

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
JANUARY 3, 2023**

9485

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Tuesday, January 3, 2023, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Mayor, Michael J. Newhard, Trustees: Barry Cheney, Carly Foster, and Tom McKnight. Absent was Trustee Bill Lindberg. Also, present was Deputy Village Clerk, Jennifer Mante. Others present: Scot Brown.

The 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: December 19, 2022

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee McKnight, seconded by Trustee Cheney, and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$ 165,773.54.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Announcement

1. The Village of Warwick rescinds the Voluntary Water Restrictions effective January 3, 2023.

Trustee Cheney announced that due to customers decreasing water consumption during the voluntary water restrictions and increased precipitation over the last six weeks, the reservoirs had replenished and were full. Trustee Cheney appreciated customers efforts to reduce consumption. Trustee Cheney explained that ways to save water be found on the Village's website www.villageofwarwick.org.

2. Orange & Rockland energy efficient upgrades to the DPW Garage at no cost to the Village.

Trustee McKnight said O&R had approached the Village about lowering energy consumption during peak demand. Trustee McKnight explained that O&R took a tour of several Village facilities and made a proposal to do some energy efficient upgrades, such as lighting and that it would be at no cost to the Village. Trustee McKnight explained that was equivalent to \$6,000 to \$7,000 worth of repairs, resulting in about \$1,100 in savings in energy costs per year.

Mayor Newhard said that it was fantastic and asked which facilities.

Trustee McKnight believed it was the microfiltration plant and the garage and added that he believed O&R was going to look at additional facilities.

3. Registration process for the Town of Warwick Code Red Alert System.

Mayor Newhard explained the Town of Warwick Code Red Alert System and how one can register online at public.codered.com, by texting [warwickalert](tel:99411) to 99411, or by picking up a registration form from the Town Clerk's office.

Trustee Cheney added that it was important for Village residents because if there was something that pertained specifically to the Village, a call can be made out just to Village residence.

Mayor Newhard said this was an upgrade from a reverse 911 system and that this was the next generation.

Correspondence

1. Letter from Ralph Lucarelli announcing his resignation from the Architectural Review Board effective on December 31, 2022.

Mayor Newhard thanked Mr. Lucarelli for his great sense of design that he brought to the Board and that he would be missed. Mayor Newhard added that if anyone was interested in the position, it would be posted, but to send a letter of interest to the Village Clerk at Village Hall.

2. Letter from the Historical Society of the Town of Warwick thanking Mayor Newhard and the Village of Warwick Trustees for their support.

Discussion

1. Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Funding opportunities.

Trustee Foster explained that a work session had taken place on December 20, 2022, funding opportunities that included a discussion of possible scopes that could be submitted, as well as some challenges and next steps. Trustee Foster said that each of the Board members took action items away from the work session and that the purpose of this discussion was to report in on those action items and discuss the next steps. Trustee Foster explained that the RAISE program was Rebuilding American Infrastructure with Sustainability and Equity, for surface transportation related projects, and was being funded through US DOT. Trustee Foster said that the grant was due by February 28, 2023, and was funded by the bi-partisan infrastructure law and there was a \$1,000,000 minimum pursuit for rural areas and a \$25,000,000 maximum. Trustee Foster said that some of the key outcomes from conversations was both from the Comprehensive Plan process as well as prior community engagement and research. Trustee Foster said the Board knows that there are a lot of areas in the community that could be improved, such as the accessibility and the walkability. Trustee Foster said that based on the requirements of the program, four potential scopes were discussed. Trustee Foster explained one of the scopes, which was the Safe Routes to School opportunity, that ended up being more costly than the grant could cover at the time. Trustee Foster added that this grant could be for a lot more money, and so the Board discussed reviving the sidewalks along West Street.

Mayor Newhard added that there was a lot of work that had already been done and that in some ways the Village was shovel ready for that project if the Village could find the funding for it.

Trustee Foster explained the second scope: sidewalks along Galloway Road and some crosswalks, which was another Safe Route to School idea. Trustee Foster stated that because DOT was going to be repaving 17A, it would be great to partner the development of sidewalks.

Trustee Foster said the third concept was a multiuse trail from the Village to ShopRite because there are a lot of people seen walking down that road, which is not safe, and there was a lot of green space on both side that seemed like something that could improve the quality of life for a lot of folks.

Trustee Foster stated the fourth scope: the possibility of doing a transit study in collaboration with the Town and County, which was also something that came out of the Comprehensive Plan.

Trustee Foster explained the action items of the Trustees and that her action item was to reach out to New York State DOT about the ideas that would cover their roads, and that Raina was going to unearth the work that had been done on West

Street. Trustee Foster continued that the Mayor was going to reach out to the Town, Trustee Cheney was going to reach out to the County, and Trustee McKnight was going to look into eligibility.

Trustee Foster said she spoke to the DOT about the project, and they indicated they would likely end up managing the grant and shared their perspective on the uniform procurement guidelines and shared a list of recommended consultants and engineers. Trustee Foster said part of the reason for her reaching out was to test and see the extent to which NYS DOT might partner in a technical sense on one or more applications, and the extent to which it might be appropriate for them to take the lead given these were their roads. Trustee Foster said the DOT communicated that the Town would be the lead applicant on the multiuse trail out to ShopRite, if they were interested, and the Village would collaborate with them, and then the Town would be administering the grant. Trustee Foster explained that the Village would be the lead applicant on the sidewalk work on 17A.

Trustee McKnight asked if there could be separate applications, as he was under the impression there would be one large application with several projects in mind.

Trustee Foster answered that each applicant could submit up to three applications and if it was going to be submitted as one application, they would have to be functionally connected, which all were thematically connected, but the question remained whether they were functionally connected.

Trustee McKnight discussed if the three potential projects, with three different leads, involving the Village and Town could be done as one.

Trustee Foster said the Board could talk about tying the projects together.

Trustee McKnight said that it was also a State road and so why not the DOT?

Trustee Foster stated that during a prior meeting with the DOT, it was explained that it was a locally administered project and that's a project that may be Federally funded, but then locally driven, and then the State is involved. Trustee Foster summarized that if we want to do project work on State property, the DOT will let us do it, but they will not drive it, the Board will have to drive it.

Trustee Cheney said that it's tough to get the State to pay for something and maintain it when it's not really integral to the roadway system.

Mayor Newhard stated that he discussed the grant with Supervisor Sweeton and expressed the Village's interest in creating a connected corridor on Route 94, in

which Supervisor Sweeton was open to the suggestion. Mayor Newhard added that with West Street, the focus should be on Village property, the Town could pick up where the Village ends. Mayor Newhard explained that there were sidewalks that should probably be updated but thought that for this particular grant the focus should be about getting from Pond Hill out to where those sidewalks begin. Mayor Newhard said that a greater discussion with Supervisor Sweeton can take place to see if he wants to do that upgrade because that could be combined into the grant.

Trustee Foster agreed and thought that the Village should be the lead because it was going to connect the Village to the schools.

Mayor Newhard said it was basically the Village that fit the bill on the engineering.

Trustee McKnight asked if the engineering was already done and paid for.

Mayor Newhard said that it was.

Trustee Foster explained there was a lot of documentation that could be leveraged and thought the Village should focus attention on West Street. Trustee Foster believed each applicant could submit up to three but could only win one, which was a reason to have a different lead agency involved.

Trustee McKnight asked if it was not possible to win one application with three projects.

Trustee Foster replied that they would have to be functionally connected. Trustee Foster stated thematically, walkability throughout the Village may be a thing, but the cost could be outside something that could be done this year.

Trustee McKnight said he looked at the different requirements of what the Village could be eligible for and found seven or eight different categories, with a lot of different requirements within, which didn't need maps to all of them. Trustee McKnight said they could confidently map to the supermajority of those, but there was a lot of overlap. Trustee McKnight said from what he read all the projects the Village was talking about fell squarely within those. Trustee McKnight said the Village would need to paint a realistic picture of the needs faced, some of the concerns that the community has shared, such as documents from the comprehensive plan. Trustee McKnight felt confident that the Village could respond for each one of those projects and he believed they map under the

high severity requirements, however he didn't know how competitive the grant was, but had heard that it was highly competitive.

Trustee Cheney said he had a discussion with the Planning Commissioner, Alan Sorensen, the Chief of Transit, Rob Parrington, and Grant Coordinator, Jody Dobrzynski. It was explained to Trustee Cheney that the County had not pursued RAISE, apparently feeling there were no worthy projects and that the predecessor for RAISE was called TIGER, in which they tried unsuccessfully twice to get a road in the Town of Monroe funded. Trustee Cheney believed the road still was not built. Trustee Cheney said it did not seem the County would be planning anything for this round.

Trustee Foster asked if the County would be interested in providing some type of technical support to pull money.

Trustee Cheney responded that he did not ask, but usually the Planning Department was good at providing some limited support and did not believe he has heard them say no, however the Village had not asked anything large of them.

Trustee Foster felt this was a very valuable and important exercise as a Board even if the grant was not successful this year, in how it begins to lay a valuable foundation for the Board to continue this work.

Mayor Newhard and Trustee McKnight agreed and discussion ensued about how this process would benefit future grants.

Trustee McKnight asked what the potential cost of responding to this grant was and how it had been discussed to potentially hire a consultant to help with the grant application.

Mayor Newhard said he believed the Village would have to hire a consultant.

Trustee Foster stated it might be worth asking the County what they could do for us while keeping in mind the February 28th deadline. Trustee Foster asked if there was consensus about going for at least West Street.

Mayor Newhard said that it had the most work behind it in terms of being the project that was most ready to go.

Trustee Foster said you can submit for construction funding, planning and engineering money, and you can submit for both. Trustee Foster stated that if the Town was willing to work with the Village on the multiuse trail, maybe the

Village could pull off both of those by the 28th and then the Board could be working on applications for next year.

Trustee Cheney asked what types of support should be asked for from the County or a consultant.

Trustee Foster said she was thinking to develop a technical outline to complete the application, which she suggested she take on as an action item, stating that Trustee McKnight had already done a lot of work on the criteria. Trustee Foster said that if it were an engineering firm that has familiarity with RAISE, then they could go through the Village's prior documentation and begin to work to synthesize it and identify the gaps.

Mayor Newhard asked about HVEA, Hudson Valley Engineering Associates.

Trustee Foster said the Board could also engage the properties that are along West Street.

Mayor Newhard said as far as action items, there is a meeting with Supervisor Sweeton.

Trustee Cheney said he would contact HVEA and see what their experience has been with RAISE applications.

Trustee Foster suggested checking with the County to see if there was anyone who was willing to review.

Mayor Newhard said decisions would need to be made quickly due to the deadline.

Trustee Cheney asked how detailed the requirements for cost estimating were, which would be the basis for the amount of money requested.

Trustee Foster said that it was a breakdown of cost estimates but would have to get back to the Board on that. Trustee Foster did state that a benefit cost analysis would have to be done and that was something the entity would need to help with.

Trustee Cheney stated that there was a lot of information gathered already relative to the West Street project, that was done by the Village Engineer, but it would have to be updated. Trustee Cheney suggested the Village Engineer be involved to some degree with whoever else becomes part of the team.

Mayor Newhard and Trustee Foster agreed.

Trustee Foster suggested getting optional letters of support from such places as the schools, the Town, homeowners, and interested parties.

Mayor Newhard said there was a video that was created for the original grant. Mayor Newhard stated that the sad reality as to why West Street was not successful was due to being so underfunded, and that this time around it needed to be looked at very carefully as to the real cost of the project.

Trustee Foster went over some of the steps and likely costs and budget, stating they would need to make sure there was a cushion. Trustee Foster then went over the action items for the Board members and summarized the Boards next steps.

Trustee Foster and Trustee McKnight discussed the application and its requirements, suggesting that having a matrix would be helpful.

Mayor Newhard was concerned about the concept of the projects being functionally connected and what that meant.

Trustee Foster said there were examples available and read the statement from the grant. Trustee Foster summarized saying that if they disagree that the package projects are connected then they will break it apart.

A discussion ensued regarding the potential functional connection of the project.

Mayor Newhard said the Board will keep moving forward and thanked Trustee Foster.

Privilege of the Floor

Please limit your comments to **three (3)** minutes. If reading a document, please submit a copy to the Clerk. Please note all remarks must be addressed to the Board as a body and not to individual Board members. Please state your name clearly before speaking. These rules are taken from the Handbook for Village Officials – New York State Conference of Mayors and Municipal Officials.

Scot Brown stated that he just came here to observe and thanked the Board for what they do for the community, he said that it was exciting and good work to draw in additional outside funding.

Motions

Facility Use - Warwick Valley Chamber of Commerce - Applefest 2023

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to grant permission to the Warwick Valley Chamber of Commerce to hold the 33rd Warwick Applefest on Sunday, October 1, 2023, 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, Stanley-Deming Park, 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 and the First Street lot for event parking, use of electricity, and tent setup on Railroad Green and along the sidewalk on High Street on Saturday, September 30, 2023, between 12:00 p.m. and 5:00 p.m., as per their letter dated December 14, 2022, and facility use application. 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 Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Discussion

Trustee Foster said how great it was that the application was coming in almost a year in advance. Mayor Newhard stated that many of the Village's organizations do this because it's a lot of planning to get it all together.

Road Closures - Warwick Valley Chamber of Commerce - Applefest 2023

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to close South Street to Lawrence Avenue, Railroad Avenue, First Street, Park Place, Burt Street west of Park Avenue, Second Street, Third Street, High Street, Bank Street, Clinton Avenue, Park Avenue, Park Lane, and Parkway for the benefit of Applefest 2023 on Sunday, October 1, 2023, 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 Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Vacation Carry Over – Maureen Evans

A **MOTION** was made by Trustee McKnight, seconded by Trustee Cheney, and carried to grant permission to Village of Warwick Employee, Maureen Evans, to carry over 4.46 vacation days.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Final Comments from the Board

Trustee Cheney:

Trustee Cheney said with the rain event the Village had plus the extreme drop in temperature, there were a couple of locations where the water was flowing over the road and froze. Trustee Cheney stated that unfortunately it happened after Village office business hours and wanted to reinforce to the public that should something occur that needs the Village's attention after the business hours of Village Hall, the best way to handle the situation is to call the Warwick Police Department by calling 845-986-5000. Trustee Cheney said that the police department would assess the situation and call on the appropriate officials in the Village to create a response. Trustee Cheney said that the DPW was able to get out and salt the streets on Christmas night once the problem was recognized.

The Board thanked the DPW.

Trustee Cheney emphasized that there was no need to wait until the office was open, and that the police are able to respond and expect they need to do so in cases such as sewer overflow, watermain break, or icing.

Mayor Newhard added that any cases of public safety the police have to be called and they will respond accordingly.

Trustee Foster did not think many people realized that the police can be supportive in situations that are not criminal activity or roadway accidents.

Mayor Newhard said that it was in the Village's phone message.

Trustee McKnight:

Trustee McKnight announced the Climate Smart Community Certification had been submitted and it was now out of the Village's hands and we would hear back in mid-February.

The Board voiced their appreciation to Trustee McKnight.

Trustee Foster explained the significance of the submitted application stating that meant the Village could now apply for more grants and there was also cost savings to the Village for taking some of those actions.

Trustee Cheney stated that the Village would be the first municipality in Orange County to achieve that level.

Mayor Newhard said that throughout New York State there were only so many.

Trustee McKnight stated that the Village would be in the top six and half percent in the State out of the 1,500 municipalities.

Executive Session

A **MOTION** was made by Trustee McKnight, seconded by Trustee Cheney, and carried to enter Executive Session for collective negotiations pursuant to Article 14 of the Civil Service Law.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Adjournment of Executive Session

A **MOTION** was made by Trustee McKnight, seconded by Trustee Cheney, and carried to exit Executive Session and resume the regular meeting.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Adjournment

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

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Deputy Village Clerk, Jennifer Mante