

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
AUGUST 21, 2023**

**9750**

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, August 21, 2023, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Mayor, Michael J. Newhard, Trustees: Barry Cheney, Mary Collura, and Tom McKnight. Trustee Foster was absent. Also, present was Village Clerk Raina Abramson, Village Attorney Stephen Gaba and DPW Supervisor Mike Moser. Others present: Town of Warwick Police Chief John Rader, Bo Kennedy, and Gail Hoffer-Loibl.

The Mayor called the meeting to order and led in the Pledge of Allegiance.  
The Village Clerk held the roll call.

**Acceptance of Minutes**

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried for the Acceptance of Minutes: June 20, 2023, July 3, 2023, July 17, 2023, July 25, 2023, and August 7, 2023.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye    Trustee Foster Absent    Trustee Collura Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Acceptance of Reports**

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried for the Acceptance of Reports – July 2023: Clerk’s Office, Tax Collection, Justice Department, Building Department, and Department of Public Works.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye    Trustee Foster Absent    Trustee Collura Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Authorization to Pay all Approved and Audited Claims**

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$308,155.78.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye    Trustee Foster Absent    Trustee Collura Aye

Trustee McKnight Aye    Mayor Newhard Aye

1. Police Report. No report at this time.

### **Correspondence**

1. Report from Village Engineer, David Getz, regarding the Special Use Permit Application for 43 Wheeler Ave.

### **Public Comment - Agenda Items Only**

#### **GUIDELINES FOR PUBLIC COMMENT**

The public may speak only during the meeting's Public Comment period and at any other time a majority of the Board allows. Speakers must be recognized by the presiding officer, step to the front of the room/microphone, give their name, residency, and organization, if any. Speakers must limit their remarks to three minutes (this time limit may be changed to accommodate the number of speakers) and may not yield any remaining time they may have to another speaker. Board members may, with the permission of the mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information. The Village Board is not required to accept or respond to questions from the public at meetings but may request that inquiries be submitted in writing to be responded to at a later date. All remarks must be addressed to the Board as a body and not to individual Board members. Interested parties or their representatives may also address the Board by written communications.

#### **Bo Kennedy:**

Bo Kennedy spoke during the public comment period about an agenda item regarding 43 Wheeler Avenue. He said his company, Warwick LLC, is looking to add some apartments to an existing office building at that address. They want to convert the first floor to two 1-bedroom apartments and construct three additional 1-bedroom apartments on the second floor. He understood that the next step is to discuss the matter with the Village council and engineer.

### **Discussion**

1. Secretary to the Planning Board

Mayor Newhard discussed the motion to advertise for a full-time Secretary to the Planning Board. He expressed the urgency of filling the position due to the workload it is placing on the clerk's office while they take over the activities.

Trustee McKnight expressed agreement with the urgency of placing someone in the secretary position to relieve the burden on the clerk's office. He noted the responsibilities would likely be broader than just the planning board secretary. While there is no existing written job description on file with Civil Service, he suggested advertising to get the process started while candidates are interviewed. This would allow them to continue moving forward while questions are asked of Civil Service about how the position might fit within their requirements.

Trustee Cheney expressed doubt that the Secretary to the Planning Board position needed to be full-time. He estimated the work for the planning board, zoning board, and architectural review board to total around 20 hours per month, which he felt was a liberal estimate. Any additional hours beyond that could support the building department but would be less than what was being proposed. Mayor Newhard argued that as development projects in the village become more complex, the workload for these positions will increase and require someone well-versed in the village's planning and zoning regulations. Mayor Newhard stated that the Board can have further discussion as they get to the motion on the agenda.

### **Motions**

#### **Core&Main - Purchase of 80 IPerl Meters**

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried to approve the purchase of eighty (80) IPerl Meters from Core&Main in the amount \$14,968.80 per the recommendation of Water Distribution Supervisor, Christopher Bennett. Funds are appropriated in budget code F.8340.4500.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye    Trustee Foster Absent    Trustee Collura Aye

Trustee McKnight Aye    Mayor Newhard Aye

### **Discussion**

Trustee Cheney pointed out that approving the motion to purchase new water meters would replenish their stock, but that inventory would be depleted quickly as the new Forester Avenue apartment project requiring installing 40 new meters gets underway. Trustee McKnight acknowledged that these were the meters compatible with the village's future goal of remotely monitoring water usage.

**NYS EFC Lead Service Line Inventory – Advertise for Statements of Qualification**

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried to advertise to receive Statements of Qualification from engineering firms to perform a Lead Service Line Inventory. This project is funded through a \$575,770 grant from the New York State Environmental Facilities Corporation. Funds are appropriated in budge code F1440-4950.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye    Trustee Foster Absent    Trustee Collura Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Approval of Payment #2 – TAM Enterprises – South St. Sidewalk Replacement Project**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to approve payment #2 in the amount of \$2,137.50 to TAM Enterprises, Inc. for the South Street sidewalk replacement project for work that includes submittal of shop drawings and product information, per the recommendation of Village Engineer, David Getz. Funds are appropriated in budget code A5110.4400 in the FY2023-24 budget.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye    Trustee Foster Absent    Trustee Collura Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Receipt of Special Use Permit Application – 8 Forester Avenue**

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried to acknowledge receipt of the application from Warwick, LLC for a Special Use Permit for the proposed conversion of existing first floor office space to three one-bedroom apartments and to construct the second floor with three additional one-bedroom apartments at 8 Forester Avenue, section block and lot 207-3-3, to set an escrow for processing of the application at \$2,000, and to refer the application to the Village Attorney and the Village’s Engineering Consultant for review and comment.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye    Trustee Foster Absent    Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

**Discussion**

Trustee Collura asked if the Forester Avenue application should wait until the zoning task force had a chance to look at zoning overall. Stephen Gaba responded that approving the application would not preclude future zoning changes, so it was appropriate to move forward.

**Vacation Carryover – Mike Finelli - AMENDED**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura to grant permission to Village of Warwick Employee, Michael Finelli, to carry over 11 vacation days.

The vote on the foregoing **motion** was as follows: **AMENDED**

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Collura \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_

**Discussion**

There was discussion about Michael Finelli's request to carry over 11 vacation days due to an injury sustained at work. DPW Supervisor Mike Moser explained Mr. Finelli's situation and injuries, noting he is only able to work 3 days a week currently on doctor's orders. Village Attorney Stephen Gaba suggested consulting with labor counsel first due to past precedent and union agreements. The motion was then amended to approve carrying over the days pending consultation with labor counsel.

**Vacation Carryover – Mike Finelli**

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried to grant permission to Village of Warwick Employee, Michael Finelli, to carry over 11 vacation days pending consultation with labor counsel.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye Trustee Foster Absent Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

**Amendment & Extension of the OC CDBG Municipal Agreement for FY 2022**

A **MOTION** was made by Trustee Collura, seconded by Trustee McKnight and carried to authorize the Mayor to sign the ‘Amendment and Extension of the County of Orange Community Development Block Grant Municipal Agreement for FY 2022’ for the HUD CDBG FY 2022 Grant Project: “South Street Sidewalk ADA Improvement” increasing the initial award of \$108,570 by \$71,430 for a total award amount of \$180,000 and all documents necessary to carry out the terms thereof.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye    Trustee Foster Absent    Trustee Collura Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Discussion**

Trustee Cheney asked for clarification on the scope of work, confirming it would allow expanding the sidewalk construction beyond the originally planned section, not just from Second to Third on the west side of South Street but also from Lawrence to Galloway.

**OC CDBG Municipal Agreement for FY 2023**

A **MOTION** was made by Trustee Collura, seconded by Trustee McKnight and carried to authorize the Mayor to sign the ‘County of Orange Community Development Block Grant Program Municipal Agreement for FY 2023’ for the HUD CDBG FY 2023 Grant Project: “South Street ADA Sidewalk Improvement” in the amount of \$112,000 and all documents necessary to carry out the terms thereof.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye    Trustee Foster Absent    Trustee Collura Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Return of Planning Board Escrow - Warwick Commons Stage 5, LLC**

A **MOTION** was made by Trustee McKnight, seconded by Trustee Cheney and carried to return the Planning Board escrow balance of \$202.98 to Warwick Commons Stage 5, LLC for site plan approval. All invoices have been paid as per the email from Village Engineer, David Getz and Planning Board Attorney, Robert Dickover.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye Trustee Foster Absent Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

**Return of Planning Board Escrow - 10-12 Galloway Heights**

A **MOTION** was made by Trustee McKnight, seconded by Trustee Cheney and carried to return the Planning Board escrow balance of \$68.25 to Evangelos Theologos for site plan approval at 10-12 Galloway Heights. All invoices have been paid as per the email from Village Engineer, David Getz and Planning Board Attorney, Robert Dickover.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye Trustee Foster Absent Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

**Advertise – Full-Time Secretary to the Planning Board**

A **MOTION** was made by Trustee McKnight, seconded by Trustee Collura and carried to advertise for a Full-Time Secretary to the Planning Board in accordance with Civil Service requirements.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Nay Trustee Foster Absent Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

**Grantee Certification for DASNY Local Community Assistance Program (LoCAP) Grant Project ID: 25336 ‘Relocation of the Maple Avenue Water Booster Station’**

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried to authorize the Mayor to sign the Grantee Certification for DASNY Local Community Assistance Program (LoCAP) Grant Project ID: 25336 ‘Relocation of the Maple Avenue Water Booster Station’ for an award amount of \$250,000 with a total estimated project cost of \$1,064,000. The total commitment of funding from the Village of Warwick for this project is \$855,117. Funds for

engineering costs associated with this project in the amount of \$50,502 were already paid from FY 2022-23 budget codes F.1440.4 and F.8320.2. Funding in the amount of \$804,615 has been committed to FY 2023-24 budget codes F.1440.4 and F.8320.2

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye    Trustee Foster Absent    Trustee Collura Aye

Trustee McKnight Aye    Mayor Newhard Aye

### **Reports**

#### **Trustee Cheney's Report:**

Trustee Cheney gave a report about upcoming bulk trash pickup schedules. He reminded residents that the first bulk pickup area, which is the north side of the railroad tracks, will begin on August 28th. The second area, the south side of the tracks, will begin on September 5th. He listed items that are acceptable and unacceptable for pickup. Acceptable items include furniture, mattresses, rugs. Unacceptable items include garbage, leaves, brush, tires, barrels, paint, drain oil, construction debris, computers, appliances. He noted they will pick up approximately two cubic yards per household, and anything over that amount will need to be removed by the property owner.

#### **Trustee Foster's Report:**

Absent.

#### **Trustee Collura's Report:**

No report this evening.

#### **Trustee McKnight's Report:**

Trustee McKnight announced that the Climate Smart Communities Task Force meeting would be held on September 13th at 6:30pm. He invited the public to attend the open meeting to discuss revising and pursuing new actions to meet certification requirements. He also said he had benchmarked energy usage in village facilities and vehicles from the past two years and would be presenting a draft energy action plan at the meeting for review and comments.

Trustee McKnight brought up Joule Community Power, which had previously given a presentation on Community Choice Aggregation (CCA). CCA would allow the village to



combine its negotiating power with other municipalities to leverage renewable energy sources for electricity supply. Trustee McKnight wanted Joule to present again at an upcoming board meeting to restart discussions. CCA could potentially allow the village to negotiate lower electric rates for residents by bundling supply.

Additionally, Trustee McKnight stated that he is meeting with the village's IT provider on August 31st to discuss plans for installing security cameras around the village that would connect to the police station.

#### **Mayor Newhard's Report:**

Mayor Newhard reported that the Department of State is offering Downtown Revitalization Initiative (DRI) and NY Forward grants for downtown revitalization projects. He has been meeting with the mayors of Florida and Greenwood Lake villages, and will be meeting with Supervisor Sweeton regarding the hamlet of Pine Island, to submit a joint multi-municipal application for the larger \$10 million DRI grant. He contacted the supervisor of Cornwall, which previously received a NY Forward grant, for guidance. The villages will participate in webinars and conduct public outreach at farmers markets to gather ideas. The goal is to bolster each community individually while creating greater connectivity between them.

#### **Public Comment – Non-Agenda Items**

No comments were made.

#### **Final Comments from the Board**

No comments were made.

#### **Executive Session**

A **MOTION** was made by Trustee Collura, seconded by Trustee McKnight, and carried to enter into Executive Session to seek confidential advice of counsel.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye    Trustee Foster Absent    Trustee Lindberg Aye

Trustee McKnight Aye    Mayor Newhard Aye

Mayor stated that when the Board returns it will not be conducting any more business.

**In Executive Session**

In Executive Session: Michael Newhard, Mayor, and Trustees Barry Cheney, Mary Collura and Tom McKnight. Village Attorney, Stephen Gaba.

**Adjournment**

A **MOTION** was made by Trustee McKnight seconded by Trustee Cheney, and carried to exit Executive Session, resume the regular Village Board meeting and adjourn at approximately 8:34 p.m.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Aye Trustee Foster Absent Trustee Lindberg Aye

Trustee McKnight Aye Mayor Newhard Aye

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Raina M. Abramson, Village Clerk