

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
FEBRUARY 5, 2024**

9977

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, February 5, 2024, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Deputy Mayor, Barry Cheney. Trustees Carly Foster, Thomas McKnight, and Mary Collura. Also, present was Deputy Village Clerk, Jennifer Mante. Absent was Mayor, Michael J. Newhard. Others present, John Christison and Michael Beaugard.

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

Acceptance of Minutes

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried for the Acceptance of Minutes: January 16, 2024, Work Session and Village Board Meeting.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Collura, seconded by Trustee McKnight, and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$246,806.97.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

1. **Public Hearing on a proposed Local Law entitled: “A local law to amend the Village Code by enacting a new Chapter 60 entitled ‘Community Choice Aggregation Program’.”**

The Deputy Village Clerk read the hearing notice.

LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Village of Warwick will hold a public hearing on the 5th day of February 2024 at 7:30 p.m., at Village Hall, 77 Main Street, Warwick, New York 10990, on a proposed Local Law No. 1 of the Year 2024 entitled:

“A local law to amend the Village Code by enacting a new Chapter 60 entitled ‘Community Choice Aggregation Program’”.

The purpose of this Local Law is to promote public health, safety, and welfare by establishing a Community Choice Aggregate Program allowing Village residents to incur lower unity costs.

A copy of the proposed local law is on file in the office of the Village Clerk and is available for inspection by interested persons during Village Clerk's business hours, and the proposed local law has also been posted on the Village’s website www.villageofwarwick.org.

The Village Board will at the above date, time, and place hear all persons interested in the subject matter hereof. Persons may appear in person or by agent. All written communications addressed to the Board must be received by the Board at or prior to the public hearing.

**BY ORDER OF THE BOARD OF TRUSTEES
VILLAGE OF WARWICK
RAINA ABRAMSON, VILLAGE CLERK
Dated: January 18, 2024**

Trustee McKnight provided an overview of the Community Choice Aggregation (CCA) program during the public hearing. CCA is a New York state-sponsored initiative allowing municipalities to aggregate their purchasing power for electricity to obtain an aggregated rate and access renewable energy. Trustee McKnight highlighted examples of other communities benefiting from CCA, such as Tuxedo Park, which has seen lower electricity rates and access to hydroelectric power. He emphasized that CCA is an opt-out program, meaning residents are automatically enrolled but can choose to opt out at any time. Despite enrollment, Orange and Rockland would remain the delivery mechanism for electricity, and residents' bills would appear unchanged. Trustee McKnight invited public comments on the matter.

No public comments were made.

Close Public Hearing – Chapter 60 ‘Community Choice Aggregation Program’

A **MOTION** was made by Trustee McKnight seconded by Trustee Collura, and carried to close the Public Hearing on a proposed Local Law entitled: “A local law to amend the Village Code by enacting a new Chapter 60 entitled ‘Community Choice Aggregation Program’.”

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

2. **Public Hearing on a proposed Local Law entitled: “A local law to amend Village Code Chapter 135, ‘Vehicles and Traffic’ to add traffic safety regulations and traffic controls devices.”**

The Deputy Village Clerk read the hearing notice.

LEGAL NOTICE

PLEASE TAKE NOTICE that the Village Board of the Village of Warwick will hold a public hearing on the 5th day of February 2024, at 7:30 p.m. at Village Hall, 77 Main Street, Warwick, New York 10990, on a proposed Local Law No. 2 of the Year 2024 entitled: “A local law to amend Village Code Chapter 135, ‘Vehicles and Traffic’ to add traffic safety regulations and traffic control devices.”

The purpose of this local law is to promote the public health, safety, and welfare by amending Village Code Chapter 135. ‘Vehicles and Traffic’ to add traffic safety regulations and traffic control devices.”

A copy of the proposed local law is on file in the office of the Village Clerk and is available for inspection by interested persons during Village Clerk's business hours, and the proposed local law has also been posted on the Village’s website www.villageofwarwick.org.

The Village Board will at the above date, time, and place hear all persons interested in the subject matter hereof. Persons may appear in person or by agent. All written communications addressed to the Board must be received by the Board at or prior to the public hearing.

**BY ORDER OF THE BOARD OF TRUSTEES
VILLAGE OF WARWICK
RAINA ABRAMSON, VILLAGE CLERK
Dated: January 8, 2024**

Trustee McKnight discussed the proposed law to install "no stop, no standing" signs on Pond Hill as it approaches West Street. This measure aims to address safety concerns stemming from the congestion caused by school buses stopping on West Street due to limited access to the Pond Hill neighborhood. The congestion on Pond Hill creates

visibility issues for turning vehicles, particularly during peak traffic hours when speeding is prevalent. Trustee McKnight highlighted the need for improved visibility to ensure the safety of students accessing the school bus and motorists navigating the area. The proposal received support from Warwick Police Chief, John Rader, who acknowledged the safety issues associated with the current traffic conditions.

No public comments were made.

Close Public Hearing – Chapter 135 ‘Vehicles and Traffic’

A **MOTION** was made by Trustee McKnight seconded by Trustee Foster and carried to close the Public Hearing on a proposed Local Law entitled: “A local law to amend Village Code Chapter 135, ‘Vehicles and Traffic’ to add traffic safety regulations and traffic controls devices.”

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

3. **Public Hearing on a proposed Local Law entitled: “A local law amending the Village Code of the Village of Warwick by repealing Chapter 66 ‘Film and Video Productions’, and re-enacting the same with revised provisions.”**

The Deputy Village Clerk read the hearing notice.

LEGAL NOTICE

PLEASE TAKE NOTICE that the Village Board of the Village of Warwick will hold a public hearing on the 5th day of February 2024, at 7:30 p.m., at Village Hall, 77 Main Street, Warwick, New York 10990, on a proposed Local Law No. 3 of the Year 2024 entitled: “A local law amending the Village Code of the Village of Warwick by repealing Chapter 66 ‘Film and Video Productions’, and re-enacting the same with revised provisions.”

The purpose of this Local Law is to promote the public, health, safety, and welfare by amending the Village Code to revise the provisions to the Village Code regarding regulation of Film and Video Productions.

The Village Board will at the above date, time, and place hear all persons interested in the subject matter hereof. Persons may appear in person or by agent. All

written communications addressed to the Board must be received by the Board at or prior to the public hearing.

**BY ORDER OF THE BOARD OF TRUSTEES
VILLAGE OF WARWICK
RAINA ABRAMSON, VILLAGE CLERK
Dated: January 8, 2024**

Trustee Foster outlined the purpose and revisions of the film code to maximize investment in the community through filming while minimizing disruptions. The decision to amend the law stemmed from feedback received from the Clerk's Office and the Orange County Film and Tourism Office, indicating that the existing code was difficult to navigate and created obstacles to collaboration. Collaborating with relevant stakeholders, including Orange County Tourism and Film, the Village reviewed codes from various sources to draft a new, clearer code. Key changes include clarifying definitions, requirements, and removing the requirement for Board approval for each filming request. Instead, a committee consisting of the mayor, liaison to Economic Development and Tourism, and others as needed will review applications. The revisions also specify exclusions from the code and do not alter fees at this time. Additionally, the application process is being updated for improved clarity.

Trustee McKnight mentioned that the topic had been discussed during the Board's work session on November 28th, and for those interested in the deliberation process, they were encouraged to watch the session.

Trustee Foster noted that the process began in 2022 and emphasized that a lot of research and coordination had taken place.

John Christison asked if the new policy would make it easier or harder for the film industry to film in Warwick.

Trustee Foster responded that it should be easier from a clarity perspective.

John Christison acknowledged the disruption caused by film productions in the Village or Town but also highlighted the significant financial benefits they bring. He mentioned his involvement with such productions through a friend who worked in stunts, emphasizing the substantial amount of money spent by film crews.

Trustee Foster highlighted the aim of making it easier to collaborate with the Village while emphasizing the dual objective of maximizing investment and minimizing disruption caused by filming activities. She emphasized the importance of clear parameters outlined in the updated film code.

Mr. Christison noted that while the film industry can be challenging to collaborate with, they contribute significantly to the local economy through their spending.

No further comments were made.

Close Public Hearing – Chapter 66 ‘Film and Video Productions’

A **MOTION** was made by Trustee McKnight seconded by Trustee Collura and carried to close the Public Hearing on a proposed Local Law entitled: “A local law amending the Village Code of the Village of Warwick by repealing Chapter 66 ‘Film and Video Productions’, and re-enacting the same with revised provisions.”

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Announcement

1. Public Notice: Reminder for Snow Removal
2. Notice of Completion of Tentative 2024 Assessment Roll & Hearing of Complaints.
3. Village Clerk, Raina Abramson, awarded NYS Association of City and Village Clerk Certification as Registered Municipal Clerk.

Trustee Cheney congratulated Village Clerk Raina Abramson for being awarded certification as a Registered Municipal Clerk by the New York State Association of City and Village Clerks. This recognition acknowledges Raina's professional competency and is only granted after meeting high standards set by the NYSACVC. Trustee Cheney expressed appreciation for Raina's excellent work at Village Hall and emphasized her valuable contributions to the team.

Correspondence

1. Letter from John Christison stating that Yesterdays is applying for a New York State Liquor License.

Mr. Christison mentioned that for 18 years, he would renew his license by submitting a simple form to the Village via registered return receipts. However, with the new license, which is technically a transfer, he realized he needed to send

a notice to the Village but has since discovered the correct form required by the State and would like to deliver it today.

Discussion

1. Spring 2024 Village Newsletter

Trustee Collura discussed plans for the upcoming quarterly Village Newsletter, which will be the third edition. She aims to distribute it in the first week of March. However, she mentioned the need to wait for some press releases, which she has not received yet. Depending on their availability, she may consider delaying the distribution by a week. She encouraged discussion on the proposed content list for the newsletter.

The Board discussed content for the upcoming Village Newsletter, considering various topics such as community events, Earth-related initiatives, recent grants, and policy updates. Trustee Foster proposed including statistics from the "Slow Down Warwick" initiative but clarified the need for accessible data. Overall, they aimed to provide valuable information to residents while meeting the newsletter's submission deadline.

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.

No comments were made.

Pole Barn Bid – TABLED

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight to accept the bid from TAM Enterprises, Inc. in the amount of \$242,850.00 for the Pole Barn DPW project as per

the recommendation of Village Engineer, David Getz. \$140,000 of funds are appropriated in budget code A1640.2350 in the FY2023-24 budget for this project.

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

Trustee Cheney ___ Trustee Foster ___ Trustee Collura ___

Trustee McKnight ___ Mayor Newhard ___

Discussion

Trustee Cheney outlined the financial challenge posed by the bid for the new pole barn, which exceeds the allocated budget by \$102,000. He mentioned the status of the infrastructure reserve fund and expressed concern about its adequacy, particularly in light of potential additional expenses for ongoing projects. He raised the possibility of funding the project over two fiscal years but noted that the bid documents specify a tight timeline for completion within the current fiscal year.

Trustee Foster emphasized that the Board could not accept a bid that the Village has not allocated funding for, Trustee Cheney agreed.

Trustee McKnight sought clarification on the value of the pole barn to the Village, acknowledging that it has been asked for for several years.

Trustee Cheney elaborated on the value of the pole barn, emphasizing its role in providing better working conditions to Village staff who currently work out of offices housed in old, used trailers to a more permanent location within the barn. Additionally, the barn would provide storage space for equipment and materials, particularly smaller items like mowers, protecting them from inclement weather.

Trustee McKnight expressed support for the pole barn project and sought clarification on why the project cost exceeded the initial estimate.

Trustee Cheney highlighted uncertainty about the origin of the initial estimate for the pole barn project, suggesting that it may have been based on incomplete quotes rather than a comprehensive assessment of the required work.

Trustee Foster suggested renaming the project to "DPW offices" instead of "pole barn" to emphasize its significance and potentially expedite funding, especially if the current working conditions for the Department of Public Works are suboptimal.

Trustee Cheney clarified that while the project involves offices and equipment storage,

the offices are not the primary focus of the structure. The term "pole barn" describes the structure itself, but Trustee Cheney suggested considering an alternative name to provide clarity for the public. While Trustee Cheney thought the project could wait another year, he highlighted the wide range in bids received for the project, emphasizing the uncertainty in future costs.

Trustee McKnight received clarification that the \$140,000 allocated for the pole barn project had already been approved for the current fiscal year. He proposed enhancing the Village's estimating processes to prevent such discrepancies in the future.

Trustee Foster noted the significant increase in costs across industries in a short period.

Trustee McKnight expressed concern about the common trend of underestimating costs and suggested that if such factors had been considered in the estimation, it could have better protected investments in equipment and provided better working conditions for employees. He noted the shortfall of \$100,000 in funding for the project.

Trustee Cheney suggested that the Board needed to address the shortfall in funding for the project and proposed that a decision be made to either withdraw or vote down the motion, with the understanding that it could be revisited in the future.

Pole Barn Bid –TABLED

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to table the motion to accept the bid from TAM Enterprises, Inc. in the amount of \$242,850.00 for the Pole Barn DPW project as per the recommendation of Village Engineer, David Getz. \$140,000 of funds are appropriated in budget code A1640.2350 in the FY2023-24 budget for this project.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Discussion

Trustee McKnight proposed seeking input from the Treasurer's Department regarding the feasibility of funding the project within the current fiscal year. Additionally, he suggested exploring potential areas within the DPW budget where cuts could be made to reallocate funds if needed.

The discussion delved into the allocation of funds for the creation of DPW offices,

clarifying that the water and wastewater fund cannot support this initiative as it falls outside their purview. It was questioned whether some money might be allocated from the water department budget, considering that some staff members from there would also use the new offices. Additionally, it was mentioned that the DPW Supervisor would utilize the office space along with Water Department staff, although most of the DPW's equipment would be stored in the pole barn.

South Street Sidewalk Replacement Project – Payment #7, TAM Enterprises

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight, and carried to authorize Payment #7 in the amount of \$30,180.04 to TAM Enterprises, Inc. for the South Street sidewalk replacement project. The scope of the work covered by this application was included in Change Order #2, previously approved by the Village Board, which includes the sidewalk construction between Lawrence Avenue and Galloway Road. Payment also includes TAM's construction of the new sidewalk from Second Street to Third Street. 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 Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Discussion

Trustee McKnight raised concerns about the accuracy of project estimates and questioned whether there were mechanisms in the contract to trigger discussions if costs exceeded a certain threshold. He emphasized the importance of minimizing the risk of overpaying for projects, especially given the fluctuations in costs. He suggested exploring mechanisms in contracts to mitigate such risks for the Village.

Trustee Cheney clarified that the estimate provided by engineers is termed as an "estimate of probable cost" rather than a quote. This distinction highlights the uncertainty until bids for the project are received, indicating that the actual costs may differ from initial estimates.

Trustee McKnight acknowledged the potential for unforeseen circumstances during construction, such as encountering unexpected infrastructure like pipes.

Trustee Cheney explained the reasons behind the change orders related to the construction projects, detailing additional work required due to factors such as modifications to infrastructure like walls and sidewalks, as well as the utilization of

additional funds provided by Community Development for qualifying projects.

Trustee McKnight expressed interest in analyzing vendors' tendencies to consistently underestimate project costs versus those providing more accurate estimates, suggesting a need for further examination of this issue in future dealings with vendors.

Trustee Cheney explained that changes in project scope or unforeseen circumstances in the field could lead to adjustments in estimated costs, highlighting that bids are typically solid unless there are changes in the work required or unforeseen circumstances arise during the project execution.

Trustee McKnight suggested assessing the confidence level of estimators for future projects, proposing to account for uncertainties if estimators express uncertainty about potential issues, while considering different approaches based on the level of confidence expressed by the estimators.

Trustee Cheney mentioned that larger projects typically include a contingency line to ensure coverage for unforeseen circumstances.

Trustee Foster noted that when the project was first presented, she found the contingency low for how far along the design was.

Purchase – Water Department, Metal Detectors

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster, and carried to approve the purchase of (2) two new metal detectors for the Water Department in the amount of \$1,980.00 from C.A. Turner Co. Inc. for the purpose of locating street valve boxes and curb boxes, per the recommendation of Water Distribution Supervisor, Christopher Bennett. Funds are appropriated in budget code F.8340.2350.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Discussion

Trustee McKnight inquired as to what the proposed equipment would be used for.

Trustee Cheney clarified that the equipment in question is used for locating curb stops. He mentioned that these devices would serve as replacements for older detectors, likely

offering improved capabilities compared to previous generations.

Trustee McKnight proposed that in future requests for upgraded equipment, there should be more information provided regarding the existing equipment, its age, and why it is no longer functional. He suggested that this additional detail would aid the Board in better understanding the need for the upgrade.

Trustee Cheney clarified that the equipment upgrade was budgeted for in the 2022-23 fiscal year.

Purchase – Water Department, Pipe Locator

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura, and carried to approve the purchase of (1) one new pipe locator in the amount of \$3,400.00 from C.A. Turner Co., Inc. for the purpose of tracing and locating underground water lines for mark outs and repairs, per the recommendation of Water Distribution Supervisor, Christopher Bennett. Funds are appropriated in budget code F.8340.2350.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Discussion

Trustee McKnight sought clarification that the purchase of similar newer equipment had been budgeted for in the meetings of the previous year.

Trustee Cheney confirmed that it was budgeted for and further explained that the purpose of acquiring the equipment was to accurately mark out utilities during construction projects to ensure their protection. If contractors accidentally damage utilities despite markings, they are responsible for fixing them.

Trustee McKnight expressed understanding of the necessity for the equipment but sought clarification on the current solution and why it wasn't sufficient.

Trustee Foster commented that the equipment being discussed were assets that had been used up and sought confirmation that the item in question was indeed a new pipe locator.

Trustee Collura inquired about the fate of the old items that are replaced, questioning whether they are sold or recycled.

Trustee Cheney explained that sometimes old items are kept as backups, while other times they are sold or disposed of through a sale.

Auction Surplus – DPW Equipment – TABLED

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster to auction the following surplus of the Department of Public Works equipment owned by the Village of Warwick on GovDeals.com: 2004 Ford F250, 2003 International, 2008 Ford F250, (2) two 2004 Ford F350s, 2005 Ford F350, and 1989 Case 480 as per the recommendation of DPW Supervisor, Mike Moser.

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

Trustee Cheney ___ Trustee Foster ___ Trustee Collura ___

Trustee McKnight ___ Mayor Newhard ___

Discussion

Trustee Foster inquired about the replacement of the DPW vehicles, specifically asking if they were replaced with electric vehicles or hybrid vehicles. To which, Trustee Cheney clarified that there are no electric or hybrid vehicles in the Village's fleet.

Trustee Foster asked if there were any plans to replace future vehicles with electric or hybrid vehicles, to which Trustee Cheney was not aware of any plans.

Trustee Foster highlighted the potential for reimbursement from the Federal Government for purchasing hybrid or electric vehicles, suggesting that it might be worth exploring cost comparisons and considering the rebates available. She noted that depending on the type and size of the vehicle, reimbursement could be up to \$43,000 per vehicle, and the submission process is not competitive, meaning the Village could simply submit for reimbursement if the criteria is met.

Trustee Cheney mentioned that discussing the potential reimbursement for hybrid or electric vehicles with the DPW Supervisor is worthwhile and could be part of future budget workshops.

Trustee McKnight pointed out an option under the Climate Smart Community Program regarding a green procurement policy, emphasizing the importance of considering it in the asset auction process. Additionally, Trustee McKnight provided details about the fleet inventory, including VIN numbers, but noted two vehicles missing from the inventory: the 2003 International and the 1989 Case 480.

Trustee Cheney clarified that the International is either a bucket loader or a backhoe and would not be listed under the truck inventory.

Trustee McKnight clarified that there was another case mentioned in the inventory, not associated with the VIN number provided earlier. He emphasized the importance of accuracy in identifying vehicles to be auctioned off before disposing of any assets.

Trustee Cheney and Trustee McKnight discussed discrepancies in the inventory list, suggesting that some vehicles may have been taken out of service before the list was created. They highlighted the age differences for certain vehicles, such as a 1989 and 2005 Case, and clarified the model years for several International trucks.

Additional discussion regarding vehicle inventory and discrepancy of the list took place.

Trustee Foster proposed tabling the motion to auction off the assets to allow for updating the list and ensuring alignment with the inventory.

There was a question whether the auction was time sensitive, it was determined that it was not.

Trustee McKnight expressed support for auctioning off retired vehicles to reduce the fleet size but emphasized the importance of accuracy in identifying the vehicles for disposal.

Trustee Foster acknowledged the importance of ensuring accurate records and proper documentation within the departments, echoing the need for precision in handling asset disposal.

Auction Surplus – DPW Equipment – TABLED

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster, and carried to table the motion to auction the following surplus of the Department of Public Works equipment owned by the Village of Warwick on GovDeals.com: 2004 Ford F250, 2003 International, 2008 Ford F250, (2) two 2004 Ford F350s, 2005 Ford F350, and 1989 Case 480 as per the recommendation of DPW Supervisor, Mike Moser.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Vacation Carry Over - Antonio Rivera

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

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

UDIG NY Safety Event – DPW Employees

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster, and carried to grant permission to allow DPW employees to attend the free UDIG NY Spring into Safety Event on March 5, 2024, and March 13, 2024, from 8:00 a.m. to 10:00 a.m. with registration starting at 7:30 a.m. at the Newburgh Armory, Newburgh, NY and Wallkill Golf Course, Middletown, NY. The purpose of this event is to refresh NYS Code Rule 753 and safe digging practices. Employees will be split between the two days as to not impact workday coverage. As per the recommendation of DPW Supervisor, Mike Moser.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Agreement for Repayment of Water & Sewer Charges – 218 Homestead Village Drive

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster, and carried to authorize the Mayor to enter into an Agreement for Repayment of Water and Sewer Charges with the property owner at 218 Homestead Village Drive, Warwick NY in the amount of \$719.57 to be paid in 8 quarterly installments of \$89.95 and authorize the Mayor to sign the same.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

RESOLUTION ADOPTING VILLAGE OF WARWICK
LOCAL LAW NO. 3 OF 2024

WHEREAS, the Village Board has before it a proposed local law entitled "A local law amending the Village Code of the Village of Warwick by repealing Chapter 66 'Film and Video Productions', and re-enacting the same with revised provisions"; 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 hereby adopts the said local law; and
2. That the local law shall be effective upon filing in the office of the Secretary of State in Albany as required by applicable law.

Trustee Foster presented the foregoing resolution which was seconded by Trustee Collura,

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

Barry Cheney, Trustee, voting Aye

Carly Foster, Trustee, voting Aye

Thomas McKnight, Trustee, voting Aye

Mary Collura, Trustee, voting Aye

Michael Newhard, Mayor, voting Absent

Road Closure – Park Avenue Elementary School Event, Someone Special

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura, and carried to grant permission to close Park Avenue between Galloway Road and Burt Street on Thursday, May 9, 2024, from 4:00 p.m. to 7:00 p.m., with a rain date of Thursday, May 16, 2024, for the benefit of the Park Avenue Elementary School's Someone Special Warrior Event.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Road Closure – Park Avenue Elementary School Event, Sports Day

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to grant permission to close Park Avenue between Galloway Road and Burt Street on Friday, June 7, 2024, from 9:00 a.m. to 3:15 p.m., with a rain date of Friday, June 14, 2024, for the benefit of the Park Avenue Elementary School’s Sports Day – Park Palooza event.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Road Closure – Park Avenue Elementary School Event, Family Picnic/Crazy Ticket

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura, and carried to grant permission to close Park Avenue between Galloway Road and Burt Street on Friday, June 14, 2024, from 4:00 p.m. to 9:00 p.m. for the benefit of the Park Avenue Elementary School’s Family Picnic/Crazy Ticket School Event.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Facility Use Request – South Street Parking Lot, Duck Derby

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to grant permission to Winslow Therapeutic Riding Center to hold the Duck Derby event on Sunday, May 19, 2024, from 10:00 a.m. to 2:30 p.m. in Linear Park by the Wawayanda Creek and the South Street parking lot, with set up to begin at 8:00 a.m. and breakdown to be completed by 3:00 p.m. Completed park permit, proof of insurance and security deposit have been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Facility Use Request – Stanley Deming, Treecycle

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to grant permission to Wickham Works to hold their Treecycle 2024 event at Stanley Deming Park on Saturday, April 20, 2024, from 1:00 p.m. to 6:00 p.m. with a rain date of Sunday, April 21, 2024, with setup to begin at 10:00 a.m. and breakdown to be completed by 7:30 p.m. Permission includes use of restrooms, water fountains, electricity, the pavilion, the handball court, the bandshell where a DJ will be setup, and the basketball court area where no more than (2) two food trucks will be parked. Permission also includes (6) six parking cones for loading and unloading near the entrance to the park; (4) four recycling bins and (6) six garbage cans to be placed around the bandshell, pavilion, lawn area, and basketball courts; the use of (10) ten Village-owned tables and (50) fifty Village-owned chairs. In addition, the DPW to set up (4) four, 8' x 4' platforms. Completed park permit, proof of insurance, and security deposit have been received. Pending permission from Park Avenue Elementary to use the school parking lot. Pending proper insurance requirements from all participating vendors.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Facility Use Request – Veterans Memorial Park Pavilion, WFD Family Picnic

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to grant permission to the Warwick Fire Department to use the Veterans Memorial Park Pavilion for a Department Family Picnic on Saturday, July 27, 2024, from 9:00 a.m. to 8:00 p.m. Permission includes use of alcohol, inflatable rides, electricity, pavilion lights, restrooms and Village owned tables and chairs. Completed park permit and proof of insurance, including Host Liquor Liability & coverage for inflatable rides, have been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Facility Use Request – Veterans Memorial Park Pavilion, WFD 9/11 Memorial Service

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to grant permission to the Warwick Fire Department to use Veterans Memorial Park for a 9/11 Memorial Service on Wednesday, September 11, 2024, from 5:00 p.m. to 6:30 p.m. Request includes use of a sound system and electricity near the entrance of the park. Completed park permit and proof of insurance have been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Facility Use Request – Chase Parking Lot, Operation Clean Sweep

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to grant permission to The Warwick Valley Chamber of Commerce to hold Operation Clean Sweep on Saturday, April 27, 2024, from 8:00 a.m. to 2:00 p.m., including permission to use the far end of the Chase Bank Parking Lot for a shredding event and other collection stations. Completed facility use permit, proof of insurance, and security deposit have been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Facility Use Request – Warwick Valley Chamber of Commerce, Applefest 2024

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura, and carried to grant permission to the Warwick Valley Chamber of Commerce to hold the 34th Warwick Applefest on Sunday, October 6, 2024, from 9:00 a.m. to 5:00 p.m. in the area between Lewis Park and Stanley Deming Park, encompassing High Street, South Street, Railroad Avenue, Railroad Green, the Chase parking lot, and the South Street parking lot. Event setup will begin at 6:00 a.m. and breakdown will be complete by 7:00 p.m. Request includes: use of Veterans Memorial Park, the Oakland Avenue lot, and First Street for event parking; use of (9) nine Village-owned stage platforms; use of electricity and the setup of tents on Sunday, October 6, 2024, as per their letter dated December 7, 2023. Completed facility use application, proper insurance, detailed map, and security deposit have been received. Approval is subject to the Warwick Valley Chamber of Commerce providing the Village of Warwick with a complete list of vendors and individual vendor insurance certificates naming the Village of Warwick as an additional insured.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Road Closures – Warwick Valley Chamber of Commerce, Applefest 2024 – TABLED

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight to close South Street to Lawrence Avenue, Railroad Avenue, Second Street, Third Street, High Street, Bank Street, Clinton Avenue, Park Avenue, Park Lane, and Park Way for the benefit of Applefest 2024 on Sunday, October 6, 2024, in coordination with the Warwick Police Department and the Village of Warwick Department of Public Works.

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

Trustee Cheney ___ Trustee Foster ___ Trustee Collura ___

Trustee McKnight ___ Mayor Newhard ___

Discussion

Trustee McKnight noted discrepancies in the road closure application for Applefest, pointing out inconsistencies in street names and suggesting that the intention might be to close all park-named streets in the grid area, similar to last year's setup.

The Board discussed the requested road closures further and identified potential errors in the application, particularly regarding Park Lane and Park Place. It was suggested that Park Lane might have been intended for closure instead of Park Place due to its dead-end nature. The need to clarify this in the application was noted. Ultimately, the decision was made to table the motion to approve the road closures pending corrections and further review.

Road Closures – Warwick Valley Chamber of Commerce, Applefest 2024 – TABLED

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster, and carried to table the motion to close South Street to Lawrence Avenue, Railroad Avenue, Second Street, Third Street, High Street, Bank Street, Clinton Avenue, Park Avenue, Park Lane, and Park Way for the benefit of Applefest 2024 on Sunday, October 6, 2024, in coordination with the Warwick Police Department and the Village of Warwick Department of Public Works.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Wave the Reading of the Motion

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster, and carried to waive the reading of the motion to rescind the motion.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Rescind Motion – Facility Use Request, Stanley Deming Park, Children’s Book Fair

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight to rescind the motion approved on December 18, 2023, granting permission to the Albert Wisner Public Library to use Stanley-Deming Park to hold the 2024 Children’s Book Festival on Saturday, October 12, 2024, from 11:00 a.m. to 4:00 p.m. as per their letter dated November 29, 2023. Permission to include: three (3) food trucks to be parked on the grass between the creek and the handball courts on the west side of the park; additional 6-8 garbage cans placed near the food trucks and festival tents; a 3’ x 12’ banner to be hung on the fence by the entrance of Stanley-Deming Park at the intersection of South Street and Parkway, from Sunday, September 29, 2024, through Saturday, October 12, 2024; Festival tents to be set up beginning at 9:00 a.m. on Friday, October 11, 2024, and removed by 1:00 p.m. Sunday, October 13, 2024; use of Stanley-Deming restrooms; Uncle Brothers Band to perform a free children’s concert under the bandstand from 11:30 a.m. to 3:00 p.m. during the event; in coordination with DPW Supervisor, Mike Moser, use of designated parking in the large section of the grass behind the basketball courts and additional temporary accessible parking spaces designated by the Village on Parkway, close to the entrances of Stanley-Deming Park; if possible for the DPW to provide spotlights for the setup date of Friday, October 11th. Approval contingent upon providing the Village of Warwick with certificates of insurance naming the Village as an additional insured from all food truck vendors at least 30 days prior to the event and obtaining permission of the Warwick Valley Central School District to use the Park Avenue School for parking and providing such documentation 60 days prior to the event. Completed facility use permit, proof of insurance, and security deposit have been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Facility Use Request - Stanley Deming Park, Children's Book Fair

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to grant permission to the Albert Wisner Public Library to use Stanley-Deming Park to hold the 2024 Children's Book Festival on Sunday, October 13, 2024, from 11:00 a.m. to 4:00 p.m. as per their letter dated November 29, 2023. Permission to include: three (3) food trucks to be parked on the grass between the creek and the handball courts on the west side of the park; additional 6-8 garbage cans placed near the food trucks and festival tents; a 3' x 12' banner to be hung on the fence by the entrance of Stanley-Deming Park at the intersection of South Street and Parkway, from Monday, September 30, 2024, through Sunday, October 13, 2024; Festival tents to be set up beginning at 9:00 a.m. on Friday, October 11, 2024, and removed by 1:00 p.m. Monday, October 14, 2024; use of Stanley-Deming restrooms; Uncle Brothers Band to perform a free children's concert under the bandstand from 11:30 a.m. to 3:00 p.m. during the event; in coordination with DPW Supervisor, Mike Moser, use of designated parking in the large section of the grass behind the basketball courts and additional temporary accessible parking spaces designated by the Village on Parkway, close to the entrances of Stanley-Deming Park; if possible for the DPW to provide spotlights for the setup date of Friday, October 11th. Approval contingent upon providing the Village of Warwick with certificates of insurance naming the Village as an additional insured from all food truck vendors at least 30 days prior to the event and obtaining permission of the Warwick Valley Central School District to use the Park Avenue School for parking and providing such documentation 60 days prior to the event. Completed facility use permit, proof of insurance, and security deposit have been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Discussion

The Board discussed the need to include recycling bins along with garbage cans for public events. Trustee Foster suggested flagging this requirement on all public use applications. It was suggested that it could be implied that if garbage cans are requested, recycling bins would also be provided. However, Trustee Foster highlighted recent inadequacies in recycling provision, indicating a need for better attention to recycling at events.

Refund – 49 West Street, Tax Bills

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to approve a refund in the amount of \$166.53 for the FY2021-22, 2022-23, and 2023-24 tax bills to the owner of 49 West Street, Warwick, NY SBL: 210-12-8, due to clerical error per RPTL §556, per the request of Village Assessor, Deborah Eurich.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Acknowledge Receipt of Liquor License – Rusty Goat Grill

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster, and carried to acknowledge receipt of the Standardized Notice Form from the New York State Liquor Authority for an on-premises liquor license for the Rusty Goat Grill located at 46 Main Street – Lower Level, Warwick, NY 10990 and authorize the Village Clerk to submit a letter notifying the New York State Liquor Authority that there are no objections to this notification and application.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Acknowledge Receipt of Liquor License – CBC Beer Bar

A **MOTION** was made by Trustee McKnight, seconded by Trustee Collura, and carried to acknowledge receipt of the Standardized Notice Form from the New York State Liquor Authority for an on-premises liquor license for the CBC Beer Bar located at 93-95 Main Street, Suite 2, Warwick, NY 10990 and authorize the Village Clerk to submit a letter notifying the New York State Liquor Authority that there are no objections to this notification and application.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

Return of Escrow – 4 Woodside Drive

A **MOTION** was made by Trustee McKnight, seconded by Trustee Collura, and carried to return the Zoning Board of Appeals escrow balance of \$515.19 to Douglas and Vicki Berry for variance approval at 4 Woodside Drive. All invoices have been paid as per the email from Zoning Board of Appeals Attorney, Ashley Torre.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent

**RESOLUTION ADOPTING A LOCAL LAW
ESTABLISHING A COMMUNITY CHOICE AGGREGATE PROGRAM**

WHEREAS, theretofore the Village Board has before it a proposed local law entitled: "A local law to amend the Village Code by enacting a new Chapter 60 entitled 'Community Choice Aggregation Program';" and

WHEREAS, the proposed local law constitutes a Type II Action under the New York State Environmental Quality Review Act; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board hereby adopts the local law; and
2. That the local law shall be effective immediately and shall be filed in the office of the Secretary of State in Albany as required by applicable law.

Trustee McKnight presented the foregoing resolution which was seconded by Trustee Collura,

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

Barry Cheney, Trustee, voting Aye

Carly Foster, Trustee, voting Aye

Thomas McKnight, Trustee, voting Aye

Mary Collura, Trustee, voting Aye

Michael Newhard, Mayor, voting Absent

Discussion

Trustee Cheney emphasized the importance of seeking public input on decisions related to Community Choice Aggregation, especially considering that the last legally required public participation hearing had taken place. He expressed hope that the Board would commit to allowing public engagement in the decision-making process even after the Board has decided on how to proceed. Trustee Cheney noted that this aspect might be missing in the standard law that was laid out for them.

The rest of the Board agreed and stressed the need to include a good amount of public engagement involved with the process.

**RESOLUTION ADOPTING VILLAGE OF WARWICK
LOCAL LAW NO. 2 OF 2024**

WHEREAS, the Village Board has before it a proposed local law entitled "A local law to amend Village Code Chapter 135, 'Vehicles and Traffic' to add traffic safety regulations and traffic control devices"; 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; and
2. That the said local law shall be effective upon filing with the Secretary of State in Albany as required by applicable law.

Trustee McKnight presented the foregoing resolution which was seconded by Trustee Foster,

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

Barry Cheney, Trustee, voting Aye

Carly Foster, Trustee, voting Aye

Thomas McKnight, Trustee, voting Aye

Mary Collura, Trustee, voting Aye

Michael Newhard, Mayor, voting Absent

Summer Recreation – Age for Employment Eligibility

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura, and carried to revise the age for employment eligibility from 16 years old to 15 years old for the Village of Warwick’s Summer Recreation program as per the recommendation of Recreation Director, Ron Introini.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Abstain Mayor Newhard Absent

Discussion

The Board discussed passing the motion without any conclusive information. The Mayor had been the one who had the discussion with the Village’s Labor Attorney but was absent from the current meeting to provide an explanation. The Deputy Clerk confirmed that Mayor Newhard did speak to someone regarding the legality of the motion but could not recall the name of the person.

Public Comment – *Non-Agenda Items*

No comments were made.

Final Comments from the Board

Trustee Foster provided updates on two matters. Firstly, they mentioned participating in training sessions organized by the Local Infrastructure Hub, focusing on various programs relevant to the Board's interests. Trustee Foster offered to share their notes with the Board and encouraged others to join if interested. Secondly, she discussed potential capital improvements for the Safe Routes to School application round, mentioning a meeting scheduled with the county to discuss the matter. Trustee Foster expressed concerns about obtaining necessary pedestrian count data in the winter but aimed to craft a scope for future benefit-cost analysis. Trustee Foster noted the need for more data from initiatives like the Transportation Safety Action Plan and the Slow Down Warwick campaign to support future submissions.

Trustee Collura shared information about an upcoming event organized by the Warwick Valley Prevention Coalition and Warwick Cares. The event, titled "Community Care Cards," will take place on Sunday, February 11, at the Warwick Valley Community Center from 2:00 p.m. to 4:00 p.m. It aims to bring together senior citizens and teenagers for an afternoon of crafting Valentine's cards, playing bingo, and enjoying refreshments with prizes. The Valentine's cards crafted by teenagers will be distributed to Meals on Wheels recipients and hospitals, while the cards from senior citizens will be exchanged with teenagers at a separate event the following Friday, called "Punk Rock Prom." The event is open to all, regardless of age, and promises to be a fun and inclusive gathering.

Trustee Cheney announced that the Orange County Department of Motor Vehicles mobile office will return to the Village of Warwick at the CVS parking lot entrance on Tuesday, February 13. The service will be available from 10:00 a.m. to 3:30 p.m., with a lunch break from noon to 1:00 p.m. The mobile office provides various DMV services, excluding testing facilities, allowing residents to handle registration, driver's/enhanced license, and other paperwork locally instead of traveling to Goshen.

Adjournment

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to adjourn the regular meeting at approximately 9:05 p.m.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Absent