

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
JANUARY 16, 2024**

9957

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Tuesday, January 16, 2024, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Mayor, Michael J. Newhard, Trustees: Barry Cheney, Carly Foster, Thomas McKnight, and Mary Collura. Also, present was Village Clerk, Raina Abramson and Village Attorney, Stephen Gaba. Others present, Gail Hoffer-Loibl, Michael Helm, Patrick Gallagher, Jeff Howard, and Jon Shafran.

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

Acceptance of Minutes

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura and carried for the Acceptance of Minutes: November 20, December 4, & December 18, 2023, and January 2, 2024.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Acceptance of Reports

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

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried Authorization to Pay all Approved and Audited Claims in the amount of \$232,337.72.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

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 Village Clerk read the public hearing notice.

**Village of Warwick
Village Board
Notice of Public Hearing**

PLEASE TAKE NOTICE that the Village Board of the Village of Warwick will hold a public hearing on the 16th day of January 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 utility costs.

A copy of the proposed local law is on file with 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**

Comments

Michael Helm expressed support for the Community Choice Aggregation (CCA) initiative, emphasizing the need to make clean energy accessible to all residents. He highlighted the success of similar programs, especially for elderly individuals and those who may not have the time or inclination to explore alternative energy options. Mr. Helm

encouraged the Village Board to act in the best interest of citizens and provide an additional electricity option through CCA.

Scot Brown expressed concerns during the public hearing about potential conflicts among the goals outlined in the CCA resolution. He emphasized the need for a transparent process to balance goals such as lowering utility costs, promoting clean energy, and protecting the environment. Mr. Brown urged the Village Board to carefully consider how choices would be made, who would be involved in the decision-making process, and how information would be communicated to the community to ensure transparency and understanding.

Jeff Howard expressed support for the CCA program, highlighting the opt-out option that allows residents to revert to their previous energy service if they are dissatisfied with the new program. He emphasized that the CCA provides a convenient way for the community as a whole to move towards a more sustainable energy source, and individuals have the option to opt out if the program doesn't meet their objectives. Howard commended the ease of the opt-out process.

Trustee McKnight highlighted that the CCA program is state driven, with numerous municipalities having already implemented it. The program involves thorough community outreach by the selected administrator to inform residents about the potential benefits of CCA, clarifying that these are not promises but potential advantages. The resolution initiating the process does not commit the Village to anything but serves as the starting point for the CCA program. Trustee McKnight emphasized the importance of education and setting expectations for residents. The administrator will negotiate with multiple municipalities, leveraging collective purchasing power. The process is expected to take months, with ongoing community education and engagement.

Trustee Foster emphasized that the primary goal of the CCA program is to achieve energy savings for residents. If the bids received do not reflect potential energy savings, the intention is not to proceed with the program. The Board's objective is to offer residents the opportunity to benefit from significant savings through the CCA initiative.

Trustee Cheney raised concerns about potential challenges similar to those faced by Westchester County, where communities entered into two-year contracts that are now more expensive than the current market rates. He highlighted the importance of ensuring that residents are well-informed about the program and have the option to opt out easily. Additionally, he expressed concerns about the impact on future contract negotiations if a significant number of residents opt out after the initial two-year period.

Trustee McKnight addressed concerns about potential fluctuations in savings by emphasizing the importance of looking at the overall positive impact over time. He

mentioned that savings might vary from month to month, but the goal is to provide a net positive benefit for residents. He also expressed interest in understanding the data on how other municipalities in New York State have experienced savings through similar programs. Additionally, Trustee McKnight sought clarification on specific municipalities in Westchester County that Trustee Cheney had in mind.

Trustee Cheney recalled that Hastings-on-Hudson was among the municipalities facing challenges with their energy contracts. He acknowledged the need to assess the situation over time and expressed confidence that the Village of Warwick would have the ability to carefully evaluate the program in the coming months.

Trustee Foster emphasized that the resolution is a step to initiate the investigative process, granting the authority to explore and assess the program thoroughly.

Trustee Cheney clarified that, according to the law, there is no requirement for a public hearing at any point in the process other than at the current stage. While the Board can deliberate and discuss the matter, a formal public hearing would not be mandated before entering into a contract. However, informal public information sessions could still be held to gather comments and input from residents.

Mayor Newhard stated that the goal is to have public information sessions.

Trustee Cheney agreed that as much exposure as possible will be beneficial to residents.

The Village Attorney, Stephen Gaba, explained that the Board would likely conduct information sessions and rollouts to discuss the program details, including its terms, duration, costs, and benefits in open sessions. While it might not require a separate public hearing, there would be opportunities for transparency and public input during these sessions. The goal is to ensure that the community is well-informed and has the chance to ask questions before any decisions are made.

Michael Helm was under the impression that residents who sign up for the program would typically get a fixed rate for a specified period. The concern raised was not about residents' rates increasing, but rather about the potential for Orange and Rockland's rates to go below the fixed rate offered by the program, creating a situation where the program might not provide as much savings as anticipated.

Trustee McKnight stated that was accurate.

Trustee Foster explained that the program would involve partnering with other municipalities to receive bids and leverage economies of scale, resulting in a steady energy rate for residents. The goal is to stabilize the rate, offering potential savings over

the specified period compared to the fluctuating rates from Orange and Rockland. The Village would analyze the projected savings and consider moving forward with the program if deemed substantial for residents.

Jeff Howard emphasized the importance of public information, pointing out the track record of municipalities that have implemented similar programs over the years. While acknowledging occasional dips, the long-term results generally speak for themselves. Highlighting the positive outcomes from other communities can help pre-address concerns about potential fluctuations.

Trustee McKnight acknowledged the potential concern of residents focused on specific months where the market rate might be lower than the fixed rate. However, he emphasized the importance of considering the broader picture and mentioned the track record of over 150 municipalities in New York state, with two-thirds of Westchester and several in Orange County having already implemented similar programs. Trustee McKnight highlighted the administrators' acknowledgment that while there's no guarantee of savings, the track record demonstrates positive performance over time.

Jeff Howard thought the Board laid out the information very honestly.

Trustee McKnight clarified during the education process that residents would still receive the same Orange and Rockland (O&R) bill, and the only change would be the source of the power. The delivery mechanism through O&R would remain unchanged.

Mayor Newhard stated that due to the inclement weather the Board will keep the public hearing open until the next meeting.

Continuation of Public Hearing – Community Choice Aggregation

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried to continue 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 Aye

Correspondence

1. Letter from Village of Warwick Recreation Director, Ron Introini, requesting review of the Summer Recreation Staff age requirement.

Comments

Mayor Newhard discussed a proposal to lower the minimum age for hiring from 16 to 15. He acknowledged the challenges in hiring and how the older kids serve more as counselors and mentor the younger kids.

Trustee Cheney expressed support for the proposal to lower the minimum age for hiring to 15. He emphasized the importance of effective vetting, training, and supervision for young employees. Additionally, Trustee Cheney suggested the possibility of crafting a motion in support of the proposal.

Attorney Stephen Gaba recommended reaching out to the Labor Council to ensure compliance with regulations regarding the hiring of 15-year-olds. He suggested having a written resolution in place to address the proposal to lower the minimum age for hiring.

Discussion

1. 2024 RAISE Application.

Trustee Foster provided an update on the RAISE grant application, highlighting key points:

Background of RAISE Program:

- A nationally competitive transportation fund with a \$25 million maximum and \$1 million minimum for rural areas.
- 50% of the funding must go toward rural projects, and cost share is not required for rural projects.
- Funding is available for both capital and planning-related projects related to surface transportation.

Merit Criteria for Projects:

- The program considers various criteria, including safety, environmental sustainability, quality of life, community connectivity, economic competitiveness, and state of good repair.

Dates and Requirements:

- Funding needs to be fully obligated by September 2028 and fully expended by 2033.
- Projects should be ready to go, and the program looks for tangible, actionable plans.

Previous Submission:

- The Village submitted for the RAISE program last year and was highly recommended for funding but ultimately did not receive it.

Key Activities Affecting Decision:

- Safe Streets for All submission: Partial award received, with a debrief scheduled to discuss why construction funding for sidewalk improvements was not granted.

Trustee Foster sought input from the Board on whether to resubmit the same scope, make modifications, or escalate certain aspects of the project. The Board would consider insights from the debrief with Safe Streets for All to inform decisions for the RAISE application.

Trustee Cheney received clarification that \$406,000 was awarded from the Safe Streets for All grant.

Trustee Foster elaborated that the Village received funding through Safe Streets for All for the Town-wide Transportation Safety Action Plan, involving collaboration with other communities. Additionally, funding was secured for the "Slow Down Warwick" campaign and demonstration projects, which includes acquiring another speed detector. The discussion focused on the scope of the projects and recent developments. Last year's grant application included a request for complete design funding for West Street. Trustee Foster mentioned another factor, the application for technical support through the Thriving Communities program, which could provide free engineering and planning support for transportation projects. The Village is currently in the final running for this program, offering additional avenues of support.

The discussion explored various projects, including a request for complete streets design support for Galloway Road planning, conceptual design support for South Street extension, and the inclusion of the State Route 94 multi-use trail in the application. The Village aims to leverage multiple opportunities for funding and support to enhance transportation initiatives.

Trustee McKnight highlighted the overlap between the Safe Streets for All grant, where the Village received funding for various initiatives, and the RAISE grant. The commonality lies in sidewalk accessibility improvements. He emphasized that part of the Safe Streets for All funding is designated for making the project shovel-ready, aligning with planning activities outlined in the RAISE grant.

Trustee Foster clarified that the activities funded under Safe Streets for All did not overlap with the planning activities mentioned in the RAISE grant application.

Trustee McKnight discussed the possibility of keeping the scope for sidewalk accessibility improvements in the RAISE grant, considering that it involves planning activities. He suggested that if they secure the RAISE grant for sidewalk planning, it could position them to apply for construction funding in the next round of the Safe Streets for All grant.

Trustee Foster highlighted the significant advancements made in sidewalk-related activities. Specifically, she mentioned that they had already conducted a condition assessment of sidewalks, prioritized improvement areas, and assessed the costs. As a result, the scope related to this aspect of the project has been effectively completed.

Trustee McKnight received confirmation that the work had been conducted after the prior application was submitted.

Trustee Foster explained that since the initial submission in February, progress had been made on the sidewalk condition assessment. She acknowledged the interns' contribution during the summer and mentioned using the results in the application for Safe Streets For All. She expressed interest in pursuing construction funding for sidewalks and proposed seeking technical support, potentially from the county planning team, for the required benefit-cost analysis.

Trustee Cheney stated that the worst they can say is no and then the Board would go out and find somebody to do it.

Trustee Foster provided updates on various projects, including the collaboration with New York State DOT on sidewalks up to South Street, but have not yet been able to advance West Street. Additionally, she highlighted the \$50,000 grant received for a feasibility study on the State Route 94 multi-use trail, questioning the timing and potential coordination with the RAISE grant to continue the project.

Trustee McKnight received clarification that the DOT would be doing the sidewalks from Oakland to South Street.

Trustee Foster discussed the advancement of projects, including the potential expansion and rebranding of the Dial-A-Bus service. The scope involves increasing services, marketing, and the number of stops. However, she noted that this may not align well with the RAISE grant, but it was a good fit for the Downtown Revitalization Initiative (DRI) as well as Safe Streets for All.

Trustee Foster provided an overview of the estimated costs associated with various design projects. The total cost for pedestrian zone improvements (sidewalk improvements for top-priority sidewalks) was approximately \$2.5 million. Additionally, she mentioned the submission under the Safe Streets for All program, specifically requesting \$1.3 million for these improvements. The combined estimated ask for these projects would be close to \$4 million.

The Board discussed one of the areas they were negatively assessed in from last year's RAISE grant, which was innovation. It was suggested that the Board look at other municipalities applications that had successfully secured the grant. It was pointed out that although the grant was not awarded, the Village's attempt was highly recommended.

Trustee Cheney raised a concern about the emphasis on design costs and questioned the threshold of \$4 million. He expressed the view that focusing more on construction projects could be a better approach for reviewers, as it indicates tangible outcomes rather than investing heavily in design work that may or may not secure future funding.

Trustee McKnight stated that the grant focused more on planning rather than actual construction and unfortunately the planning projects funded by the Safe Streets for All grant won't be completed in time for the RAISE grant application to include construction components.

Trustee Foster explained that having designs further along, benefit cost analyses, and preliminary environmental investigations would make the projects stronger for both RAISE and Safe Streets for All grants. The concern is that if the projects are not ready to go, with the necessary assessments, they might not secure the funding. Sidewalk projects, specifically, don't require extensive permitting and additional considerations, making them a more feasible option for demonstrating readiness. The focus is on right-sizing the scope and demonstrating preparedness for the grant applications. For Safe Streets for All, they selected sidewalks based on criteria like pedestrian traffic, proximity to hospitals, schools, and businesses.

Trustee Cheney expressed concerns about potential underestimation of costs related to easements, highlighting the budget's allocation for legal fees and the absence of a specific provision for obtaining easements if required.

Trustee Foster explained that the chosen sidewalk projects for Safe Streets for All were areas with existing sidewalks that needed upgrading to ADA accessibility standards and were ready for replacement, focusing on locations with schools, parks, hospitals, or major businesses that scored high on the importance level. Trustee Foster asked if the Village still had an intern.

Trustee Cheney informed the Board that the intern's break was over for the winter, however, the Board could reach out to SUNY Orange and see if any engineering students would be available to work part-time while going to school.

The Board agreed and Trustee Cheney said he will reach out to the school.

Trustee Foster discussed the need for support in reviewing the technical capacity for pursuing construction funding for sidewalks. She highlighted the importance of delineating between design and construction projects in the application. She mentioned the alignment of the sidewalk project with the previous Safe Streets for All application and the merit criteria, as well as the potential use of the same letters of support. Trustee Foster also emphasized the need for a letter of commitment from the Village and mentioned the application requirements, including page limitations for the project description, budget, merit criteria, and project readiness.

Trustee McKnight expressed confidence in the existing scopes and suggested refining the language to make the application more compelling by updating it with recent work.

Scot Brown commended the efforts in securing outside funding and acknowledged the work done to align with community goals outlined in the Comprehensive Master Plan.

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 **Public Comment - Agenda Items Only** address the Board by written communications.

Comments

Jon Shafran explained he was here for the motion regarding the house on Ball Road.

Mayor Newhard said he wanted to comment on the Planning Board attorney and started a discussion if the Board should make a motion tonight to advertise for the position.

Trustee McKnight felt the Board had a good list to work with and his preference was to call the individuals on the list.

The rest of the Board agreed.

Waive Reading of Resolutions

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried to waive the reading of the entire resolution and allow the Village Board to act on the 'Resolved' for the following resolutions: NYS Drinking Water State Revolving Fund Bipartisan Infrastructure Law Lead Service Line Replacement Funds Resolution, DWSRF Project No. 19370 Lead Service Line Inventory, Village of Warwick, Orange County; Resolution of the Village of Warwick Village Board Determining that the Relocation of the Maple Avenue Water Booster Station Project is an Unlisted Action and Will Not Have a Significant Adverse Impact on the Environment; Resolution Granting Permission to Utilize A Private Well For A Residence.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

NYS Drinking Water State Revolving Fund
Bipartisan Infrastructure Law Lead Service Line Replacement Funds
DWSRF Project No. 19370
Lead Service Line Inventory
Village of Warwick, Orange County

WHEREAS, New York State Department of Health (DOH) had completed an evaluation for Federal Fiscal Year (FFY) 2022 Bipartisan Infrastructure Law Lead Service Line Replacement (BIL-LSLR) funding through the Drinking Water State Revolving Fund (DWSRF) for the Lead Service Line Inventory; and

WHEREAS the Village of Warwick was notified by New York State Department of Health (NYSDOH) that the Lead Service Line Inventory project was eligible for a BIL-LSLR grant award of up to \$575,770; and

WHEREAS the 2022 Bipartisan Infrastructure Law Lead Service Line Replacement (BIL-LSLR) funding determination is based on the criteria as described in Amendment No. 4 to the FFY 2023 DWSRF Intended Use Plan (IUP); and

WHEREAS the New York State Environmental Facilities Corporation (NYSEFC) and New York State Department of Health (NYSDOH) requires the Village Warwick to provide authorization to use the grant funding for the amount designated in the funding letter dated June 30, 2023; and

WHEREAS the New York State Environmental Facilities Corporation (NYSEFC) and New York State Department of Health (NYSDOH) requires the Village Warwick to identify the plan of finance for the Lead Service Line Inventory project; and

WHEREAS the Village of Warwick must designate a representative who is authorized to sign the funding agreement and associated documents with the New York State Environmental Facilities Corporation (NYSEFC).

NOW, THEREFORE, BE IT, RESOLVED, that the Village Board of the Village of Warwick recognizes the New York State Department of Health (DOH) has completed an evaluation for Federal Fiscal Year (FFY) 2022 Bipartisan Infrastructure Law Lead Service Line Replacement (BIL-LSLR) funding through the Drinking Water State Revolving Fund (DWSRF) for the Lead Service Line Inventory; and

RESOLVED, that the Village Board of the Village of Warwick endorses and accepts the 2022, Bipartisan Infrastructure Law Lead Service Line Replacement (BIL-LSLR) funding through the Drinking Water State Revolving Fund (DWSRF) for the Lead Service Line Inventory for assistance in the amount up to \$575,770; and

RESOLVED, that the Village Board of the Village of Warwick recognizes the 2022 Bipartisan Infrastructure Law Lead Service Line Replacement (BIL-LSLR) funding determination was based on the criteria as described in Amendment No. 4 to the FFY 2023 DWSRF Intended Use Plan (IUP); and

RESOLVED, that the Village Board of the Village of Warwick authorizes the use the grant funding for the amount designated in the funding letter dated June 30, 2023; and

RESOLVED, that the Village Board of the Village of Warwick plan of finance for the Lead Service Line Inventory project is the BIL-LSLR grant award of up to \$575,770; and

RESOLVED, that the Village Board of the Village of Warwick designates and authorizes the mayor to sign the funding agreement and associated documents with the New York State Environmental Facilities Corporation (NYSEFC).

Trustee Cheney presented the foregoing resolution which was seconded by

Trustee McKnight,

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

Barry Cheney, Trustee, voting	<u>Aye</u>
Carly Foster, Trustee, voting	<u>Aye</u>
Thomas McKnight, Trustee, voting	<u>Aye</u>
Mary Collura, Trustee, voting	<u>Aye</u>
Michael Newhard, Mayor, voting	<u>Aye</u>

**RESOLUTION OF THE VILLAGE OF WARWICK VILLAGE BOARD
DETERMINING THAT THE RELOCATION OF THE MAPLE AVENUE WATER
BOOSTER STATION PROJECT IS AN UNLISTED ACTION AND WILL NOT
HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT**

WHEREAS, the Village of Warwick Village Board (the “Village Board”) is proposing the Relocation of the Maple Avenue Water Booster Station Project (the “Project”); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6 NYCRR Part 617 (the “Regulations”), the Village Board desires to comply with SEQRA and the Regulations; and

WHEREAS, the Village of Warwick Village Board is identified as the agency directly undertaking the proposed action, and the Village Board is completing an uncoordinated review of the Project under the SEQRA Regulations; and

WHEREAS, pursuant to the Regulations, the Village Board has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Part 617.7 of the Regulations, and (b) examining the Short Environmental Assessment Form (“SEAF”) for the Project, including the facts and conclusions of Parts 1, 2 and 3 of the SEAF, together with other available supporting information, to identify and thoroughly analyze the relevant areas of environmental concern; and

WHEREAS, the proposed adoption of the Relocation of the Maple Avenue Water Booster Station Project is an Unlisted Action, as defined by 6 NYCRR Section 617.2(al); and

NOW THEREFORE, BE IT RESOLVED, pursuant to and in accordance with the uncoordinated review requirements for Unlisted Actions in the SEQRA Regulations, the Village of Warwick Village Board hereby confirms that the proposed Project meets the criteria for classification as an Unlisted Action; and

BE IT FURTHER RESOLVED, that based upon an examination of the SEAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, the Village Board makes the following findings and determinations:

- No significant adverse environmental impacts are noted in the SEAF for the Project and none are known to the Village Board; and
- The Project will not have a significant adverse environmental impact and will not require the preparation of a Draft Environmental Impact Statement (DEIS) with respect to the Project; and

BE IT FURTHER RESOLVED, that as a consequence of such determination and in compliance with the requirements of SEQRA and the Regulations, the Village Board directs the Mayor to sign and complete Parts 1 and 3 of the SEAF for the Project, in accordance with the Regulations; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Trustee Cheney presented the foregoing resolution which was seconded by

Trustee McKnight,

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 Aye

Resolution Granting Permission to Utilize A Private Well For A Residence

WHEREAS, the Village of Warwick provides municipal central water service on a Village-wide basis; and

WHEREAS, Village Code §141-4(B) provides that all dwellings within the Village are required to use the Village's central water service as the source of potable water; and

WHEREAS, Village Code §141-4(B) also allows the Village Board to grant permission for individual properties to utilize private wells as the source of potable water for dwellings in cases of severe hardship and uniqueness of circumstances where such use would be in the best interests of the Village; and

WHEREAS, the Village Board has received a request from the owner of certain property located at 57 Ball Road in the Village to install a private well on the property to provide water service for a one-family residence on the property; and

WHEREAS, the said property does not front on a Village street and there is no Village water line within a reasonable distance of the property; and

WHEREAS, the cost to create a water line connection to the property would be prohibitive at this time, both for the property owner and for the Village; and

WHEREAS, the property owner has represented that a well which meets all regulatory standards and provides sufficient yield for the dwelling can be established on the property;

NOW, THEREFORE, pursuant to Village Code §141-4(B), the Village Board does hereby find and determine as follows:

(1) That the applicant has established severe hardship and uniqueness of circumstances warranting grant of permission to utilize a private well to provide potable water to the dwelling on the said property. The location of the property on a Town Roadway and in relation to the location of the nearest water mains makes it impracticable to provide water service to the property through the Village's currently existing central municipal water system.

(2) That it is in the best interests of the Village to grant permission to utilize a private well to provide potable water to the dwelling on the said property. The Village has no plans to extend its mains nearer to the subject property. The expense and likelihood of infrastructure problems (such as leaks over time) attendant on having the property owner run an extremely long lateral to its property would present undue oversight/administrative problems for the Village.

(3) That permission is hereby granted to install a private well to provide water service for a one-family residence on the property located at 57 Ball Road, subject to the following conditions:

(A.) The use of the well shall be limited to the existing property and shall be used only for a one-family residence;

(B.) Since the said property is connected to the Village sewer system, the property owners and their successors are required to have installed by the Village, at their cost in accordance with the Schedule of Fees, a water meter on the well to determine sewer usage for the purposes of billing for sewer services;

(C.) In regard to the said water meter, the property owners shall provide access to the property by the Village to check the meter, and installation of the well shall be deemed grant of a perpetual right of entry to the Village for such purpose;

(D.) There shall be no water line tap installed ahead of meter without notification to and consent of Village;

(E.) Sewer usage at the said property must comply with all Village rules and regulations; and

(F.) The Village reserves the right to revoke this grant of permission and require connection of the subject property to the Village's central municipal water service if, at some point in the future, the Village extends its water mains to a reasonably close proximity to the subject property.

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

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

Barry Cheney, Trustee, voting	<u>Aye</u>
Carly Foster, Trustee, voting	<u>Aye</u>
Thomas McKnight, Trustee, voting	<u>Aye</u>
Mary Collura, Trustee, voting	<u>Aye</u>
Michael Newhard, Mayor, voting	<u>Aye</u>

Vacation Carryover – Boris Rudzinski

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried to grant permission to Village of Warwick Employee, Boris Rudzinski, to carry over 5 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 Aye

**RESOLUTION INTRODUCING A PROPOSED LOCAL LAW
TO REVISE THE VILLAGE CODE'S PROVISIONS REGARDING FILM
AND VIDEO PRODUCTIONS**

WHEREAS, the Village Board of the Village of Warwick has before it a 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, in order to enact the said local law it is necessary to formally introduce it and to hold a public hearing on it,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the movant of this resolution does hereby introduce the proposed local law, and
2. That a public hearing on the proposed local law be set for February 5, 2024 at 7:30 o'clock p.m. and that due notice of the same is directed to be given by publication and posting.

Trustee Foster 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

Carly Foster, Trustee, voting Aye
Thomas McKnight, Trustee, voting Aye
Mary Collura, Trustee, voting Aye
Michael Newhard, Mayor, voting Aye

Return of Planning Board Escrow – Todd Rosen

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster and carried to return the Planning Board escrow balance of \$1,475 to Todd Rosen for a site plan application requesting an accessory apartment that has been withdrawn. All invoices have been paid as per the email from Village Engineer, Dave Getz and Planning Board Attorney, Robert Dickover.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

RESOLUTION ADOPTING A LOCAL LAW
ESTABLISHING A COMMUNITY CHOICE AGGREGATE PROGRAM
-WITHDRAWN-

WHEREAS, heretofore 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.

_____ presented the foregoing resolution which was seconded by _____,

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

Barry Cheney, Trustee, voting _____

Carly Foster, Trustee, voting _____

Thomas McKnight, Trustee, voting _____

Mary Collura, Trustee, voting _____

Michael Newhard, Mayor, voting _____

Trustee Cheney’s Report:

Trustee Cheney announced that the Christmas tree pickup, originally scheduled to conclude, will be extended for one week. Additionally, residents are allowed to bring storm-damaged branches up to six inches in diameter to the curb alongside their Christmas trees for pickup by the Village DPW. This extension is in response to the storm damage caused by recent winds. The deadline for placing items at the curb is 7:00 a.m. on January 22nd, and if residents miss this deadline, they can still bring Christmas trees to the town chip site on Public Works Drive until January 31st.

Trustee Foster’s Report:

Trustee Foster provided additional details about the Thriving Communities program, highlighting that it is a collaboration between multiple federal agencies, including HUD and US DOT. If selected for this program, the Village will have the opportunity to receive technical assistance in the form of engineering and planning support. Trustee Foster mentioned that a letter of commitment needs to be submitted along with letters of commitment from identified partners,

and the deadline for these submissions is January 30th. The hope is to find out soon thereafter whether the Village has been selected for the program.

Trustee Collura's Report:

Trustee Collura shared two announcements. The first is about an upcoming Mental Health First Aid training program, consisting of two in-person sessions on January 23rd and 25th at the Warwick Valley Community Center. Interested individuals can register by emailing MHFAWarwick@gmail.com or visiting the Warwick Valley Coalition Facebook page. The second announcement is regarding the centennial year of the Village of Greenwood Lake in 2024. Trustee Collura mentioned various events planned for the celebration, which can be found at GWLCentennial.org. She also highlighted the convenience of using New Jersey Transit for travel between the villages of Warwick and Greenwood Lake. Trustee Collura continued, mentioning that Greenwood Lake's significant Centennial weekend is scheduled for August 16th through the 18th, with various events planned, including a time capsule.

Trustee Collura shared news about a project she's been working on—a book collaboration with former Village Historian, Jean Beattie May. The book is a compilation of local stories, previously passed down orally through founding families, now preserved in print. The project features about 23 stories and numerous photos. The book is in the final editing process, and Trustee Collura expressed excitement about sharing it with the community once it's complete.

Trustee McKnight's Report:

No report at this time.

Mayor Newhard's Report:

No report at this time.

Adjournment

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney and carried to adjourn the regular meeting at approximately 9:00 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 Aye