

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
August 5, 2019**

**8297**

The regular bi-monthly meeting of the Board of Trustees of the Village of Warwick was held on Monday, August 5, 2019 at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present were: Deputy Mayor: Barry Cheney, Trustees: William Lindberg and George McManus. Also, present was: Village Deputy Clerk, Maryann Benedict. Absent was Mayor, Michael J. Newhard and Eileen Patterson. Others present; Joseph Irace, Patricia Foxx, Edith Katz, John O'Connell, Matias Rodriguez, Jarim Virgen, Francesco, Oscar Figueroa, Cecilia Rojas and others.

The Deputy Mayor called the meeting to order and led in the Pledge of Allegiance.

The Clerk held the roll call.

**Authorization to Pay All Approved and Audited Bills**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried for the authorization to pay all approved and audited bills in the amount of \$229,957.25. Three Ayes

**Presentation**

**1. Pat Foxx - CO 2 Tree Project**

Deputy Mayor Cheney: Ok, number one we have a presentation from Pat Foxx for the CO 2 Tree Project. Would you like to come up and address the Board?

Patricia Foxx and Edith Katz, both residents of Warwick, proposed to create an artistic representation of the valuable process that trees provide by removing CO 2 from the air. As trees are naturally de-carbonizers they play an invaluable role in combating the global climate crisis. They explained how signs will be placed at the base of four trees on Main Street and one tree in Stanley Deming Park explaining the role that trees play along with a hanging representation of the CO 2 molecule. A motion to hang the signs and CO 2 model was created and approved by the Board of Trustee's during the meeting.

**2. Joseph Irace – Proposed Development of Warwick Feed & Grain, 15 Elm Street. Site Design on file in the Clerk's office.**

Joseph Irace is considering developing a piece of property in the Village of Warwick. It is the former Feed & Grain site located on Elm Street with access to West Street. It is a one-acre site that is currently zoned "light industrial". The majority of the existing buildings, and a large framed warehouse with water and sewer. The remaining Feed and Grain tower will be renovated. Joseph's intention is to convert the tower into a professional office, with a three-bedroom

apartment above for his personal use. He would also like to propose a small addition for a garage.

For the remaining of the property, he wishes to develop a 12,000 square foot building that will contain twelve one-bedroom apartments. He consulted with David Getz, the village engineer, to discuss his options. For these two projects to happen, the zoning must be changed to a Central Business (CB) Zone, which is contiguous to the property.

He is interested in the opinion of the board on the probability of receiving the zone change, and ultimate approval of this project.

The Board will discuss further with the Mayor and get back to Joseph.

### **Correspondence**

- 1. Email from Jon Desrats regarding the proposed Village View entrance on Woodside Drive.**
- 2. Email from Amanda Steng regarding the proposed Village View development.**
- 3. Letter from Robert E. Krahulik regarding the closure of Bank Street during the Farmer's Market.**

### **Discussion**

- 1. Chase Parking Lot.**

Trustee Lindberg: Everybody knows where the Chase Parking Lot is, there are about eighty spots over there. Thirty-two of them have permits and we were thinking since we need more parking in the Village that we would change the middle section, which is about thirty-three spots to either three hour or four-hour parking. Right now, there is about thirty-two permits so there is plenty of room for the people that want the permits for the Village. This is probably some good parking for the public, it would probably be good three, four-hour parking. We would need to put some better signage up and we need another handicap location.

Deputy Mayor Cheney: So I guess basically our focus is to try and use it for permit parking and get that permit parking together and well signed so that an individual who doesn't have a permit and is looking for parking in the Village would be able to be comfortable parking in a spot that doesn't have a sign on it. So probably the big sign out front needs to be bigger and we got the other one, there is a sign that the Village has?

Trustee Lindberg: I don't ...

Deputy Mayor Cheney: Yeah, there is big red lettering, it's large and probably needs to be bigger and maybe explain more.

Trustee Lindberg: Ok.

Deputy Mayor Cheney: Do you remember what the parking time limit is at South Street? Is it three or two?

Trustee Lindberg: Three.

Deputy Mayor Cheney: So, I would think probably would want this to be the same.

Trustee Lindberg: You say it's three?

Trustee McManus: I think it's three.

Deputy Mayor Cheney: I think it is too. And then, right now there is one handicap spot?

Trustee Lindberg: Right.

Deputy Mayor Cheney: Ok we probably need to look into whether that's adequate.

Trustee McManus: It probably is, I don't remember the numbers, the percentages to number of spaces.

Deputy Mayor Cheney: Right.

Trustee Lindberg: We had thought about putting one more right in the front.

Deputy Mayor Cheney: Yes, that is where they should be.

Trustee Lindberg: Again, I think there is room for both. There are plenty more spots for permits and that will leave the whole middle section for three-hour parking which is obviously needed.

Trustee McManus: Will it be metered or a lot?

Trustee Lindberg: We could put meters, meters or three hours.

Trustee McManus: One big metered unit not individual meters.

Trustee Lindberg: Yeah, ok.

Deputy Mayor Cheney: There are going to need some changes to our current regulations regarding parking relative to the lot.

Trustee Lindberg: Right.

Trustee McManus: I think there should be more conversation when there are other Board members present.

Deputy Mayor Cheney: Well we have to have a Public Hearing first so...

Trustee Lindberg: I think there is a motion to have a Public Hearing.

Trustee McManus: We should have a discussion amongst ourselves before we have a Public Hearing.

Deputy Mayor Cheney: So that it's more specific.

Trustee Lindberg: You want more specifics or just more Board Members.

Trustee McManus: I think it should be more specifics...

Deputy Mayor Cheney: With everybody's input.

Trustee McManus: Yes.

Trustee Lindberg: Alright, that's fine.

Trustee McManus: We can do that at the next meeting and then set the Public Hearing then.

Trustee Lindberg: Ok.

Deputy Mayor Cheney: Any further discussion on that item? Hearing none, now is the opportunity for Privilege of the Floor.

**Privilege of the Floor**

(Please limit your comments to **five (5)** minutes. If reading a document, please submit a copy to the Clerk. Please note all remarks must be addressed to the Board as a body and not to individual

Board members. Please state your name clearly before speaking). These rules are taken from the Handbook for Village Officials – New York State Conference of Mayors and Municipal Officials.

Matias Rodriguez: Hello my name is Matias Rodriguez. I know we were here last meeting and we talked about the Municipal IDs. I would like to say thank you again. I spoke to my community; we had a meeting last week and they are so excited. They are so proud to be part of Warwick and I would like to say thank you.

Deputy Mayor Cheney: And I believe the attorney right now is working on drafting a possible ordinance that we would look at for consideration. And he's here at the next meeting, I can't guarantee it, but I would be hopeful that we might have something to review in our work session or deliberate on in the general meeting.

Matias Rodriguez: Ok, thank you.

Deputy Mayor Cheney: Anyone else?

Jarim Virgen: Good evening everyone, my name is Jarim Virgen, I'm from Middletown, New York. I'm also supporting the project about municipal IDs, I got mine in Middletown and it is a big success. A lot of people over there, they're really excited and you see people walking the streets and they feel like part of the community now. They don't feel afraid anymore of doing something that might be dangerous for them and that is basically something we do daily. And my colleagues here in Warwick they support us a lot in Middletown so they want to do the same thing here and I think that it will bring a lot of good benefits for the Village. We know that there is two different lack of division that we have to work in the Village and then the Town so for this case we're coming to the meetings, we are part of Nobody Leaves Mid-Hudson, so you might remember that, you seen a lot of people here. So now we are trying to keep fighting, Middletown got the IDs, Poughkeepsie got it, Newburgh, Beacon, New Paltz, so I think that it's now time for Warwick stepping out and also collaborating this big project and being part of something really good for not only this County but this entire Town. Thank you.

Deputy Mayor Cheney: Thank you. Anyone else?

### **Micro Water Treatment Plant**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus to accept the proposal and authorize the Mayor to enter into a contract with Ingersoll-Rand Company to provide Planned Care Maintenance & Diagnostics Program on the air compressor systems located at the Micro Water Treatment Plant. as per DPW Supervisor, Mike Moser's Recommendation with a contract period of five (5) years, August 5, 2019 to August 5, 2024 in

accordance with the attached fee schedule. Three quotes were received, please see attached.  
**AMENDED**

**Discussion Prior to Vote**

Trustee McManus: Second with a question

Deputy Mayor Cheney: Discussion.

Trustee McManus: I could be totally wrong but one day Steve, our council said that we can't approve a contract for longer than our terms of office. So, our term of office is four years and we can't approve contracts longer than four years. I could be wrong, but it sticks in my head, and I said what about the DPW contracts and he said he thought maybe the contracts were different.

Deputy Mayor Cheney: Ok, good point. I guess we have two options then, one we can amend it to be four years and vote on it and if it was found that we could do five we can come back. We could amend it tonight for four years and then we could, if we were allowed, to have five we can amend it for five to be consistent with the proposal. Is that acceptable?

Trustee McManus: That's fine.

Deputy Mayor Cheney: You want to make a motion to amend it to read four years.

Trustee McManus: Just amend your motion to four and I'll second that.

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus and carried to accept the proposal and authorize the Mayor to enter into a contract with Ingersoll-Rand Company to provide Planned Care Maintenance & Diagnostics Program on the air compressor systems located at the Micro Water Treatment Plant. as per DPW Supervisor, Mike Moser's Recommendation with a contract period of four (4) years, August 5, 2019 to August 5, 2023 in accordance with the attached fee schedule. Three quotes were received, please see attached.  
Three Ayes

**Employee Training – Michael J. Newhard, Mayor**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus and carried to grant permission to Mayor, Michael J. Newhard to attend the NYCOM Fall Training School from Monday, September 16, 2019 through Thursday, September 19, 2019 at The Saratoga Hilton in Saratoga, NY at a cost of \$355 for registration and \$299 per night for lodging and meals. Mileage reimbursement may be applicable. (*Travel arrangements TBD*) Three Ayes

**Employee Training – Raina Abramson**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus and carried to grant permission to Village Clerk, Raina Abramson to attend the NYCOM Fall Training School from Monday, September 16, 2019 through Thursday, September 19, 2019 at The Saratoga Hilton in Saratoga, NY at a cost of \$355 for registration and \$299 per night for lodging and meals. Mileage reimbursement and overtime including time travel time may be applicable. (*Travel arrangements TBD*) Three Ayes

**Employee Training – Cathy Richards**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus and carried to grant permission to Village Treasurer, Cathy Richards to attend the NYCOM Fall Training School from Monday, September 16, 2019 through Thursday, September 19, 2019 at The Saratoga Hilton in Saratoga, NY at a cost of \$355 for registration and \$299 per night for lodging and meals. Mileage reimbursement and overtime including time travel time may be applicable. (*Travel arrangements TBD*) Three Ayes

**Public Hearing – Chase Parking Lot**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus to schedule a Public Hearing on Tuesday, September 3, 2019 at 7:30 p.m. to discuss parking in the JP Morgan Chase parking lot. **AMENDED**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus and carried to schedule a Public Hearing on Monday, September 16, 2019 at 7:30 p.m. to revise parking regulations in the JP Morgan Chase parking lot. Three Ayes

**Discussion Prior to Vote**

Deputy Clerk Maryann Benedict: Do you mean August 16, 2019?

Deputy Mayor Cheney: No, September 16, 2019. That will give us the meeting in August to discuss it and time to get it advertised once we have the details.

**Vacation Carry Over Request**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus and carried to grant permission to Village Employee, Art Wendel, to carry over five (5) vacation days. Three Ayes

**Blarney Station**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus and carried to grant permission to John O'Connell to use the area in front of the Blarney Station, 10 Railroad Avenue and 16 feet out from the curb on August 22, 2019 for Ladies Night Out. The area is to be roped off, tables and chairs will be rented, and no alcohol will be served without food being ordered with waitress service. Security will be provided to ensure no alcohol leaves the designated area as per his letter dated July 25, 2019. The proper insurance has been received. Three Ayes

**Discussion Prior to Vote**

Trustee Lindberg: I could just tell the group that whenever there is a concert and John asks for this, he's out there monitoring the situation. So, I applaud you for that.

Trustee McManus: Just know that it's usually a four to one vote I will bite my tongue tonight and vote in favor because it's a personal choice. It's nothing against John, nothing against his business, it's just that I don't think we need to have more alcohol and stuff in the Village. To make life go on all in favor...

Deputy Mayor Cheney: Ok all in favor.

**Facility Use – Stanley Deming Park – Warwick Assembly**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg to grant permission to Warwick Assembly to use the two pavilions, the green space between the facilities, the green space next to the restrooms and the baseball field in Stanley Deming Park on August 18, 2019 from 9 a.m. to 2 p.m. for their Family Day event. The request includes a DJ, games, crafts, story time and a bounce house as per their letter dated July 31, 2019. Completed park permit, security deposit and proof of proper insurance have been received. **AMENDED**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried to grant permission to Warwick Assembly to use the two pavilions, the green space between the facilities, the green space next to the restrooms and the baseball field in Stanley Deming Park on August 18, 2019 from 9 a.m. to 2 p.m. for their Family Day event. The request includes a DJ, games, crafts, and story time as per their letter dated July 31, 2019. Completed park permit, security deposit and proof of proper insurance have been received. Three Ayes

**Discussion Prior to Vote**

Trustee McManus: Just as a note we removed the bouncy house from the motion.

Deputy Mayor Cheney: Could I have a second?



Trustee Lindberg: Second.

Deputy Mayor Cheney: Ok, discussion. It is noted as Warwick Assembly.

Trustee McManus: Oh, ok.

Deputy Mayor Cheney: Not the Warwick Assembly of God. And we did get a determination from our insurance underwriter that mechanical devices such as bouncy houses are excluded from our policy so related accidents will not be covered under our package policies. So, we wouldn't be able to allow it on behalf of anybody else. Alright...

Trustee Lindberg: Have we ever ...

Deputy Mayor Cheney: Did we vote on that?

Trustee McManus: Not yet.

Trustee Lindberg: Have we ever let out such a wide space for a particular group at one of our parks? I mean other than the schools, have we given permission to other groups to use such a wide area.

Deputy Mayor Cheney: Well we did...

Trustee McManus: Break the Stigma Walk, basically every time.

Deputy Mayor Cheney: Yes, and the Treecycle, so yes, we have. I think that it would be appropriate in the letter going back to them to remind them that they are not to block the access sidewalks that will allow somebody to go and enter the park and use the playground.

Trustee McManus: (Inaudible).

Deputy Mayor Cheney: Does that get around your concern?

Trustee Lindberg: Yes. Does it say how many people are going?

Deputy Mayor Cheney: In the letter?

Trustee McManus: Maybe in the park permit?

Deputy Mayor Cheney: Fifty plus. Well it says fifty plus resident participants and fifty plus non-resident participants.

Trustee McManus: Sixty-five adults and twenty-five children, amount of total participants expected.

Deputy Cheney: Further discussion? Alright, hearing none I'll call in question all in favor.

### **Film and Video Production**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried to allow Herzog & Company to film a scene for "Watch Tower – Season 1" on Main Street and Church Street on August 14, 2019 from 2:30 p.m. to 6 p.m. per the attached permit application and the Village of Warwick release and hold harmless agreement for production filming. The request includes a walk and talk of two talent on the sidewalk. All fees including permit, shooting fee and security deposit will be overnighted to the Village of Warwick and received by Tuesday, August 6, 2019. Proper insurance has been received. Three Ayes

### **Discussion Prior to Vote**

Deputy Mayor Cheney: Is it going to include closing Church Street?

Deputy Village Clerk Maryann Benedict: No, he said he wasn't going to close any roads.

Deputy Mayor Cheney: Any final comments from the Board?

Trustee McManus: We have one more Motion.

Deputy Mayor Cheney: We do? Alright, ok, go for it.

### **Pat Foxx – CO 2 Tree Project**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried to allow Patricia Foxx and Edith Katz to hang four 11" x 15" signs on four trees on Main Street and one 11" x 15" sign on one tree in Stanley Deming Park with a hanging representation of their model displayed at the meeting - CO 2 molecule. Three Ayes

Deputy Mayor Cheney: Any final comments from the Board?

Trustee Lindberg: No.

Trustee McManus: No.

Deputy Mayor Cheney: Alright, no need for an Executive Session so I will ask for a Motion to adjourn.

**Adjournment**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried to adjourn the regular Village Board meeting at approximately 8:20 p.m.

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Maryann Benedict Deputy Village Clerk