORT TERM RENTAL PROPERTY”**

**PUBLIC HEARING: INTRODUCTORY LOCAL LAW NO.2 OF 2022 ENTITLED
“AMEND CHAPTER 127 SANITARY SEWER USER CHARGE
SYSTEM”**

REGULAR MEETING:

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL**

ACCEPTANCE OF MINUTES

1. Regular Meeting- January 20, 2022

CORRESPONDENCE:

MATTHEW MARICONI – Manager, Regional & Community Affairs. Orange & Rockland Utilities. Email dated January 24, 2022 to the Clerk regarding Orange & Rockland Municipal Notification: 2022 Gas Education & Outreach-Virtual Safety Kickstart 3rd Party Damage Prevention. The virtual sessions are Certified Excavator Program renewal events and there are several [Safety Kickstarts](#) scheduled for the month of February and April.

Date	Time
Friday, April 15, 2022	7:00 a.m.–8:00 a.m.

Advanced Registration is required: To register, go to the [Coursettra](#) Portal login: <https://learning.digsafelynewyork.com/portal/>. Please contact your Dig Safely New York local field representative for assistance. Hitting and damaging underground lines can result in death, injury, fines, arrests, property damage and sizeable repair bills.

KRISTEN & MICHAEL OSWALD – Resident, Town of Warwick. Email dated January 24, 2022 to the Town Clerk regarding the Warwick Valley Dispatch as the Towns Official Newspaper.

NEIL L. WINTER- Director-Regional & Community Affairs, Orange & Rockland Utilities. Letter dated February 1, 2022 regarding paving and road improvement schedules.

CATHERINE CASSE – Resident, Town of Warwick. Email dated January 24, 2022 to the Town Clerk regarding the Warwick Valley Dispatch as the Towns Official Newspaper.

JED BARK – Resident, Town of Warwick. Letter dated January 13, 2022 to the Town Board regarding the Warwick Valley Dispatch as the Towns Official Newspaper.

ELENA VALENTINO- Resident, Town of Warwick. Email dated January 20, 2022 to the Town Board regarding the Warwick Valley Dispatch as the Towns Official Newspaper.

DANIEL GIBSON – Building Inspector, Town of Warwick. Letter dated January 14, 2022 requesting review of CP Certified Electrical Inspector LLC to be added to the current Town list of Warwick Third Party Electrical Inspections.

DAVID BROWN- President & CEO Massachusetts Cannabis Business Association. Email dated January 25, 2022 to the Town Clerk regarding Cannabis businesses in Warwick.

MICHAEL BARK – Orange County Youth Bureau. Email dated January 24, 2022 to the Clerk regarding the Orange County Youth Bureau Announces Request for Proposals for 2022 Funding.

MARCY GIANATTASIO – Town Clerk, Vernon New Jersey. Email dated January 27, 2022 to the Town Clerk regarding Ordinance #22-03- West Shore Drive.

CARRIE SCALI – Planning Assistant, Orange County Planning Department. Email dated February 1, 2022 regarding a webinar opportunity for Clean Energy and Your Comprehensive Plan.

ROSEANNE GONZALEZ - Black Walnut Creek, LLC. Application requesting for Participation in the Town of Warwick Agricultural Protection Overlay District submitted to Clerk February 2, 2022.

MARCY GIANATTASIO – Town Clerk, Vernon, New Jersey. Letter dated January 27, 2022 regarding Ordinance #22-03: An ordinance providing for the vacation of a public right of way know as West Shore Drive, 40:67-21 and releasing and extinguishing any pursuant 40:49-6, N.J.S.A. 40:67-2 and to N.J.S.A. 40:67-21 and releasing and extinguishing any public right therein. The Public Hearing will be held February 14, 2022 at 7:00pm in the municipal building, 21 Church Street, Vernon New Jersey 07462 or via Zoom webinar (please see the Vernon Township website for Zoom information.)

DEIDRE ELLIS – Clerk, Town of West Milford, Passaic County, New Jersey. Ordinance 2022-007 2022-007 an ordinance of the township of West Milford, county of Passaic state of new jersey amending chapter 500 “zoning” of the revised general ordinances of the township to permit and update permitted zoning areas for the cultivation, manufacturing, wholesale, distribution, retail and delivery of cannabis with the township-amended.

KELLY BRADLEY – Deputy Clerk, Orange County Legislature. Email dated February 1, 2022 to the Clerk regarding the Legislative Calendar 2022.

NEIL WINTER – Director-Regional & Community Affairs. Orange & Rockland Utilities, Inc. Letter dated January 24, 2022 to the Town Board regarding a Virtual Safety Kick Start for Dig Safely. The Virtual sessions are Certified Excavator Program renewal events and there are several Safety Kickstarts scheduled for the month of February & April. Advanced registration is required. To register, go to the Coursettra Portal login: <https://learning.digsafelynewyork.com/portal/>

Date	Time
Wednesday, February 9, 2022	7:00 a.m.–8:00 a.m.
Frida, April 15, 2022	7:00 a.m.- 8:00a.m.

NEIL WINTER – Director-Regional & Community Affairs. Orange & Rockland Utilities, Inc. Letter dated February 1, 2022 to the Town Board regarding 2022 Education of public Officials- Municipal Projects & Paving to efficiently and safely carry out utility-related projects with the least amount of inconvenience to the community.

MANNA RISTORANTE LLC. – Restaurant, Greenwood Lake. A Copy of Standardized Notice Form for Providing 30-Day Advance Notice to a Local Municipality or Community Board was received in the Town Clerk’s office on February 7, 2022.

SUZYN BARRON – President, Town of Warwick Humane Society. Letter dated February 8, 2022 regarding an appointment of an animal control officer.

BOARD’S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

Pot Holes	Town Wide	Fill with cold mix
Road Repair	Little York Rd.	Repair road edge
	Gurda Lane	Repair road edge
Snow Plowing	Town Wide	2/4/22 plow & sand all roads
		2/7/22 plow and sand all roads
Vehicle Maint.	As needed	
Mail Boxes	Town wide	Replace as needed
Road Signs	Town Wide	Replace as needed
Haul Material	GWL Stockpile	Haul sand/salt mix
	Town stockpile	Haul road grit

PARKS DEPARTMENT

Union Corners Park	Open
Kutz Camp Park (Residents Only)	Closed
Town of Warwick Dog Park	Open
Airport Road Park	Open
Wickham Woodland Park	No Ice Fishing
Pine Island Park	Ice Skating Rink Open
Thomas P. Morahan Waterfront Park	No Ice Fishing
Ben Winstanley Park	Open
Village of GWL Dog Park	Open

PARKS DEPARTMENT

ENVIRONMENTAL CONSULTANTS REPORT DECEMBER 2021

Wickham Water District

Wells #11	1,762,000 gal
Average daily use	56,800 gal
Sodium Hypochlorite used	84 qt
Orthophosphate used	48 qt
Caustic Soda	60 gal

Bellvale Park Water District

Total monthly production	Meter out for repair
Average daily use	0 gal
Sodium Hypochlorite used	10 qt

Eurich Heights Water District

Total monthly production	214,400 gal
Average daily use	6,900 gal
Sodium Hypochlorite used	18 qt
Orthophosphate used	24 qt

Pine Island Water District

Total monthly production	336,100 gal
--------------------------	-------------

Average daily use	10,800 gal
Sodium Hypochlorite used	20 qt

Westside #1 Water District

Total monthly production	2,073,200 gal
Average daily use	66,900 gal
Sodium Hypochlorite used	152 qt
Orthophosphate used	36 qt
Caustic Soda	50 gal

The Fairgrounds

Total monthly production	137,700 gal
Average daily use	4,400 gal
Sodium Hypochlorite used	36 qt

The Warwick Tech Park

Total monthly production	150,400 gal
Average daily use	4,500 gal
Sodium Hypochlorite used	40 qt

Sewer District #1 Wastewater Treatment Facility

Warwick Tech Park	53,670 gal	2%
Wickham Village District	2,084,856 gal	57%
Kings Estates District	1,508,486 gal	41%
<u>Total District Flow</u>	3,647,012 gal	100%
<u>Average Daily Flow</u>	117,646 gal	

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

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

Sewer District #2 Wastewater Treatment Facility – The Fairgrounds

<u>Total District Flow</u>	103,126 gal
<u>Average Daily Flow</u>	3,326 gal

COUNCILMAN DE ANGELO REPORT

COUNCILMAN KOWAL REPORT

COUNCILMAN GERSTNER REPORT

COUNCILMAN SHUBACK REPORT

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. FEES COLLECTED – JANUARY 2022

Interest in Town Clerk's Checking Account	\$0.07
Wickham Woodland Manor Fee	\$300.00
Marriage Certified	\$260.00
Carters Permit	\$1,600.00
Photocopies	\$7.50
Postage	\$1.16
Use of Kitchen (Sr. Center)	\$100.00
Use of Room (Sr. Center)	\$100.00
Town Park Pavilion	\$50.00
Marriage License Fee	\$122.50
Conservation	\$9.85
Dog Licenses	\$1,666.00
Registrar Town of Warwick	\$390.00
Police Impound Fee	\$65.00
Wickham Woodland Manor Deposit	\$600.00
Town Park Deposits	\$250.00
Total Local Shares Remitted	\$5,522.08

2. FEES PAID – JANUARY 2022

NYS Dept. of Health	\$157.50
NYS Ag & Markets for Spay/neuter program	\$207.00
NYS Environmental Conservation	\$169.15
Village of Greenwood Lake Registrar	\$60.00
Village of Warwick for Registrar	\$2,030.00
Total Non-Local Revenues	\$2,623.65

SUPERVISORS REPORT

- 1. Governor's Budget Proposals**
- 2. Reportable Workers Comp Cases 2021**
- 3. Building Department Yearend Report**
- 4. Journal entries**
- 5. Supervisors Corner – Published each week in the Warwick Dispatch, with excerpts printed in the Warwick Advertiser.**

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

NEW BUSINESS:

- 1. AUTHORIZE SUPERVISOR TO SIGN MEMORANDUM OF AGREEMENT OF UNDERSTANDING – GREENWOOD LAKE AMBULANCE INC.**
- 2. AUTHORIZE SUPERVISOR TO SIGN MEMORANDUM OF AGREEMENT OF UNDERSTANDING –WARWICK AMBULANCE INC.**
- 3. AUTHORIZE SUPERVISOR TO SIGN MEMORANDUM OF AGREEMENT OF UNDERSTANDING –PINE ISLAND AMBULANCE INC.**
- 4. AUTHORIZE SUPERVISOR TO SIGN AGREEMENT – JEWISH FAMILY SERVICES**
- 5. APPROVAL TO ADD CP CERTIFIED ELECTRICAL INSPECTOR LLC, TO LIST OF QUALIFIED THIRD-PARTY ELECTRICAL INSPECTION AGENCIES**
- 6. APPROVE SPECIAL EVENT PERMIT –HERO'S IN DEED**
- 7. REQUEST TO SERVE ALCOHOL – KEVIN BALSLOV**
- 8. SPECIAL EVENT PERMIT – WARWICK LIONS CLUB ANNUAL LABOR DAY 5K ROAD RACE**
- 9. AUTHORIZE SUPERVISOR TO SIGN AGREEMENT- WARWICK VALLEY HUMANE SOCIETY**
- 10. REQUEST TO SERVE ALCOHOL – LAURENE TAYLOR**
- 11. AUTHORIZE SUPERVISOR TO SIGN ADDENDUM TO LEASE AGREEMENT– WARWICK VALLEY PILOTS ASSOCIATES, INC.**
- 12. APPOINT ANIMAL CONTROL OFFICER – LAURA TREZZA**
- 13. AMEND #R2022-60 TO AMEND #R2021-327 BUDGET MODIFICATION – AMERICAN RESCUE PLAN ACT OF 2021**

BILLS:

PRIVILEGE OF THE FLOOR (GENERAL)

RECONVENE:

ADJOURN:

Introductory Local Law No. 1 of 2022 " Short Term Rentals"

TOWN OF WARWICK
INTRODUCTORY LOCAL LAW
AMENDING THE CODE OF THE TOWN OF WARWICK

A Local Law amending Chapter 129 of the Code of the Town of Warwick entitled "Short-term Rental Property" by changing Section 129-8 of Chapter 129, as more fully set forth below:

Be it enacted by the Town Board of the Town of Warwick, Orange County, New York, as follows:

Section 1 –TOWN CODE AMENDED:

The Town of Warwick Town Code is hereby amended by removing the existing section 129-2 and adding a replacement for 129-2, removing the existing section 129-6 B and C and adding a replacement for 129-6 B and C, removing the existing section 129-7 A(1) and adding a replacement for 129-7 A(1), removing the existing section 129-8 A and C and adding a replacement for 129-8 A and C, removing the existing section 129-13 A and B and adding a replacement for 129-13 A and B, and adding new sections 129-3 F, 129-8 J and 129-8 K and replacing them as follows:

Section 129-2 Definitions. As used in this article, the following terms shall have the meanings indicated:

ABSENTEE LANDLORD

Any natural person owning real property in fee simple who does not reside on the rental property and/or who resides outside the designated boundaries of Orange County as those boundaries may be defined at the time of regular, periodic property registration. All Absentee Landlords must be natural persons and not corporations, limited liability companies or other similar entities.

BUILDING INSPECTOR

The Building Inspector of the Town of Warwick or such person as appointed by the Town Board to enforce of Chapter 67, Unsafe Buildings, and this article.

HOUSING OR DWELLING UNIT

Any single residential living space which is capable of housing one separate household, whether a detached single-family structure or building or part of a multihousehold structure or building.

IMMEDIATE FAMILY

The immediate family of the owner of a housing unit consists of the owner's spouse, children, parents, grandparents or grandchildren.

LANDLORD

Any natural person owning real property in fee simple or Resident Agent who offers a housing unit for occupancy to persons other than members of his immediate family in exchange for a fee or compensation, whether monetary or otherwise. All Landlords must be natural persons and not corporations, limited liability companies or other similar entities.

RESIDENT AGENT

A natural person designated by a Landlord or Absentee Landlord who resides within the designated boundaries of Orange County as defined at the time of periodic property registration. All Resident Agents must be natural persons and not corporations, limited liability companies or other similar entities.

SHORT-TERM RENTAL PERMIT

A permit issued by the Town of Warwick stating that the referenced structure or unit conforms to the standards of the Chapter 82, Fire Prevention and Building Code Administration, and that occupancy of that structure or unit is permitted for residential use. Any special circumstances or conditions under which occupancy is permitted may be specified on that permit.

SHORT-TERM RENTAL PROPERTY

Any housing or dwelling unit(s) which are occupied by persons other than the owner or his immediate family for which a fee or compensation, monetary or otherwise, is received by the owner or landlord in exchange for such occupancy for a period of less than 30 days, which shall include but not be limited to rentals provided by such companies as Air BnB and VBRO. Month to month tenancies are not considered short-term rental properties.

SUBSTANDARD

Any deficiency in a structure or housing unit that does not meet the standards of Chapter 82, Fire Prevention and Building Code Administration, as amended.

Section 129-6 B. The applicant has falsified or failed to provide information in the application for a permit, registration of property, or registration of Landlord or Absentee Landlord.

Section 129-6 C. The applicant had been issued a short-term rental permit, which was in effect in any part of the calendar year immediately preceding the date of application, and the applicant falsified or failed to provide information in the application for a permit, registration of property, or registration of Landlord or Absentee Landlord, upon which such short-term rental permit had been issued.

Section 129-3 F. No more than two (2) short-term rental permits will be issued to a Landlord or Absentee Landlord.

Section 129-7 A(1) The Landlord, Absentee Landlord or Resident Agent applicant has falsified or failed to provide information in the application for a permit, application for renewal of a permit, registration of property, or registration of Landlord or Absentee Landlord.

Section 129-8 A. It is the responsibility of the Landlord or Absentee Landlord to ensure proper and legal occupation of the premises and compliance with this article.

Section 129-8 C. Occupancy is limited to the maximum permitted as per the approved septic design for the number of bedrooms in the Town Building Department records. A typical septic system, that meets NYS Department of Health Design Standards permits a maximum occupancy of two (2) persons per recorded bedroom count in the Building Department records.

Section 129-13 A. An application fee for the short-term rental permit, in an amount established by resolution of the Town Board, listed in the Schedule of Fees,[1] shall be paid by the property owner at the time of application.

Section 129-13 B. A renewal fee for the renewal of a short-term rental permit, in an amount established by resolution of the Town Board, shall be paid by the Landlord or Absentee Landlord at the time of application for renewal.

Section 129-8 J. No guests other than those contracting for and residing in the Short-Term Rental Property are permitted on the premises overnight.

Section 129-8 K. No events, such as but not limited to weddings, parties or concerts, are permitted in a Short-Term Rental Property.

Section 2. – This Local Law will take effect upon the filing of same with the New York State Secretary of State.