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## VILLAGE OF WARWICK

INCORPORATED 1867

### **Village of Warwick Village Board Meeting – February 16, 2021 Minutes**

Pursuant to Governor Cuomo's Executive Order 202.1, Village of Warwick meetings will be conducted virtually through Zoom Videoconference until further notice.

#### **To View the Meeting:**

**FACEBOOK LIVE** - The public may view the meeting live by going to the Village of Warwick's Facebook page: <https://www.facebook.com/VillageofWarwick>

**VILLAGE'S WEBSITE** – The public may view the meeting a day or so after its completion by going to the village's website: [www.villageofwarwick.org](http://www.villageofwarwick.org)

#### **To Comment During Privilege of the Floor Only:**

**VIA EMAIL OR MAIL** - Comments may be sent to the Village Board prior to the Village Board Meeting via email to: [clerk@villageofwarwick.org](mailto:clerk@villageofwarwick.org) or via mail: Village of Warwick, Attn: Village Clerk, P.O. Box 369, Warwick, NY 10990. Please indicate in your correspondence that you wish to have your comments read during privilege of the floor.

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
February 16, 2021**

**8757**

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Tuesday, February 16, 2021 at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY via Zoom Videoconference. Present was: Deputy Mayor, Barry Cheney, Trustees: William Lindberg, Corey Bachman, and George McManus. Also, present was Village Clerk, Raina Abramson, Village Attorney, Stephen Gaba and DPW Supervisor, Mike Moser. Mayor, Michael J. Newhard was absent. In consideration of the current COVID-19 health crises and pursuant to Governor Cuomo's Executive Order 202.1 the public was able view the meeting and comment during privilege of the floor at the above date and time via Facebook Live on the Village's FB page <https://www.facebook.com/VillageofWarwick>.

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

**1. Public Hearing on a proposed Local Law No. 1 of the Year 2021 to amend the Village Code by enacting a new Chapter 100 entitled: "Procurement: Best Value Bid Awards".**

Deputy Mayor Cheney announced the Public Hearing on a proposed Local Law No. 1 of the Year 2021 to amend the Village Code by enacting a new Chapter 100 entitled: "Procurement: Best Value Bid Awards" and asked the Village Clerk to read the Legal Notice.

Village Clerk, Raina Abramson, read the below Legal Notice.

**LEGAL NOTICE**

**PLEASE TAKE NOTICE** that the Village Board of the Village of Warwick will hold a public hearing on the 16<sup>th</sup> day of February 2021, at 7:30 o'clock p.m., at Village Hall, 77 Main Street, Warwick, New York 10990, on a proposed Local Law No. 1 of the Year 2021 to amend the Village Code by enacting a new Chapter 100 entitled: "Procurement: Best Value Bid Awards".

The purpose of this Local Law is to promote the public health, safety and welfare by authorizing the Village Board to, in its discretion, award certain contracts that are subject to competitive bidding under General Municipal Law §103 of the on the basis of the "lowest responsible bidder" or of "best value" as defined in New York State Finance Law §163.

A copy of the proposed local law is on file in the office of the Village Clerk and available for inspection by interested persons during Village Clerk's business hours and may also be viewed on the Village's website [www.villageofwarwick.org](http://www.villageofwarwick.org)

Pursuant to Governor Cuomo's Executive Order 202.1, the public hearing will be conducted in the following manner: Members of the Village Board will attend the meeting via Zoom videoconference. The public hearing may be viewed live on the Village's Facebook page at <https://www.facebook.com/VillageofWarwick>. Interested parties may submit comments to be received by 4:00 p.m. on February 16, 2021 via mail; Attn: Village Clerk, 77 Main Street,

Warwick, NY, 10990 or via email; [clerk@villageofwarwick.org](mailto:clerk@villageofwarwick.org). Comments may also be made through Facebook Live during the public hearing by going to the Village of Warwick's Facebook page: <https://www.facebook.com/VillageofWarwick>

### **Discussion**

Deputy Mayor Cheney: At this time, I will open the public hearing. Has the clerk received any public comments regarding this notice?

Village Clerk, Raina Abramson: I have not.

Deputy Mayor Cheney: Ok. Board members, anything that you have in the way of comments, questions, or statements? Alright, hearing none I entertain a motion to close the public hearing.

Trustee McManus: So moved.

Village Attorney, Stephen Gaba: Raina, there is nobody online who wishes to speak on this?

Village Clerk, Raina Abramson: No one is online for this.

Village Attorney, Stephen Gaba: Alright, very good, I'm sorry.

Deputy Mayor Cheney: So, I have a motion from Trustee McManus, could I get a second please?

Trustee Bachman: Second.

Deputy Mayor Cheney: Ok, Trustee Bachman, thank you. All in favor of the motion to close the public hearing signify by saying aye.

Trustees: Aye.

Deputy Mayor Cheney: Any opposed? Ok, so moved.

**Public Hearing – Local Law No. 1 of the Year 2021 - "Procurement: Best Value Bid Awards" - Closed**

A **MOTION** was made by Trustee McManus, seconded by Trustee Bachman and carried to close the Public Hearing on proposed Local Law No. 1 of the Year 2021 to amend the Village Code by enacting a new Chapter 100 entitled: "Procurement: Best Value Bid Awards".

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Absent

2. **Public Hearing on a proposed Local Law No. 2 of the Year 2021 entitled: "A local law to amend Village Code Chapter 145 entitled "Zoning" by revising the Village's Zoning Districts Map to change the zoning designation of certain real property from "Light Industrial" ("LI") to "Central Business" ("CB")."**

Deputy Mayor Cheney announced that there is a second Public Hearing on a proposed Local Law No. 2 of the Year 2021 entitled: "A local law to amend Village Code Chapter 145 entitled "Zoning" by revising the Village's Zoning Districts Map to change the zoning designation of certain real property from "Light Industrial" ("LI") to "Central Business" ("CB")" and asked the Village Clerk to read the Legal Notice.

Village Clerk, Raina Abramson, read the below Legal Notice.

#### **LEGAL NOTICE**

**PLEASE TAKE NOTICE** that the Village Board of the Village of Warwick will hold a public hearing on the 16<sup>th</sup> day of February 2021, at 7:30 o'clock p.m., at Village Hall, 77 Main Street, Warwick, New York 10990, on a proposed Local Law No. 2 of the Year 2021 entitled:

"A local law to amend Village Code Chapter 145 entitled "Zoning" by revising the Village's Zoning Districts Map to change the zoning designation of certain real property from "Light Industrial" ("LI") to "Central Business" ("CB")."

The purpose of this Local Law is to amend the Village's Zoning Code in order to grant the petition of the owner of certain real property located at 15 Elm Street, Warwick, New York which seeks to change the zoning designation of the said property from "Light Industrial" ("LI") to "Central Business" ("CB"). A copy of the proposed local law is on file in the office of the

Village Clerk and available for inspection by interested persons during Village Clerk's business hours and may also be viewed on the Village's website [www.villageofwarwick.org](http://www.villageofwarwick.org)

Pursuant to Governor Cuomo's Executive Order 202.1, the public hearing will be conducted in the following manner: Members of the Village Board will attend the meeting via Zoom videoconference. The public hearing may be viewed live on the Village's Facebook page at <https://www.facebook.com/VillageofWarwick>. Interested parties may submit comments to be received by 4:00 p.m. on February 16, 2021 via mail; Attn: Village Clerk, 77 Main Street, Warwick, NY, 10990 or via email; [clerk@villageofwarwick.org](mailto:clerk@villageofwarwick.org). Comments may also be made through Facebook Live during the public hearing by going to the Village of Warwick's Facebook page: <https://www.facebook.com/VillageofWarwick>

### **Discussion**

Deputy Mayor Cheney: Ok, thank you. Have any comments been received from the public?

Village Clerk, Raina Abramson: I do not have any written comments. I am checking Facebook Live and there are no comments.

Deputy Mayor Cheney: No comments, alright. Board members, do you have any comments, statements, or questions?

Trustee McManus: I would like to keep the public hearing open until the next meeting so people who view it tonight have a chance to comment.

Deputy Mayor Cheney: I would think that would certainly be appropriate. And the way this is going to move forward, later in the meeting we are going to be considering a resolution to allow the Planning Board to be lead agency and do the SEQRA review. That is something that cannot happen until the beginning of March at their March meeting which I believe is on March 9, 2021. So, the earliest that any review by the Village Board could happen would be at our March 15, 2021 meeting assuming the Planning Board is able to complete the SEQRA review. We need a motion to keep the hearing open.

Village Attorney, Stephen Gaba: You need a motion and then a second.

Trustee McManus: I would like to make a motion to keep the hearing open until our next Village Board Meeting.

Trustee Lindberg: Second.

Deputy Mayor Cheney: Second from Trustee Lindberg. Any comments or questions on the motion? Ok, hearing none, all in favor of the motion say aye.

Trustees: Aye.

Deputy Mayor Cheney: Any opposed? Carried.

**Public Hearing on a proposed Local Law No. 2 of the Year 2021 – Remains Open**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg, and carried to keep Public Hearing on a proposed Local Law No. 2 of the Year 2021 entitled: “A local law to amend Village Code Chapter 145 entitled “Zoning” by revising the Village’s Zoning Districts Map to change the zoning designation of certain real property from “Light Industrial” (“LI”) to “Central Business” (“CB”)” open until the next Village Board Meeting.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Absent

**Acceptance of Minutes**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus, and carried for the Acceptance of Minutes: February 1, 2021

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Absent

**Acceptance of Reports**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus, and carried for the Acceptance of Reports, January 2021: Clerk’s Office, Justice, and Building. November & December 2020: Planning Board & ZBA.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Absent

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

A **MOTION** was made by Trustee McManus, seconded by Trustee Bachman, and carried for the Authorization to Pay all Approved and Audited Claims #21001369 – 21001470 in the amount of \$276,419.97.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Absent

**Correspondence**

1. Letter from Law Office of Blustein, Shapiro, Frank & Barone, LLP regarding Village View Estates, LLC – Application for Special use Permit.

**Privilege of the Floor**

**VIA EMAIL OR MAIL** - Comments may be sent to the Village Board prior to the Village Board Meeting via email to: clerk@villageofwarwick.org or via mail: Village of Warwick, Attn: Village Clerk, P.O. Box 369, Warwick, NY 10990. Please indicate in your correspondence that you wish to have your comments read during privilege of the floor. Please limit your comments to **three (3) minutes**.

No comments were submitted.

**Motions**

**Vertical Spiral Screen, Orchard St. Pump Station – Payment #3, TAM Enterprises**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried to approve payment #3 in the amount of \$28,025.00 to TAM Enterprises, Inc. for the Vertical Spiral Screen for the Orchard Street Pump Station Project which includes payment for the waterproof door and other materials per the recommendation of the Village Engineer, David Getz. Funds are appropriated in budget code G.8120.4950 in the 2020-21 budget.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Absent

**Budget Modification**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus, and carried to approve the budget modification and transfer request as per the Village Treasurer's letters dated February 10, 2021.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Absent

**RESOLUTION ADOPTING VILLAGE OF WARWICK LOCAL LAW NO. 1 OF 2021**

WHEREAS, the Village Board has before it a proposed local law entitled "A local law to amend the Village Code by enacting a new Chapter 100 entitled 'Procurement: Best Value Bid Awards'."; and

WHEREAS, following due notice, the Village Board held a public hearing on the proposed local law; and

WHEREAS, the proposed local law constitutes a Type II Action under SEQRA;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board does hereby adopt the proposed local law, a copy of which is attached hereto;
2. That the Village Clerk is hereby requested and directed to publish, post, and file the same in the Office of the Secretary of State in Albany; and
3. That the said local law shall be effective upon filing with the Secretary of State.



Trustee Lindberg presented the foregoing resolution which was seconded by Trustee Bachman.

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting	<u>Aye</u>
William Lindberg, Trustee, voting	<u>Aye</u>
Corey Bachman, Trustee, voting	<u>Aye</u>
George McManus, Trustee, voting	<u>Aye</u>
Michael Newhard, Mayor, voting	<u>Absent</u>

**Vacation Carry Over – Karen Vermillion**

A **MOTION** was made by Trustee Bachman, seconded by Trustee Lindberg, and carried to grant permission to Court Clerk, Karen Vermillion, to carry over 8.25 vacation days.

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

Trustee Cheney	<u>Aye</u>	Trustee Lindberg	<u>Aye</u>	Trustee Bachman	<u>Aye</u>
Trustee McManus	<u>Aye</u>	Mayor Newhard	<u>Absent</u>		

**Vacation Carry Over – Boris Rudzinski**

A **MOTION** was made by Trustee Bachman, seconded by Trustee Lindberg, and carried to grant permission to Village Employee, Boris Rudzinski, to carry over 4.69 vacation days.

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

Trustee Cheney	<u>Aye</u>	Trustee Lindberg	<u>Aye</u>	Trustee Bachman	<u>Aye</u>
Trustee McManus	<u>Aye</u>	Mayor Newhard	<u>Absent</u>		

**Court Prosecutor – Appointment of Robert Rametta**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg, and carried to appoint Robert Rametta to the position of Court Prosecutor for the Village of Warwick.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Absent

**Discussion**

Trustee McManus asked how many people applied for the Court Prosecutor position.

Deputy Mayor Cheney stated that there were three people that applied, and all three candidates were interviewed.

**Notice of Intent to Act as Lead Agency in SEQRA - Warwick Feed & Grain**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg, and carried to accept the Notice of Intent to Act as Lead Agency in SEQRA review received from the Village Planning Board on the Warwick Feed & Grain application for a zoning change and site plan approval, and to consent to the Planning Board assuming lead agency status.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Absent

**Reports**

Deputy Mayor Cheney stated the DPW staff is doing a great job clearing up the snow.

DPW Supervisor, Mike Moser, stated the men have been doing a great job and there has been a lot of snow this year. Mike Moser also stated salt has been ordered and will be coming in soon, a water leak was fixed and another one needs to be fixed before the next storm. The DPW also pushed back the snow on the smaller Village streets to make room for additional snowstorms.

Trustee Lindberg stated that if residents have a fire hydrant in their yard it would be good for them to shovel it out.

Trustee McManus stated that Troop 45 volunteered to send the Boy Scouts to clear the fire hydrants on the side streets for community service hours.

Deputy Mayor Cheney stated that some senior citizens may not have the ability to clear their sidewalks and might need some help. Deputy Mayor Cheney suggested to Mike Moser to have the Village Building Inspector, Boris Rudzinski, alert him of the possibility of people in need.

Mike Moser stated that residents have been taking care of the sidewalks.

**Final Comments from the Floor** - no comments were made.

**Final Comments from the Board** - no comments were made.

**Adjournment**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg, and carried to adjourn the regular meeting at approximately 7:55 p.m.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Absent

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Raina M. Abramson  
Village Clerk