

AGENDA – TOWN BOARD MEETING
June 8, 2023
7:30pm

REGULAR MEETING:

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

ACCEPTANCE OF MINUTES

- 1. Regular Meeting- May 25, 2023**
- 2. Special Meeting – June 5, 2023**

CORRESPONDENCE:

JOHN D. RADER – Chief of Police, Town of Warwick. Memo dated June 5, 2023 to the Comptroller regarding a reimbursement of \$2,767.33. This represents repairs to a patrol car that was paid directly from the insurance company and inadvertently billed us.

EUGENE COOK – Councilman, Town of Huntington. Letter dated May 10, 2023 to the Town Clerk regarding Voter Identification Resolution.

DEBORAH EURICH – Assessor, Town of Warwick. Memo dated May 30, 2023 to the Town Board requesting the board’s approval to attend a 2-day course at the Institute of Assessing Officer’s Cornell Seminar held in Ithaca.

JOHN D. RADER – Chief of Police, Town of Warwick. Six (6) memos dated June 1, 2023 to the Supervisor recommending Full-time Police Positions be filled.

JEREMY L. HAVENS- Attorney, Havens Law Firm. An Agreement for Legal Services was submitted to the Town Board for consideration to be appointed as the Town of Warwick Zoning Board of Appeals Attorney.

DENIS MEADOWS–Director, Government Records Services. Letter dated May 3, 2023 to Local Government Officials regarding One-day marriage officiant license records Retention & Disposition Schedule for New York Local Government Records (LGS-1). Retention shall be 3 years after filing of marriage license with the Department of Health or expiration of the marriage license.

CONNIE SARDO – Planning Board Secretary, Town Of Warwick. Letter dated May 19, 2023 to the Town Board recommending the remaining escrow be refund back to Planning Board Applicant, Frank Merrick in regards to Black Bear Campground.

CONNIE SARDO – Planning Board Secretary, Town Of Warwick. Letter dated May 5, 2023 to the Town Board recommending the remaining escrow be refund back to Planning Board Applicant, Jude Albanese.

ALAN J. SORENSEN – Commissioner of Planning, Orange County Department of Planning. Letter dated May 30, 2023 to the Town Board regarding Proposed Local Law No. 3 of 2023.

BOARD’S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

PARKS DEPARTMENT

CULVERT PIPES	Penaluna Rd.	Replace culvert pipe	40' x 24''
CATCH BASINS	Sunrise Ridge	Repair catch basin	
DRAINAGE	Dekay Rd.	Clean trench drains	
	Kain Rd.	Clean trench drains	
DITCH WORK	Penaluna Rd.	Clean ditches	
MOWING	Town wide	Mow roadsides	
POT HOLES	Town wide	Fill with hot mix	
ROAD REPAIR	Taylor Rd.	Fix road edges	
	Old Ridge Rd.	Fix road edges	
VEHICLE MAINT.	As needed		
ROAD SIGNS	Town wide	Replace as needed	
HAUL MATERIAL	Stockpile	Haul 1/4" stone to stockpile	

Union Corners Park	Open	Town
Mountain Lake Park	Fishing Pond Open	Town

Mountain Lake Park Pool	Opening Memorial Day Weekend	Town
Town of Warwick Dog Park	Open	Town
Airport Road Park	Open	Town
Cascade Lake Park	Open	Town
Wickham Woodland Park	Open	Town
Wickham Passive Boat Launch	Open	Town
Pine Island Park	Open	Town
Thomas P. Morahan Waterfront Park	Opening Memorial Day Weekend	Village of GWL
Ben Winstanley Park	Open	Village of GWL
Village of GWL Dog Park	Open	Village of GWL

ENVIRONMENTAL CONSULTANTS REPORT

COUNCILMAN DE ANGELO REPORT

COUNCILMAN KOWAL REPORT

COUNCILMAN GERSTNER REPORT

COUNCILMAN SHUBACK REPORT

ATTORNEY’S REPORT

TOWN CLERK’S REPORT

SUPERVISORS REPORT

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

NEW BUSINESS:

- 1. (SEQR) RESOLUTION ESTABLISHING LEAD AGENCY – INTRODUCTORY LOCAL LAW NO. 3 OF 2023 – AMENDING CHAPTER 164**
- 2. APPROVE CHANGE ORDER – STEPHEN BETERO**
- 3. APPROVE CHANGE ORDER – EXPERT MECHANICAL**
- 4. CREATE FULL-TIME POSITION POLICE OFFICER POSITION**
- 5. ACCEPT ADDENDUM TO LEASE AGREEMENT - DELAWARE SOLAR, LLC**
- 6. APPOINT FULL-TIME POLICE OFFICER – JORDAN K TETEALUT**
- 7. APPOINT FULL-TIME POLICE OFFICER – TIMOTHY L. HORTON**
- 8. APPOINT FULL-TIME POLICE OFFICER – MICHAEL P. MAZZELLA**
- 9. APPOINT FULL-TIME POLICE OFFICER – BRIEN R. PENNELLA**
- 10. APPOINT FULL-TIME POLICE OFFICER – JOHN K. KENNEDY**
- 11. RE- APPOINT FULL-TIME POLICE OFFICER – JOSEPH A. KENNEDY**
- 12. AUTHORIZATION TO ATTEND ASSESSOR TRAINING COURSE**
- 13. ACCEPT RESIGNATION - HEATHER PASSETTI**
- 14. APPOINT ZONING BOARD OF APPEALS ATTORNEY – JEREMY L. HAVENS**

15. REFUND ESCROW – FRANK MERRICK
16. REFUND ESCROW – JUDE ALBANESE
17. PINE ISLAND RECREATION PROGRAM – EMPLOYEE APPOINTMENTS
2023
18. REQUEST TO SERVE ALCOHOL ELIUD ROBLEDO

BILLS:

PRIVILEGE OF THE FLOOR (GENERAL)

RECONVENE:

ADJOURN:

ADDENDUM TO LEASE AGREEMENT BETWEEN
TOWN OF WARWICK (“Lessor”) and DELAWARE RIVER SOLAR, LLC (“Lessee”)

THIS LEASE ADDENDUM dated June ___, 2023 between the Town of Warwick, with an address at 132 Kings Highway, Warwick, NY 10990 (“Lessor”), and Delaware River Solar, LLC, a limited liability company formed in New York, with an address at 140 East 45th Street, Suite 32B-1, New York, NY 10017 (“Lessee”). The Lessee and Lessor are each, a “Party” and, collectively, the “Parties”.

WHEREAS the Lessor and Lessee entered into a Lease Agreement date October 6, 2022 (the “Lease”) for the rental of certain real property owned by the Lessor, being particularly described in Exhibit A to the Lease; and

WHEREAS the parties wish to amend the Lease by adding the following provision thereto.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements contained in the Lease and herein, and intending to legally bound hereby, Lessee and Lessor hereby agree as follows:

1. The following is added as subparagraph 1(s) of the Lease:

(s) “**Effective Lease Date**” means the date that a final resolution of the Town Planning Board granting final site plan approval to build a solar project on the leased property as provided in paragraph 19(u) herein becomes non-appealable in a judicial proceeding.

2. The following is added as subparagraph 19(u) of the Lease:

(u) This Lease is conditioned upon the Lessee obtaining site plan approval and the completion of the SEQRA process for the project described herein, from the Town Planning Board as lead agency under SEQRA. Lessee shall promptly and diligently apply for said approvals and if Lessee is unable to obtain final site plan approval by June 3, 2024, either party may cancel this Agreement by written notice to the other and thereupon, this contract shall be null and void.

3. All terms and conditions of the Lease not modified herein are hereby ratified to be in full force and effect.

IN WITNESS WHEREOF, Lessee and Lessor have executed this Agreement on the date first above written.

LESSOR: Town of Warwick

By: _____
Michael Sweeton, Superviso

LESSEE: Delaware River Solar, LLC

By: _____

Name:

Title:



Steven M. Neuhaus
County Executive

Orange County Department of Planning

124 Main Street
Goshen, NY 10924-2124
Tel: (845) 615-3840
Fax: (845) 291-2533

Alan J. Sorensen, AICP
Commissioner

www.orangecountygov.com/planning
planning@orangecountygov.com

County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, & n

Local Referring Board: Town of Warwick Town Board

Applicant: Town of Warwick Town Board

Project Name: Local Law 3 of 2023

Proposed Action: Zoning amendment regarding Commercial Solar, Cannabis Dispensary Overlay District and Campground Definitions of Reporting Requirements

Reason for County Review: Zoning Amendment

Date of Full Statement: May 30, 2023

Referral ID #: WRT 11-23M

Tax Map #: Town Wide

Local File #: None Provided

RECEIVED

JUN 05 2023

Town of Warwick
Town Clerk


Comments:

The Department has received the above referenced local law and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We have no advisory comments regarding this project.

County Recommendation: Local Determination

Date: June 1, 2023

Prepared by: Obed Varughese
Planner


Alan J. Sorensen, AICP
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning.

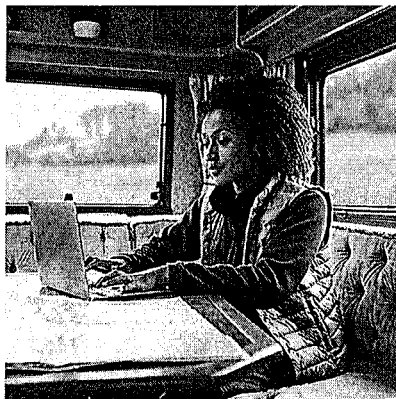
- DEFEND AGAINST SCAMMERS WHO TARGET YOUR SOCIAL SECURITY BENEFITS
- 10 WAYS TO PROTECT YOUR PERSONAL INFORMATION

- 3 ELIGIBILITY FOR SPOUSE'S BENEFITS
- 3 SOCIAL SECURITY'S COMMITMENT TO THE LGBTQ+ COMMUNITY
- 4 SOCIAL SECURITY SUPPORTS TEACHERS ONLINE



The Social Security Star

DEFEND AGAINST SCAMMERS WHO TARGET YOUR SOCIAL SECURITY BENEFITS



Scammers are always finding new ways to steal your money and personal information by exploiting your fears. The most effective way to defeat scammers is to know how to identify scams and to ignore suspicious calls and emails.

One common tactic scammers use is posing as federal agents or other law enforcement. They may claim your Social Security number (SSN) is linked to a crime. They may even threaten to arrest you if you do not comply with their instructions. Here are three things you should do:

Hang up right away or do not reply to the email.

- Never give personal information or payment of any kind.
- Report the scam at oig.ssa.gov to immediately notify the law enforcement team in our Office of the Inspector General.

You should continue to remain vigilant if you receive a phone call from someone who claims there's a problem with your SSN or your benefits. If you owe money to us, we will mail you a letter explaining your rights, payment options, and information about appealing.

There are a few ways you can identify a scam call or email. Remember that we will never:

- Threaten you with benefit suspension, arrest, or other legal action unless you pay a fine or fee.
- Promise a benefit increase or other assistance in exchange for payment.
- Require payment by retail gift card, cash, wire transfer,

internet currency, or prepaid debit card.

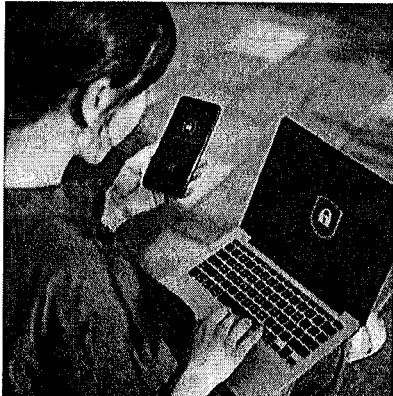
- Demand secrecy from you in handling a Social Security-related problem.
- Send official letters or reports containing personally identifiable information via email.

If you do not have ongoing business with our agency, it is unlikely we will contact you. Again, if you get a suspicious call claiming to be from us or law enforcement about Social Security, you should hang up and report it right away to our Office of the Inspector General at oig.ssa.gov.

Most Social Security services are available online by visiting www.socialsecurity.gov, and by calling Social Security toll-free at 1 (800) 772-1213 or 1 (800) 325-0778 TTY

Remember, visit www.ssa.gov/agency/emergency/ for up-to-date information about Social Security Office Closings and Emergencies. Subscribe to state or territory specific updates!

**10 WAYS TO PROTECT
YOUR PERSONAL
INFORMATION**



Identity theft affects millions of people each year and can cause serious harm. Protect yourself by securing your personal information, understanding the threat of identity theft, and exercising caution.

Here are 10 things you can start doing now to protect yourself and your loved ones from identity theft:

1. Protect your Social Security number by keeping your Social Security card in a safe place at home. Don't carry it with you or provide your number unnecessarily.
2. Be careful when you speak with unknown callers. Scammers may mislead you by using legitimate phone numbers or the real names of officials. If they threaten you or

make you feel uneasy, hang up.

3. Create strong, unique passwords so others can't easily access your accounts. Use different passwords for different accounts so if a hacker compromises one account, they can't access other accounts.
4. Never give your personal or financial information in response to an unsolicited call or message, and never post it on social media.
5. Shred paper documents that contain personal information, like your name, birth date, and Social Security number.
6. Protect your mobile device from unauthorized access by securing it with a PIN, adding a fingerprinting feature, or using facial recognition. You can also add a password and adjust the time before your screen automatically locks.
7. Regularly check your financial accounts for suspicious transactions.
8. Avoid internet threats by installing and maintaining strong anti-

virus software on all your devices—including your mobile device and personal computer. Use a virtual private network (VPN) to stay safe on public Wi-Fi. Do not perform certain activities that involve sensitive data, like online shopping and banking, on public Wi-Fi networks.

9. Protect yourself on social media by customizing your security settings and deleting accounts you no longer use. Also, double-check suspicious messages from your contacts, as hackers may create fake accounts of people you know.
10. Never click on any link sent via unsolicited email or text message—type in the web address yourself. Only provide information on secure websites.


We encourage you to create your own personal *my* Social Security account to track your earnings record. For more information, please read our publication, [Protecting Personal Information, at
oig.ssa.gov/files/21-540_Protecting_Personal_Information.pdf](https://www.ssa.gov/files/21-540_Protecting_Personal_Information.pdf). Contact us if you see suspicious work activity on

THE SOCIAL SECURITY STAR

your record—you could be a victim of identity theft.

Please share this information with your family and friends.

Need a Social Security card?

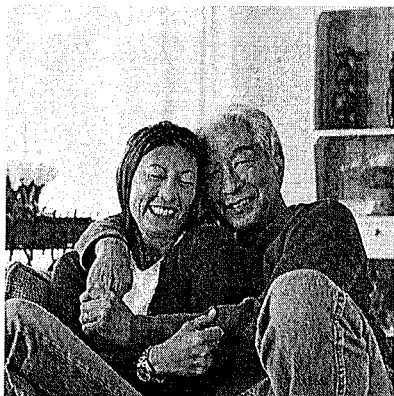


You may be able to start or complete your request online. Scan the QR code to get started.

1. Open the camera app on a smart phone or tablet.
2. Point the camera at the QR code.
3. Tap the banner that appears.

Social Security Administration | Publication No. 20-021
February 2022 | Produced at U.S. taxpayer expense **SSA.gov**

ELIGIBILITY FOR SPOUSE'S BENEFITS



Social Security helps you secure today and tomorrow with financial benefits, information, and tools that support you throughout life's journey. If you don't have enough Social Security credits to qualify for benefits on your own record, you may be able to receive benefits on your spouse's record.

To qualify for spouse's benefits, you must be one of the following:

- 62 years of age or older.
- Any age and have in your care a child who is younger than age 16 or who has a disability and is entitled to receive benefits on your spouse's record.

If you wait until you reach full retirement age, your full spouse's benefit could be up to one-half the amount your spouse is entitled to receive at their full retirement age. If you choose to receive your spouse's benefits before you reach full retirement age, you will get a permanently reduced benefit. You'll also get a full spouse's benefit before full retirement age if you care for a child who is entitled to receive benefits on your spouse's record.

If you're eligible to receive retirement benefits on your own record, we will pay that amount first. If your benefits as a spouse are higher than your own retirement benefits, you will get a combination of benefits that equal the higher spouse benefit. For example, Sandy qualifies for a retirement benefit of \$1,000 and a spouse's benefit of \$1,250. At her full retirement age, she will receive her own \$1,000 retirement benefit. We will add \$250 from her spouse's benefit, for a total of \$1,250.

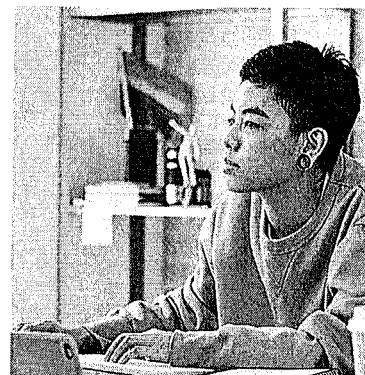
Want to apply for either your or your spouse's benefits? Are you at least 61 years and nine months old? If you answered

JUNE 2023

yes to both, visit www.ssa.gov/benefits/retirement to get started today.

ARE YOU DIVORCED FROM A MARRIAGE THAT LASTED AT LEAST 10 YEARS? YOU MAY BE ABLE TO GET BENEFITS ON YOUR FORMER SPOUSE'S RECORD. FOR MORE INFORMATION, PLEASE VISIT OUR WEBSITE AT WWW.SSA.GOV/PLANNERS/RETIRE/DIVSPOUSE.HTML.

SOCIAL SECURITY'S COMMITMENT TO THE LGBTQ+ COMMUNITY



June is Pride Month. It's a time to acknowledge the LGBTQ+ community, and also celebrate diversity, love, and respect. On June 26, 2015, the U.S. Supreme Court issued a decision in *Obergefell v. Hodges*, holding that same-sex couples have a constitutional right to marry in all states.

We recognize same-sex couples' marriages in all states, and some non-marital legal relationships (such as some civil unions and domestic

THE SOCIAL SECURITY STAR

partnerships). This recognition is important to determine entitlement to benefits.

Here are five things you should know about our benefits for same-sex couples:

- **Marital status is important** — A member of a same-sex couple may be entitled when a spouse receives retirement or disability benefits or dies. We also consider marital status when we determine eligibility and payment amount for Supplemental Security Income (SSI).
- **What type of benefits you can receive** — Social Security taxes pay for three kinds of benefits: retirement, disability, and survivors. If you're entitled to benefits, your spouse and eligible family members might receive benefits, too.
- **Children may receive benefits** — Your children or stepchildren could also be entitled to benefits.
- **When you apply for benefits is important** — If you're married or have entered a nonmarital legal relationship, we encourage you to apply right away, even if

you're not sure you're eligible. Applying now may protect you against the loss of any potential benefits.

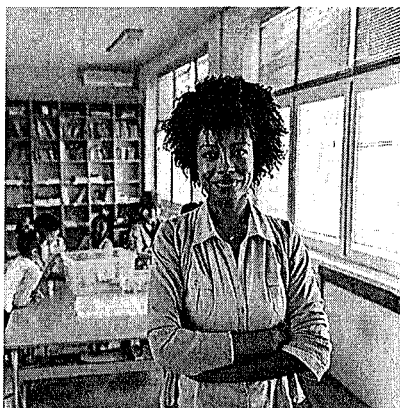
- **Report life changes right away** — You should let us know immediately if you move, marry, separate, divorce, or become the parent of a child. Don't wait until we review your benefits to tell us about any changes. You should report changes right away so benefits are paid correctly.

For more information, please visit our website for same-sex couples at

www.ssa.gov/people/lgbtq/.

You can also read our publication *What Same-Sex Couples Need to Know* at www.ssa.gov/pubs/EN-05-10014.pdf.

SOCIAL SECURITY SUPPORTS TEACHERS ONLINE



Well-informed instructors can have a powerful and positive influence on their students. That's why we created an Educator Toolkit. It's a shareable online resource for teachers to engage students and educate them on Social Security. The toolkit includes:

- Lesson plans with objectives.
- Infographics and handouts for each lesson plan.
- Links to Social Security webpages.
- Talking points.
- Quiz questions and answers.

You can access the toolkit at www.ssa.gov/thirdparty/educators.html

We value and welcome the efforts all teachers make to educate America's young people. We want to help spark discussion with students about Social Security. Please share our toolkit with the educators in your communities today!

**DO YOU SUSPECT SOMEONE
OF COMMITTING FRAUD,
WASTE, OR ABUSE AGAINST
SOCIAL SECURITY?**

**REPORTING FRAUD TO THE
SSA OFFICE OF THE
INSPECTOR GENERAL IS EASY,
SAFE, AND SECURE.**

**REPORT SOCIAL SECURITY
SCAMS AT
[HTTPS://SECURE.SSA.GOV/IPFF
/HOME](https://secure.ssa.gov/ipff/home)**

(CONTINUED)

**REPORT OTHER SOCIAL
SECURITY FRAUD, WASTE,
AND ABUSE AT
[HTTPS://SECURE.SSA.GOV/PFR
F/HOME](https://secure.ssa.gov/pfr/f/home)**

**OTHER WAYS TO
REPORT FRAUD**

U.S. MAIL:

**SOCIAL SECURITY FRAUD
HOTLINE
PO BOX 17785
BALTIMORE, MD 21235**

**FAX:
(410) 597-0118**

**PHONE:
(800) 269-0271**

**10:00 A.M. TO 4:00 P.M. ET,
MONDAY TO FRIDAY,
EXCEPT FEDERAL HOLIDAYS**

(866) 501-2101 TTY

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E: Jeremy@HavensLaw.net
www.HavensLaw.net

Jeremy L. Havens, Esq.*
Attorneys & Counselors at Law

*Admitted to Practice in NY & NJ

June _____, 2023

Town of Warwick
Attn: Michael P. Sweeton, Supervisor
132 Kings Highway
Warwick, NY 10990

RE: AGREEMENT FOR LEGAL SERVICES

Dear Town Board:

We are very pleased that you are considering our firm for help with your legal matters and we look forward to the opportunity to provide legal counsel to the Town's Zoning Board of Appeals. Subject to the following terms and conditions, this writing shall serve as the Retainer Agreement between Havens Law Firm, (hereinafter referred to as "Attorney", "we", or "our"), Town of Warwick Zoning Board of Appeals, a municipal subdivision of the State of New York situate in Orange County, New York, mailing address, c/o Town Clerk, 132 Kings Highway, Warwick, NY, 10990 (hereinafter referred to jointly and severally as "Client", "you", or "your"). Jeremy L. Havens, Esq. shall serve as your primary attorney, but we may from time to time utilize other attorneys, paralegals, or support staff, in which case we shall supervise all work done.

Services to be rendered:

Attorney shall provide advice and legal counsel to the Town's Zoning Board of Appeals as part of the ZBA's ordinary quasi-judicial function, including review of pending applications before the ZBA, attendance at ZBA meetings as counsel for the ZBA, preparation of notices, resolutions, and any other ancillary and necessary documents required to assist the ZBA in its mission, purpose and function (the "Included Services"). This Retainer Agreement does not apply to the provision of services for litigation and/or arbitration on, and we shall not be required to render services in connection therewith unless the terms of a subsequent retainer, in each instance, have been mutually agreed upon and confirmed.

Initial Retainer Fee: NONE

Fees for Services:

Attorney's fees for Services requested by Client shall be calculated on an hourly basis as specified herein. Client shall receive monthly invoices, which shall be detailed for each one-tenth (1/10th) hour of time devoted to any Services provided at Client's request. Our proposed discounted fee schedule for these Services is as follows:

Jeremy L. Havens, Esq
Paralegals, as used

\$250/hour
\$100/hour

Payments for Services are due upon receipt of an invoice, and payments that are more than thirty (30) days past due shall be subject to a late fee of one percent (1%) interest charge per month.

Disbursements & Expenses:

In addition to Attorney's fees, Client shall be billed for out-of-pocket disbursements and office expenses (including without limitation any excessive photocopies, postage, international telephone calls, and all express mail) incurred on your behalf. Attorney may ask Client to reimburse these amounts in advance or to pay the amount directly to the vendor, in which case Client agrees to pay them promptly upon receipt of invoices for such. Attorney shall obtain Client's consent prior to incurring disbursements in excess of One Hundred (\$100) dollars. Client acknowledges that Attorney has no duty or obligation to advance filing fees on behalf of Client.

No Conflicting Representations:

Attorney is fully familiar with the need to avoid any potential conflict of interest between Attorney's other clients and the Town of Warwick Zoning Board of Appeals. Attorney hereby acknowledges the need to identify any potential conflict of interest, and to recuse himself if necessary and/or appropriate in the circumstances.

Termination of Agreement:

Client shall have the right at any time to terminate Attorney's services upon "adequate" written notice to Attorney, and Attorney shall, after such period, immediately cease to render additional services. Such termination, however, shall not relieve Client of the obligation to pay for any services which have already been rendered by Attorney, or those which are necessary for us to complete in order to effectively terminate the relationship. Adequate notice shall be deemed to be a reasonably sufficient time period for Attorney to either resolve any outstanding Client matters which are pressing and time sensitive, or to transfer or assign such matters to another Attorney designated by Client.

Attorney may withdraw from this representation with Client's consent or for good cause. Good cause includes Client's breach of this Agreement, Client's refusal to cooperate with Attorney or to follow Attorney's advice on a material matter or any other fact or circumstance that would render Attorney's continuing representation unlawful or unethical. Attorney's withdrawal shall not relieve Client from any obligations to pay the outstanding fees for services rendered and costs incurred prior to, or in association with, such termination.

Limitations of Attorney Responsibility:

Nothing in this Agreement and nothing in Attorney's statements to Client will be construed as a promise or guarantee about the outcome of Client's matters. Attorney makes no such promises or guarantees. Attorney's comments about the outcome of Client's matters are

expressions of general opinion only. If documents which Attorney prepares for Client contain dates that require action by Client, we suggest that you calendar those dates; although Attorney may, as a courtesy, remind Client of such dates, Attorney does not guarantee that we now (or hereafter will) maintain calendars of such dates, and Attorney would expect that Client would rely on its own calendaring system.

General Provisions:

Attorney and Client agree that in the performance of Attorney's services hereunder Attorney is acting in the capacity as an independent contractor and shall not be deemed to be an employee of Client for any purpose whatsoever. Attorney, in accordance with his status as an independent contractor, covenants and agrees that he will conduct himself consistent with such status. He will neither hold himself out as, nor claim to be, an officer or employee of the Client by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the Client, including, but not limited to: workers' compensation coverage, unemployment insurance benefits, Social Security coverage, or retirement membership or credit.

In accordance with the provisions of section 109 of the General Municipal Law, the Attorney is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this agreement, or of his right, title or interest in this agreement, or his power to execute this Agreement, to any other person or corporation without the previous consent in writing of the Client.

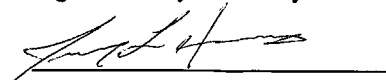
Each and every provision of law and clause required by law to be inserted in this contract shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party, this contract shall be physically amended forthwith to make such insertion.

This Agreement is to be construed under the laws of the State of New York, with respect to contracts that are made and fully performed therein. If any provision of this Agreement shall be found invalid or unenforceable, then such provision shall not invalidate or in any way affect the enforceability of the remainder of this Agreement.

In the event of a fee dispute, the client may have the right to elect to resolve this dispute by arbitration under Part 137 of the Rules of the Chief Administrator of the Courts. Upon written request, we will provide forms required to initiate this process.

This Agreement may be executed in duplicate counterparts, by facsimile or otherwise, each of which, when taken together, shall constitute one and the same original.

Agreed to by Attorney:


Jeremy L. Havens, Esq.

The Town Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board at a meeting thereof duly held on the date indicated below. Such Supervisor, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an agreement on behalf of the Client.

IN WITNESS WHEREOF, the Town of Warwick has caused its corporate seal to be affixed hereto and these presents to be signed by Michael P. Sweeton, Supervisor, duly authorized to do so, and to be attested to by Eileen Astorino, Town Clerk, Town Clerk; and the said Michael P. Sweeton, Supervisor has hereunto set his hand and seal as of the day and year first above written.

CLIENT- TOWN OF WARWICK

Attest:

Town Seal

By: _____
Michael P. Sweeton, Supervisor

By: _____
Eileen Astorino, Town Clerk



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12230

New York State Archives
Tel. 518-474-6928

RECEIVED

JUN 05 2023

Town of Warwick
Town Clerk

To: Local Government Officials
From: Denis Meadows, Director, Government Records Services
Subject: *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*

Date: May 3, 2023

Town and City Clerks (exclusive of New York City),

Effective March 28, 2023, new legislation provides for the designation of lay individuals as one-day marriage officiants in order to solemnize marriages by a town or city clerk. Per Domestic Relations Law Sect. 11-d, applicants seeking a one-day marriage officiant license must apply to the clerk's office who issued the marriage license to the couple whose marriage the applicant will be solemnizing. Once the officiant license is approved by the town or city, it is valid for the couple to be married as noted on the application and expires after the completion of the marriage solemnization or the expiration of the marriage license, whichever occurs first.

We sought guidance from the New York State Department of Health (DOH) on filing, retention, and disposition of one-day marriage officiant records. DOH stated that they do "not have the authority to advise [town and city clerks] whether or not an individual or organization qualifies to perform a marriage in New York State. This is a requirement of Article 3, Section 11 of New York State Domestic Relations Law and not under the jurisdiction of the Department of Health." Nor does DOH "take a position as to the content of an approval letter."

DOH advises that "the parties to the marriage or their agent should be required to submit the one-day approval to the local registrar at the same time as the completed marriage license, first to ensure compliance with the timeliness requirements of Domestic Relations Law [DRL] sections 11-d and 13-b. The permission should then be retained with the marriage certificate and transcript until the marriage has also been recorded in the local clerk's index as required by DRL [section] 19 and the documents have been transmitted to [DOH's Bureau of Vital Records] per DRL [section] 20. Note that DRL 20 requires "[a]ll original affidavits, statements, *consents* and licenses with certificates attached" to be transmitted, so the permission should be included for the sake of completeness."

Once the marriage certificate and one-day marriage officiant approval has been recorded in the town or city clerk's index and filed with DOH, then towns and cities may dispose of the one-day marriage officiant license records following the item below. DOH retains its marriage records, including "consents" (e.g., one-day marriage officiant approvals), permanently. We have assigned a 3-year retention period for town and city clerk's one-day marriage officiant license records. The 3-year retention period satisfies the 3-year statute of limitation for action to annul a marriage on the

ground of fraud [Civil Practice Law and Rules §214(7)] and the 2-year statute of limitation for misdemeanors [Criminal Procedure Law §30.10(c)].

One-day marriage officiant license records

RETENTION: 3 years after filing of marriage license with DOH or expiration of the marriage license

Our plan is to add the item above to the next version of the *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*. Until an updated version of the *LGS-1* is issued, this memo authorizes towns and cities to legally dispose of such records in their custody following the above item.

Additional resources:

- Sample application of one-day marriage officiant license form is available from the New York State Town Clerks Association:
<https://www.nystca.com/DocumentCenter/View/509/1-day-MO-template>
- NYS Department of Health's Responsibilities of the Officiant performing the Ceremony:
[https://www.health.ny.gov/vital_records/marriage_officiant_responsibility.htm#:~:text=The%20officiant's%20job%20is%20to,purchased%20\(usually%20by%20mail\)](https://www.health.ny.gov/vital_records/marriage_officiant_responsibility.htm#:~:text=The%20officiant's%20job%20is%20to,purchased%20(usually%20by%20mail))

Please contact the State Archives at 518-474-6926 or via e-mail at recmgmt@nysed.gov if you have questions or need additional clarification.

Warwick Town Clerk

From: Desiree Potvin <dpotvin@woodburyny.us>
Sent: Friday, June 2, 2023 10:03 AM
To: Florence Sanitini; Rita Sheehan; 'Blooming Grove'; 'Callicoon'; 'Chester'; Cornwall; 'Crawford'; 'Delaware'; Fallsburg; 'Forestburgh'; Fremont; Goshen; Greenville; 'Hamptonburgh'; 'Highland'; 'Highlands'; 'Liberty'; 'Lumberland'; 'Mamakating'; Minisink; Monroe; 'Montgomery'; 'Mount Hope'; 'Neversink'; 'New Windsor'; 'Newburgh'; 'Rockland'; 'Thompson'; 'Tusten'; 'Tuxedo'; 'Walkill'; Warwick Town Clerk; 'Wawayanda'; cohoctonclerk@aol.com
Subject: LGS1 Update - One Day Marriage Officiant
Attachments: LGS1 Update - One Day Officiant License.pdf

Yes – I am working off a “to-do” list today – LOL.

Just in case you missed the email from the archives – please see attached amendment to the LGS-1 relating to the retention period of records for the “One-Day Marriage Officiant” license.

Desiree Potvin, Woodbury Town Clerk
Recipient of 2021 NYS Town Clerk of the Year Award
President, NY Assoc of Local Government Records Officers
(845) 928-6829 x7

RECEIVED
JUN 05 2023
Town of Warwick
Town Clerk

X

TOWN OF WARWICK

ASSESSMENT DEPARTMENT
Deborah A. Eurich, IAO, Assessor


132 Kings Highway
Warwick, New York 10990
845.986.1123

Memorandum

RECEIVED

JUN 05 2023

Town of Warwick
Town Clerk

DATE: May 30, 2023
TO: Warwick Town Board
FROM: Deborah Eurich, IAO, Assessor 
RE: Training Request

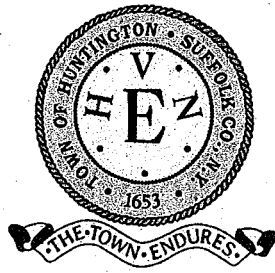
I respectfully request the Board's approval to attend a 2-day course at the Institute of Assessing Officer's Cornell Seminar held in Ithaca, NY July 19-20, 2023.

This seminar is important to further enhance appraisal skills, stay current with the law and fulfill the State's annual recertification requirement.

The necessary funds for attending were previously approved by the Town Board in the current budget.

Please contact me with any questions you may have.

Eugene Cook
Councilman



Town Hall
100 Main Street
Huntington, NY

Phone: 631-351-3174

May 10, 2023

Honorable Eileen Astorino, Town Clerk
Town of Warwick
132 Kings Highway
Warwick, NY 10990

RECEIVED
JUN 05 2023
Town of Warwick
Town Clerk

RE: Town of Huntington Voter's Identification Resolution

Dear Honorable Town Clerk Astorino,

I hope that this finds you well. On May 9, 2023 the Huntington Town Board passed the attached resolution urging the New York State Legislature and Governor Hochul to draft and enact legislation regarding a voter's identification process. Please distribute this cover letter and attached resolution to the Town of Warwick Board Members.

The reason I sponsored this resolution, is that I was approached by various constituents of varying political affiliation about their concerns regarding the accuracy of voter rolls maintained by the of Board of Elections. In an economy where the Board of Elections may not have the funding or the staffing to regularly purge the voters rolls of individuals who may have relocated or have passed away, I believe that New York State needs to address the matter in a way that builds the public's confidence and ensures a fair election process. By urging our state representatives to work in a bipartisan manner to create a voter's identification process, this will allow for a fair and consistent procedure to keep voter rolls current and uphold the principles of democracy that the United States was built on.

I thank you for your time and cooperation with this matter, it's greatly appreciated. Please feel free to contact me at 631 351 3174 to discuss this matter further.

Warmest regards in the spirit of cooperation,

A large, stylized handwritten signature in black ink, appearing to read 'Eugene Cook'.

Councilman Eugene Cook
Town of Huntington

Eugene Cook
Councilman

Joan Cergol
Councilwoman

Edmund J. Smyth
Supervisor

Dr. Dave Bennardo
Councilman

Salvatore Ferro
Councilman

2023-203

RESOLUTION URGING THE NEW YORK STATE LEGISLATURE AND GOVERNOR
KATHY HOCHUL TO DRAFT AND ENACT LEGISLATION REGARDING A
VOTER'S IDENTIFICATION PROCESS

Resolution for Town Board Meeting Dated: May 9, 2023

The following resolution was offered by: **COUNCILMAN COOK**

and seconded by: **COUNCILMAN BENNARDO**

WHEREAS, this country was formed on the principles of democracy and our forefathers fought for our right to elect our representation; and

WHEREAS, the majority of the states in the U.S. require a voter's identification to increase the public's confidence and ensure a fair election process; and

WHEREAS, the Board of Elections may not get notification of a voter registering in another location or of a death of a registered voter; and

WHEREAS, in an economy where the Board of Elections may not have sufficient funding or staffing to purge voters rolls of individuals who no longer live in each election district or county, as required; and

WHEREAS, in a day and age where the ability to work does not necessarily need to be where you live, this allows for more individuals to be transient in nature and the addition of voter's identification will assist in keeping all voter rolls current; and

WHEREAS, in the State of New York the requirement is to compare the signature on file, this doesn't necessarily help maintain current voter registration, as name and address changes are not necessarily communicated in the current process, also this would assist in the purging of the roles of individuals who are no longer active voters in that county; and

WHEREAS, the subject of the resolution is not an action as defined by 6 N.Y.C.R.R. §617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD

HEREBY REQUESTS the New York State Legislature and Governor Hochul to draft and enact legislation to allow for a voter's identification process to assist with maintaining voter's registration rolls; and

BE IT RESOLVED, that the Town Clerk is hereby directed to forward certified copies of this resolution to Governor Hochul, Andrea Stewart-Cousins, President Pro Tempore and Majority Leader, Carl E. Heastie, Speaker of the Assembly and the Huntington Delegation to the New York State Legislature: Assemblyman Steve Stern, Assemblyman Keith Brown, and Senator Mario Mattera.

2023-203

to the New York State Legislature: Assemblyman Steve Stern, Assemblyman Keith Brown, and Senator Mario Mattera.

VOTE: AYES: 3 NOES: 2 ABSTENTIONS: 0

Supervisor Edmund J. Smyth	NO
Councilman Dr. Dave Bennardo	AYE
Councilwoman Joan A. Cergol	NO
Councilman Eugene Cook	AYE
Councilman Salvatore Ferro	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED