

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
February 18, 2020**

8496

The regular bi-monthly meeting of the Board of Trustees of the Village of Warwick was held on Tuesday, February 18, 2020 at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present were: Mayor, Michael J. Newhard, Trustees: Barry Cheney and George McManus. Trustees William Lindberg and Eileen Patterson were absent. Also, present were: Village Attorney, Stephen Gaba, Village Clerk, Raina Abramson and DPW Supervisor, Mike Moser. Others present; Sgt. Morley, Michael Vernieri, Corey Bachman, Lou Marquet, Mary Collura, Kathy Gerstner, Mateo Rodriguez, Alfredo Pacheco, Terri Mack, Sharleen Hershberg and others. Approximately 16 people were in attendance.

The Mayor announced that Trustee Patterson and Trustee Lindberg were absent due to family circumstances, called the meeting to order and led in the Pledge of Allegiance. The Clerk held the roll call.

Acceptance of Minutes

A **MOTION** was made by Trustee McManus, seconded by Trustee Cheney and carried to accept the Minutes of February 3, 2020.

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

Deputy Mayor Cheney Aye Trustee Lindberg Absent Trustee Patterson Absent

Trustee McManus Aye Mayor Newhard Aye

Acceptance of Reports

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus and carried to accept the reports: January 2020: Clerk's Office, Justice, Building, Planning Board & ZBA.

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

Deputy Mayor Cheney Aye Trustee Lindberg Absent Trustee Patterson Absent

Trustee McManus Aye Mayor Newhard Aye

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee McManus, seconded by Trustee Cheney and carried for the authorization to pay all approved and audited claims #20001370 – 20001450 in the amount of \$149,427.11.

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

Deputy Mayor Cheney Aye Trustee Lindberg Absent Trustee Patterson Absent

Trustee McManus Aye Mayor Newhard Aye

Police Report - No report currently.

Announcement

1. Village of Warwick Local Residency Card Program will begin Monday, February 24, 2020.
2. Friday, March 6, 2020 is the last day for residents to register with the Orange County Board of Elections to be eligible to vote in the Village of Warwick Election on March 18, 2020. Voter registration forms can be found on the Village's website: www.villageofwarwick.org or www.orangecountygov.com

Correspondence

1. Report from Building Inspector, Boris Rudzinski – Village of Warwick & Climate Smart Communities Bronze Certification.
2. Letter from Richard E. Nicholas – Memorial sundial at Village of Warwick Hallowed Grounds.

Discussion ensued about having a policy related to certain types of monuments that are gifts and donations on public property.

3. Letter from Planning Board Chairman, James Patterson - Village Parking.
4. Letter from Village Board Attorney, Stephen Gaba – ZBA Decision/Planning Board Letter on Code § 145-70.

Discussion ensued about the permanent parking that is currently in existence (e.g. leased, commercial parking, etc.). This topic will be placed on the next agenda to discuss further.

Discussion

1. Village of Warwick Fund Balance Policy – Draft January 10, 2020.

2. Budget Work Session Dates.
3. Leyland Alliance Communities, LLC – Senior Citizen Housing Developments.

Much discussion ensued about the availability of senior housing, ambulatory rentals and market rate rentals. Lou Marquet will provide more information on this topic before putting it on the next agenda.

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.

Sharleen Hershberg: Sharleen stated that she is a six and a half-year resident of Warwick Grove. She said there has been a lot of seniors from Warwick Grove who have been moving out over the last few years because of a spouse who passed away, physical ability changes, and they are moving out of town because there is nowhere here for them to live.

Sharleen asked if somebody can please tell her where on Forester will the Kennedy Apartments be. Mayor Newhard stated in front of Mechanical Rubber.

Sharleen also asked what Village View was about. Mayor Newhard stated he couldn't cover that in the five minutes allowed but invited Sharleen to stop by his office anytime to discuss. He said it was a subdivision and got approved many years ago and the plan has been revived but it is denser, it's a cluster development, and it changes the configuration of things. There are more houses that are a little closer together and it's located off Sleepy Valley, Woodside and Locust Street. Trustee Cheney stated the documents are available on the Village website under the Planning Department listed under pertinent documents. But right now, the most recently listed document is a draft final environmental impact statement. So that gives a good layout what the project is.

Mateo Rodriguez: Mateo thanked the Village Board and neighbors for the opportunity to obtain Municipal ID's. Mayor Newhard shared the notice that was read aloud during the announcements with Mateo so he can share it with the community.

HDR Engineering, Inc. - Engineering Services

MOTION to accept the proposal and enter into an agreement with HDR Engineering, Inc. for engineering services and technical review of the Village View Traffic Study for a total cost of \$8,100.

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

Vacation Carry Over Request – Antonio Rivera

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus and carried to grant permission to Village Employee, Antonio Rivera, to carry over five (5) vacation days.

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

Deputy Mayor Cheney Aye Trustee Lindberg Absent Trustee Patterson Absent

Trustee McManus Aye Mayor Newhard Aye

DPW Safety Seminar

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus and carried to grant permission to DPW Supervisor, Mike Moser and DPW Employees: Jason Makuch, Dylan Gerstner, Art Wendel, Robert Remo, Chris Kane and Mike Finelli to attend the 2020 Dig Safe Excavator Safety Seminar on Tuesday, March 3, 2020 at Rockland Community College, Suffern NY from 7:00 a.m. – 2:15 p.m. at no cost to the Village. No overtime will be incurred, and no mileage reimbursement is applicable, village vehicles will be used.

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

Deputy Mayor Cheney Aye Trustee Lindberg Absent Trustee Patterson Absent

Trustee McManus Aye Mayor Newhard Aye

DPW Safety Seminar

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus and carried to grant permission to DPW Employees: Chris Bennett, Narciscus Key, Tony Rivera, Mike Faulls, Tim Palmer, Shane Rivera and John Allen to attend the 2020 Dig Safe Excavator Safety Seminar on Wednesday, March 4, 2020 at the Hudson Valley Sportsdome, Milton NY from 7:00 a.m.–2:15 p.m. at no cost to the Village. No overtime will be incurred, and no mileage reimbursement is

applicable, village vehicles will be used.

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

Deputy Mayor Cheney Aye Trustee Lindberg Absent Trustee Patterson Absent

Trustee McManus Aye Mayor Newhard Aye

Wastewater Sludge Pres – MXQ, LLC

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus and carried to purchase one (1) new sludge pump assembly for the Village of Warwick wastewater sludge press from MXQ, LLC at a total cost of \$12,491.00 including shipping, per the recommendation of Keith Herbert, Chief Operator of JCO and Supervisor of the Department of Public Works, Mike Moser.

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

Deputy Mayor Cheney Aye Trustee Lindberg Absent Trustee Patterson Absent

Trustee McManus Aye Mayor Newhard Aye

RESOLUTION APPROVING LICENSE AGEEMENT

WHEREAS, the Village of Warwick maintains a wastewater pump station on certain real property located near the Homestead Village condominium on the northerly side of Village Green Court, Warwick, New York 10990; and

WHEREAS, the Village requires a small amount of additional land for installation and maintenance of a generator and related improvements for the said pump station; and

WHEREAS, the Homeowners Association of the Homestead Village condominium has offered to provide the Village with a license for use of land adjoining the pump station for the

purpose of installation and maintenance of the said generator and related improvements, a copy of which license is attached hereto; and

WHEREAS, the installation of the generator and related improvements is a Type II Action under SEQRA;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board hereby approves and accepts the proposed license agreement; and
2. That the Mayor is authorized to execute the license agreement and all documents necessary to implement the terms thereof.

Trustee McManus presented the foregoing resolution which was seconded by Trustee Cheney,

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

Barry Cheney, Trustee, voting	Aye
William Lindberg, Trustee, voting	Absent
George McManus, Trustee, voting	Aye
Eileen Patterson, Trustee, voting	Absent
Michael Newhard, Mayor, voting	Aye

Amend the License Agreement – Homestead Village Homeowners Association, Inc.

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus and carried to amend the licensing agreement, number seven (7), first bullet, at the end, remove the word trail.

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

Deputy Mayor Cheney Aye Trustee Lindberg Absent Trustee Patterson Absent

Trustee McManus Aye Mayor Newhard Aye

Village of Warwick Fund Balance Policy

MOTION to adopt the Village of Warwick Fund Balance Policy effective February 18, 2020.

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

Budget Modification – Treasurer’s Request

A **MOTION** was made by Trustee McManus, seconded by Trustee Cheney and carried to accept the budget modification as per the Village Treasurer's letter dated February 10, 2020.

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

Deputy Mayor Cheney Aye Trustee Lindberg Absent Trustee Patterson Absent

Trustee McManus Aye Mayor Newhard Aye

Public Hearing on Funding - FY-2021 Community Development Block Grant

A **MOTION** was made by Trustee McManus, seconded by Trustee Cheney and carried to schedule a Public Hearing for Monday, March 16, 2020 to discuss projects considered for funding under the FY-2021 Community Development Block Grant Program.

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

Deputy Mayor Cheney Aye Trustee Lindberg Absent Trustee Patterson Absent

Trustee McManus Aye Mayor Newhard Aye

RESOLUTION CREATING A SPECIAL BOARD TO PREPARE AN UPDATE OF THE VILLAGE'S COMPREHENSIVE PLAN

WHEREAS, the Village Board of the Village of Warwick has determined to undertake an update of the Village's Comprehensive Plan; and

WHEREAS, the Village Board wishes to create a special board tasked with preparation of a draft of the updated Comprehensive Plan pursuant to Village Law § 7-722(4);

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That for purposes of preparing an update to the Village's Comprehensive Plan, the Village Board hereby creates a special board pursuant to Village Law § 7-722(4), which shall be called the "Village of Warwick Comprehensive Plan Committee" ("CPC"); and
2. The CPC shall consist of ten (10) members appointed by the Village Board. All members of the CPC must be Village residents and all members shall serve at the pleasure of the Village Board; and
3. Meetings of the CPC shall be conducted by a chairman appointed by the Village Board from among the ten CPC members. The CPC shall terminate and be dissolved upon the earlier of adoption of a resolution by the CPC approving a draft updated Comprehensive Plan for presentation to the Village Board or the adoption by the Village Board of a resolution dissolving the CPC; and
4. All CPC members shall serve as volunteers without compensation; and
5. The CPC shall meet at Village Hall on such dates and at such times as it may determine to be proper and convenient, subject to availability of the Village Hall on such dates and times. In the event that a venue for a CPC meeting other than Village Hall is required, the CPC may meet in a different location within the Village subject to approval of the Village Board. Meetings of the CPC shall be subject to the terms and provisions of the New York State Open Meetings Law; and

6. The CPC shall have no designated budget but may request the Village Board to appropriate and provide funds for such expenditures as may be necessary to carry out its function. All such requests shall be in writing and include an itemized statement of the purposes for which the funds are being requested. All payments to vendors and/or contractors as approved by the Village Board shall be made through the Mayor's Office; and

7. Provided, however, that members of the CPC shall be reimbursed for personal expenditures they may incur on behalf of the CPC up to one hundred dollars (\$100) on any single occasion provided, however, that such expenditures must be approved in advance by the Mayor in writing. Members of the CPC shall be reimbursed for personal expenditures they may incur on behalf of the CPC over one hundred dollars (\$100) on any single occasion provided, however, that such expenditures must be approved in advance by the Village Board of Trustees by resolution. Members of the CPC shall not incur personal expenditures on behalf of the CPC which total in excess of \$500 either on any single occasion or in the aggregate over a thirty (30) day period; and

8. The Village Clerk is hereby directed to post notice at Village Hall and on the Village's website soliciting residents of the Village of Warwick to volunteer as candidates for the Comprehensive Plan Committee.

Trustee McManus presented the foregoing resolution which was seconded by Trustee Cheney,

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

Barry Cheney, Trustee, voting Aye

William Lindberg, Trustee, voting	Absent
Eileen Patterson, Trustee, voting	Absent
George McManus, Trustee, voting	Aye
Michael Newhard, Mayor, voting	Aye

Discussion

Discussion ensued about holding meetings at larger venues, which could be approved by a Village Board resolution. An insurance policy must also be in place to cover meetings at other locations.

Election Machine Technician

A **MOTION** was made by Trustee McManus, seconded by Trustee Cheney and carried to appoint Duane Joslyn as Machine Technician for the upcoming Village Election on Wednesday, March 18, 2020 at a rate of \$13.00 per hour.

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

Deputy Mayor Cheney Aye Trustee Lindberg Absent Trustee Patterson Absent

Trustee McManus Aye Mayor Newhard Aye

Employee Training – Boris Rudzinski

A **MOTION** was made by Trustee McManus, seconded by Trustee Cheney and carried to grant permission to Building Inspector/Code Enforcement Officer, Boris Rudzinski to attend the Hudson Valley Code Enforcement Officials Educational Conference at the Poughkeepsie Grand Hotel from April 22, 2020 – April 24, 2020 at a cost of \$300 for registration only, no hotel stay necessary. Overtime and travel time outside of the regular workday will apply. No mileage reimbursement is applicable, village vehicle will be used.

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

Deputy Mayor Cheney Aye Trustee Lindberg Absent Trustee Patterson Absent

Trustee McManus Aye Mayor Newhard Aye

Vertical Spiral Screen – Orchard Street Pump Station

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus and carried to advertise and receive proposals for the Vertical Spiral Screen for the Orchard Street Pump Station project.

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

Deputy Mayor Cheney Aye Trustee Lindberg Absent Trustee Patterson Absent

Trustee McManus Aye Mayor Newhard Aye

Reports

DPW Supervisor, Mike Moser's Report:

Since my last report the Village Department of Public Works has been working on the following projects and assignments:

- All Village owned properties are continuously maintained.
- All DigSafe 811 utility mark-outs performed.
- Infiltration investigation on-going, latest video showed/located major infiltration point in Homestead Village – issue has been resolved. Other places are being investigated.
- Cold patching of potholes continues throughout the Village.
- Repaired water leak on High Street.
- Couple of snow and ice events were taken care of.
- Chipping project from storm damage finished. It took a tremendous amount of time, effort, and funding due to residents putting out excessive amounts of debris and not putting it out in the allotted time frame.
- Village owned properties still being worked on as time and weather permits.
- Leak detection program conducted throughout Village only showed few minor leaks that will be addressed in the coming weeks, overall system is in very good shape.
- Demolition and site prep work for ADA sidewalk project on High Street has begun.
- Working with Engineers on the new reservoir water storage tank project.
- Catch basin installed on Kennilworth to help with icing/drainage issue.
- Preliminary DPW budget submitted to Treasurer.
- Various other routine daily tasks have been performed.

Trustee Cheney's Report:

Trustee Cheney mentioned the leak detection survey that was performed was in part funded through a grant from the Orange County Water Authority. It has been about five years since the last one was done, so it's good to see we are keeping things buttoned up. Past leak detection surveys have yielded considerably greater amounts of water that was being lost.

Trustee Lindberg's Report: Absent.

Trustee Patterson's Report: Absent.

Trustee McManus' Report:

Trustee McManus requested that the DPW come up with a plan so they don't have to put the little bench in front of the Lion drinking fountain in Stanley Deming Park so kids can actually reach the fountain and still maintain the ADA requirements.

Mike Moser said as soon as they get back in the park in the springtime to do the pathway, it will have a little ramp up to the lion so it will be a gradual platform so kids can reach it.

Mayor Newhard's Report: No report currently.

Final Comments from the Floor

Mateo Rodriguez thanked the Village Board for the Local Residency Card program and all the support for making it happen.

Final Comments from the Board – No comments made.

Adjournment

A **MOTION** was made by Trustee McManus, seconded by Trustee Cheney and carried to adjourn the regular meeting at approximately 8:40 p.m.

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

Deputy Mayor Cheney Aye Trustee Lindberg Absent Trustee Patterson Absent

Trustee McManus Aye Mayor Newhard Aye

Raina M. Abramson
Village Clerk