

AGENDA - TOWN BOARD MEETING

November 26, 2024

12:00pm

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

ACCEPTANCE OF MINUTES

- 1. Continuation of Public Hearing of 2025 Budgets – November 14, 2024**
- 2. Regular Meeting – November 14, 2024**

**CORRESPONDENCE (Addendum # 1):
-Board's Discussion on Correspondence**

TOWN CLERK REPORT (Addendum #2):

VISITING ELECTED OFFICIALS

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

NEW BUSINESS / RESOLUTIONS (Addendum #3):

APPROVAL TO PAY AUDITED BILLS:

PRIVILEGE OF THE FLOOR (GENERAL):

NEXT MEETING: Thursday, December 12, 2024 @ 7:30pm (Workshop @6:00pm)

MOTION TO ADJOURN:

CORRESPONDENCE:

BENJAMIN ASTORINO – Planning Board Chairman, Town of Warwick. Memo dated November 19, 2024 to the Town Board requesting a time schedule change for Planning Board Work Sessions & Regular Meetings to begin at 7:00pm.

ALLISON WAGNER – Greenwood Lake Commission. Email dated November 17, 2024 to the Clerk regarding Greenwood Lake Commission Dates for 2025. Monthly meeting dates are listed below:

January	22	2025	NJ
February	26	2025	NY
March	26	2025	NJ
April	23	2025	NY
May	28	2025	NJ
June	25	2025	NY
July	23	2025	NJ
August	27	2025	NY
September	24	2025	NJ
October	22	2025	NY
November	19	2025	NJ
December	17	2025	NY

January – October is on the 4th Wednesday of each month.
 November & December is on the 3rd Wednesday of the month.
 7:00pm – 9:00pm

NJ Location: The West Milford Library - 1470 Union Valley Rd, West Milford, NJ 07480

NY Location: The Senior Center – 132 Windermere Ave, Greenwood Lake, NY 10925

* Dates Subject to Change

JOAN MAXWEWLL – Organizer, Warwick Repair Café. Memo to the Town Board regarding the past Repair Café and the great success it was. The next Repair Café will take place on January 18, 2025 from 10am to 2pm in the Warwick Senior Center.

VIKKI GARBY – Planning Board member. Town of Warwick. Letter dated November 18, 2024 requesting re- appointment to the Planning Board.

BEN ASTORINO – Planning Board Chairman, Town of Warwick. Letter dated November 18, 2024 requesting to be re-appointed as Chairman for the Town of Warwick Planning Board.

TRACY GREGOIRE _ Founder, Small Things Inc. Creator & Organizer, Warwick Food Truck Festival. Letter dated November 11, 2024 to the Supervisor requesting to have the rental fee at Mountain Lake Park be waived for a food truck festival. Proceeds will be used to purchase locally and gift holiday toys and Christmas trees in our community.

JAN JANSEN- ZBA Chairman, Town of Warwick. Letter received November 21, 2024 to the Town Board informing the Board of his resignation as the Zoning Board of Appeals for the purpose of retirement.

SAMANTHA WALTER – Recreation Director, Mountain Lake Park. Email dated November 22, 2024 to the Clerk regarding a refund of a deposit at Mountain Lake Park.

SORAIDA VALENTINE – Resident, Greenwood Lake, NY. Email to the Supervisor dated November 22, 2024 regarding abandoned property 27 Deer Trail North, Greenwood Lake.

NYS OFFICE OF CANABIS MANAGEMENT – Letter dated November 22, 2024 to the Town Board regarding a response from NYS Cannabis Control Board under Cannabis Law Section 76(4) for Muckland LLC/Colleen Dougherty.

JOHN W. FURST – Attorney, Catania, Mahon & Rider, PLLC Attorneys at Law. Letter dated November 22, 2024 regarding Senior Housing Development on Sanfordville Road.

JARED SIMON & CARRIE ZASLOW – Email dated November 23, 2024 to the Supervisor regarding Airbnb violation # 20240114.

SAM WALTER – Recreation Director, Mountain Lake Park. Email dated November 21, 2024 regarding Mountain Lake Park Package Pricing for 2025.

TOWN CLERK REPORT:

1. Proposals for Onsite Office Commercial Shredders for Town Clerk's office

1. Staples.com
500 Staples Drive
Framingham, MA 01702
Bid Proposal: \$1,913.00

2. Amazon.com
410 Terry Ave.
Seattle, WA 98109
Bid Proposal: \$2,000.00

3. Office Depot.com
6600 North Military Trail
Boca Raton, FL 33496
Bid Proposal: \$2,224.99

TENTATIVE

NEW BUSINESS/RESOLUTIONS:

#R2024-449 ACCEPT BID PROPOSAL TO REMOVE TREES AT 1 & 2 OLGA WAY, GREENWOOD LAKE

Motion to accept bid from Mauricio's Tree Service for removal of three large dead trees at 1&2 Olga Way in Greenwood Lake in an amount not to exceed \$3,200.00.

#R2024-450 AUTHORISE SUPERVISOR TO SIGN MAINTENANCE AGREEMENT FOR SNOW MAINTENANCE & REMOVAL AT TOWN HALL.

Motion to authorize the supervisor to sign a maintenance agreement with RS Landscaping, LLC for snow maintenance and removal from walks and designated areas AT Town Hall.

#R2024-451 BUDGET TRANSFER – TOWN CLERK

Motion to adopt a resolution to authorize the following budget transfer:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Contractual A00.00.1410.412	Equipment A00.00.1410.200	\$1,900.00
Contractual A00.00.1918.412	Office Expenses A00.00.1410.444	\$800.00
Contractual A00.00.1918.412	Office Supplies A00.00.1918.442	\$200.00
Training A00.00.1410.480	Office Expenses A00.00.1410.444	\$1,000.00
Printing A00.00.1410.452	Dues A00.00.1410.414	\$100.00

#R2024-452 AUTHORIZE SUPERVISOR TO SIGN FIFTH AMENDMENT TO OPTION AND GROUND LEASE AGREEMENT- TOWN OF WARWICK & HOMELAND TOWERS, LLC

Motion to authorize the Supervisor to sign fifth amendment to option and ground lease agreement by and between Town of Warwick and Homeland Towers, LLC for the purpose of constructing and operating a telecommunication facility located at State School Road, Town of Warwick, Orange County, NY, SBL# 46-1-39.2.

#R2024-453 APPROVE PURCHASE OF COMMERCIAL SHREDDER

Motion to approve the purchase of a Formax OnSite Office 8402SC 32- Sheet Strip-cut Commercial Shredder from Staples.com in the amount of \$1,913.00. Funds for this purchase are in the current budget.

#R2024-454 WAIVE RENTAL FEE FOR TRUCKS N TREES WINTER-FEST OF THE WARWICK FOOD TRUCK FESTIVAL

Motion to waive rental fee at the Mountain Lake Park for the winter mini-fest of the Warwick Food Truck Festival on December 7th & 8th, 2024. The event is open to everyone with no admission fee.

#R2024-455 REQUEST TO SERVE ALCOHOL AT TOWN OF WARWICK PARKS/RENTAL FACILITIES

Motion to adopt a resolution granting permission to the following applicants to serve alcohol at Town of Warwick Parks/Rental Facilities. All applicants have filed a Certificate of Liability and Liquor Liability of insurance in the Town Clerk's office:

	APPLICANT	PARK/RENTAL FACILITY	DATE	Permit #
A	Small Things/Trunk N Tree	Wickham Woodland Manor	Dec. 7 th & 8, 2024	MLP-109

#R2024-456 ACCEPT RESIGNATION OF ZBA CHAIRMAN JAN JANSEN

Motion to accept the resignation of Zoning Board of Appeals Chairman Jan Jansen for the purpose of retirement effective December 31, 2024.

#R2024-457 REFUND MOUNTAIN LAKE PARK DEPOSIT – SARAH OSTER

Motion to refund a deposit in the amount of \$1,000.00 to Sarah Oster for the cancellation of Mountain Lake Park rental as per email dated November 22, 2024 from the Recreation Director.

#R2024-458 AUTHORIZE SUPERVISOR TO SIGN PURCHASE/EQUIPMENT AND SOFTWARE MAINTENANCE AGREEMENT WITH PITNEY BOWES

Motion to authorize the Supervisor to sign a purchase agreement/equipment and software maintenance agreement with Pitney Bowes for a SENDPROMAILCENTER machine not to exceed \$8,797.52 and annual maintenance fee of \$656.20 per year to be billed quarterly.

#R2024-459 AUTHORIZE CHANGE OF FILM AND VIDEO PRODUCTION/PERMIT FEES

Motion to adopt the following resolution:

WHEREAS, in accordance with Town Code §81-7 (Fees) and Town Code §81-4 (Request for film productions) the Town Board, by resolution, may establish any fee it deems reasonable and appropriate for filming within the Town of Warwick;

NOW THEREFORE I offer a Motion to adopt a resolution setting filming fees as follows:

- For Filming with a film crew size of one (1) to fifteen (15) people \$250 per day.
- For Filming with a film crew size of sixteen (16) to twenty-five (25) people \$500 per day.
- For Filming with a film crew size of twenty-six (26) to fifty (50) people \$1,500 per day.
- For Filming with a film crew size of fifty-one or more people \$2,500 per day.
- For Filming which involves the closure of a roadway, an additional fee of \$5,000 per day.

The Police Service Fee shall be calculated at a rate of \$180 per hour per police office along with a charge of \$40 per hour for each police vehicle

If an application, for filming, by a film crew of twenty-five (25) or more people, is submitted less than thirty (30) days prior to the requested filming date, there will be a mandatory, non-refundable processing fee in the amount of \$5,000 in addition to the afore-mentioned Film and Video Productions Permit fee and Police Service Fee.

#R2024-460 WORK NECESSARY TO BE COMPLETED FOR DEDICATION TO THE MOORE SUBDIVISION

Motion to adopt the following resolution:

WHEREAS, J.W. Warwick LLC has yet to complete the entirety of the work specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006; and

WHEREAS, Town of Warwick remains in receipt of the cash Performance Bond and the cash Landscape Bond, provided by J.W. Warwick LLC with regard to the Moore Subdivision; and

WHEREAS, the Town of Warwick is desirous of accepting the Dedication, as public roadways, of the roads contained within the Moore Subdivision, in particular Drumlin Farm Road and Vintner's Way; and

WHEREAS, the Town of Warwick cannot accept the Dedication, as public roadways, of the roads contained within the Moore Subdivision, in particular Drumlin Farm Road and Vintner's Way, until the completion of the entirety of the work specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006; and

WHEREAS, the Town of Warwick has made demand upon J.W. Warwick LLC, that it complete the entirety of the work specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006; and

WHEREAS, the Town of Warwick's acceptance of the Dedication, as public roadways, of the roads contained within the Moore Subdivision, in particular Drumlin Farm Road and Vintner's Way, best serves the interests of the residents of the Town of Warwick; and

WHEREAS, the Town of Warwick intends to take all steps necessary to ensure completion of the entirety of the work specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006; and

WHEREAS, the Town of Warwick by correspondence dated October 30, 2024, advised J.W. Warwick LLC, that by November 13, 2024, it must complete the remaining outstanding work as more clearly specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006, and in the event of its failure to do so, the Town of Warwick will have the necessary outstanding work completed, and the Town of Warwick will charge the costs of same against the Performance Bond and Landscape Bond and

WHEREAS, the Town of Warwick by correspondence dated November 6, 2024, advised J.W. Warwick LLC, that the Town of Warwick had obtained a proposal from Ward Paving, in accordance with the State bid, for the cost of performing the required paving, in the amount of \$134,575.00; and

WHEREAS, the Town of Warwick by correspondence dated November 21, 2024, advised J.W. Warwick LLC, that the actual cost for Ward Paving's performance of the required paving, is \$113,014.88; and

WHEREAS, the Town of Warwick has received no response from J.W. Warwick LLC;

NOW THEREFORE I offer a Motion to adopt a resolution authorizing the Town Supervisor to take all steps necessary to pay Ward Paving for performing the aforementioned paving specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006, in the amount of \$113,014.88, from the cash Performance Bond.

#R2024-461 AUTHORISE THE SUPERVISER TO TAKE NECESSARY STEPS FOR DIRECT EVOLUTION EDGES TO INSTALL REQUIRED ADDITIONAL GUARDRAIL FOR THE MOORE SUBDIVISION

Motion to adopt the following resolution:

WHEREAS, J.W. Warwick LLC has yet to complete the entirety of the work specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006; and

WHEREAS, Town of Warwick remains in receipt of the cash Performance Bond and the cash Landscape Bond, provided by J.W. Warwick LLC with regard to the Moore Subdivision; and

WHEREAS, the Town of Warwick is desirous of accepting the Dedication, as public roadways, of the roads contained within the Moore Subdivision, in particular Drumlin Farm Road and Vintner's Way; and

WHEREAS, the Town of Warwick cannot accept the Dedication, as public roadways, of the roads contained within the Moore Subdivision, in particular Drumlin Farm Road and Vintner's Way, until the completion of the entirety of the work specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006; and

WHEREAS, the Town of Warwick has made demand upon J.W. Warwick LLC, that it complete the entirety of the work specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006; and

WHEREAS, the Town of Warwick's acceptance of the Dedication, as public roadways, of the roads contained within the Moore Subdivision, in particular Drumlin Farm Road and Vintner's Way, best serves the interests of the residents of the Town of Warwick; and

WHEREAS, the Town of Warwick intends to take all steps necessary to ensure completion of the entirety of the work specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006; and

WHEREAS, the Town of Warwick by correspondence dated October 30, 2024, advised J.W. Warwick LLC, that by November 13, 2024, it must complete the remaining outstanding work as more clearly specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006, and in the event of its failure to do so, the Town of Warwick will have the necessary outstanding work completed, and the Town of Warwick will charge the costs of same against its Performance Bond and Landscape Bond and

WHEREAS, the Town of Warwick by correspondence dated November 21, 2024, advised J.W. Warwick LLC, that the Town of Warwick has obtained a proposal from Evolution Edges, in accordance with the State Bid and Orange County contract, for the cost of installing the required additional guiderail, in the amount of \$10,283.45 Ward Paving; and

WHEREAS, the Town of Warwick has received no response from J.W. Warwick LLC;

NOW THEREFORE I offer a motion to adopt a resolution authorizing the Town Supervisor to take all steps necessary to direct Evolution Edges to perform, and pay for the cost of performing the aforementioned installation of the required additional guiderail, as specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006, in an amount not to exceed \$10,283.45, from the cash Performance Bond.

#R2024-462 AUTHORIZE SUPERVISOR TO TAKE NECESSARY STEPS TO RECOUP THE COST OF PLOWING SNOW AND SALTING FOR THE MOORE SUBDIVISION IN PARTICULAR DRUMLIN FARM ROAD AND VINTNER'S WAY, FROM THE CASH PERFORMANCE BOND

Motion to adopt the following resolution:

WHEREAS, J.W. Warwick LLC has yet to complete the entirety of the work specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006; and

WHEREAS, Town of Warwick remains in receipt of the cash Performance Bond and the cash Landscape Bond, provided by J.W. Warwick LLC with regard to the Moore Subdivision; and

WHEREAS, the Town of Warwick is desirous of accepting the Dedication, as public roadways, of the roads contained within the Moore Subdivision, in particular Drumlin Farm Road and Vintner's Way; and

WHEREAS, the Town of Warwick cannot accept the Dedication, as public roadways, of the roads contained within the Moore Subdivision, in particular Drumlin Farm Road and Vintner's Way, until the completion of the entirety of the work specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006; and

WHEREAS, the Town of Warwick has made demand upon J.W. Warwick LLC, that it complete the entirety of the work specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006; and

WHEREAS, the Town of Warwick's acceptance of the Dedication, as public roadways, of the roads contained within the Moore Subdivision, in particular Drumlin Farm Road and Vintner's Way, best serves the interests of the residents of the Town of Warwick; and

WHEREAS, the Town of Warwick intends to take all steps necessary to ensure completion of the entirety of the work specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006; and

WHEREAS, the Town of Warwick by correspondence dated October 30, 2024, advised J.W. Warwick LLC, that by November 13, 2024, it must complete the remaining outstanding work as more clearly specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006, and in the event of its failure to do so, the Town of Warwick will have the necessary outstanding work completed, and the Town of Warwick will charge the costs of same against its Performance Bond and Landscape Bond and

WHEREAS, the Town of Warwick by correspondence dated November 22, 2024, advised J.W. Warwick LLC, that, in anticipation of the dedication of the Moore Subdivision roads to the Town of Warwick, the Town Department of Public works has begun to plow snow and salt these roads, in particular, Drumlin Farm Road and Vintner's Way, and the Town will charge the cost of reimbursement for such services against its Performance Bond; and

WHEREAS, the Town of Warwick has received no response from J.W. Warwick LLC;

NOW THEREFORE I offer a motion to adopt a resolution authorizing the Town Supervisor to take all steps necessary to recoup the cost of plowing snow and salting, the roads of the Moore Subdivision, as specified on the Subdivision Plan, for the Moore Subdivision, approved by the Town of Warwick Planning Board, on June 8, 2006, in particular Drumlin Farm Road and Vintner's Way, from the cash Performance Bond.

#R2024-463 AUTHORIZE SUPERVISOR TO ENTER INTO LEASE AGREEMENT WITH JUNONIA GROUP, LLC, D/B/A SCRIPTED FRAGRANCE AT WISNER HALL

Motion to adopt the following resolution:

WHEREAS, the Town of Warwick has received 255 State School Road, Warwick, New York 10990, which is improved by "Wisner Hall" a 10,288 gross square foot building, from the Orange County Industrial Development Agency; and

WHEREAS, the Town of Warwick has received 255 State School Road, Warwick, New York 10990, which is improved by "Wisner Hall," from the Orange County Industrial Development Agency, subject to a lease between the Orange County Industrial Development Agency and Junonia Group, LLC, d/b/a/ Scripted Fragrance; and

WHEREAS, Junonia Group, LLC, d/b/a/ Scripted Fragrance, remains in possession of 255 State School Road, Warwick, New York 10990, which is improved by "Wisner Hall;"; and

WHEREAS, the Town of Warwick desires to clarify its rights and obligations with regard to the possession of 255 State School Road, Warwick, New York 10990, which is improved by "Wisner Hall," by Junonia Group, LLC, d/b/a/ Scripted Fragrance; and

WHEREAS, the Town of Warwick has sought a determination of the fair market lease value for the property, from Nikki Grzegorewski of Keller Williams Realty, a qualified real estate appraiser, who is determined the fair market monthly rental value to be \$3,000.00.

NOW THEREFORE I offer a motion to adopt a resolution authorizing the Town Supervisor to enter into a lease with Junonia Group, LLC, d/b/a/ Scripted Fragrance, to address its continued possession of 255 State School Road, Warwick, New York 10990, which is improved by "Wisner Hall," for the fair market value for the property, as determined by a qualified real estate appraiser.