

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
JULY 15, 2024**

10,185

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, July 15, 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, and Mary Collura. Also, present was Village Clerk, Raina Abramson, Department of Public Works Supervisor, Mike Moser, and Village Attorney, Stephen Gaba. Absent was Trustee, Thomas McKnight. Others present, Warwick Police Chief, John Rader, Mike Finelli, and Gail Hoffer-Loibl.

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

Mayor Newhard commended the Village of Warwick Department of Public Works, specifically Mike Finelli, for coming in second place in the state-wide *Build a Better Mousetrap* competition and presented the DPW with a certificate of recognition.

Mayor Newhard expressed appreciation for the Village's DPW, highlighting their dedication and pride in serving the community, including Cathy, the DPW Clerk.

Acceptance of Minutes

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney and carried for the Acceptance of Minutes: July 1, 2024

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Acceptance of Reports

A **MOTION** was made by Trustee Collura, seconded by Trustee Foster and carried for the Acceptance of Reports – May 2024: Clerk's Office, Tax Collection, Planning Department, and Building Department.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$194,873.03.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Announcements

1. Village of Warwick Department of Public Works wins second place in the 2024 NY Statewide *Build a Better Mousetrap* competition & wins first place for the People's Choice Award for the exemplary ingenuity in the development of "The Fin-isher."

Mayor Newhard mentioned that the People's Choice Award was chosen by all the DPW supervisors, emphasizing their recognition of the recipient's merit.

Trustee Cheney mentioned that he anticipates some individuals will replicate the method discussed, creating their own devices for similar tasks. He emphasized the cost savings and reduced disruption compared to using a backhoe, especially highlighting the efficiency of the alternative method.

2. Village of Warwick was awarded the 2024-25 Local Government Records Management Improvement Fund in the amount of \$40,942 for a comprehensive Inactive & Active Records Inventory and Planning Project for the Building & Planning Department, DPW, Water Department & Assessor's Office.

Mayor Newhard expressed gratitude to Village Clerk, Raina Abramson for her diligent work in writing and securing the grant, acknowledging her excellent efforts.

Ms. Abramson expressed her excitement about the successful completion of the Clerk and Treasurer's Office project, which greatly improved the organization and accessibility of Village records. She highlighted the meticulous process of categorizing and digitizing records, emphasizing that every paper document will be properly ordered. Looking ahead, Raina mentioned plans to scan and implement a content management system to further enhance digital organization of Village files.

Mayor Newhard expressed his appreciation for Ms. Abramson's dedication and effort in improving the organization of Village records, noting that her work goes beyond her role as clerk.

3. The Village of Warwick will conduct a bulk pick-up of household items beginning August 26, 2024.

Trustee Cheney announced that the Village of Warwick will conduct a bulk pickup of household items starting August 26, 2024. Accepted items include furniture, mattresses, and rugs. Residents should check the Village website for a complete list of acceptable items and regulations. Metal items should be separated for recycling. Items such as garbage, leaves, brush, tires, paint, and appliances including refrigerators and air conditioners will not be collected. Each household can dispose of up to two cubic yards, approximately one pickup truckload, excess trash will be left for the owner to remove. All items must be placed at the curbside by 7:00 a.m. on the designated day. After pickup, there will be no return trips. Residents in homeowner associations should contact them directly for specific instructions. Pickup for area one (north side of the railroad tracks) begins on August 26, 2024, and for area two (south side, including Railroad Avenue) on September 3, 2024.

4. The Village of Warwick will be flushing fire hydrants starting on July 22, 2024, from approximately 7:00pm. until 12:00am.

Trustee Cheney announced that the Village of Warwick will conduct fire hydrant flushing starting on July 22, 2024, from approximately 7:00 p.m. until 12:00 a.m. each evening until all hydrants are completed. This activity is scheduled during the evening to minimize inconvenience for residents. While hydrants are being flushed, residents may experience temporary water discoloration and minor pressure fluctuations. The water discoloration is not harmful and will clear up. Chris Bennett, the distribution supervisor, oversees this operation.

Correspondence

1. Letter from the NYSDOT regarding the Village's request to reduce speed limits on certain roads in the Village of Warwick.

Mayor Newhard stated that the Village's request was not approved, and the only change made was the repainting of the solid lines on Route 94, Maple Avenue.

Trustee Cheney mentioned that the NYSDOT did not address the concern raised about Galloway Road between the Village line, into the school zone, and beyond

Mayor Newhard suggested following up with the NYSDOT with a strong letter.

Trustee Foster explained that the assessment of the speed limit was based on clocking the speed of vehicles on the road and using the 80th percentile as the benchmark. This method determines the speed limit without considering factors such as pedestrian presence, crosswalks, or nearby residences. Despite community concerns, the authorities justified their decision on the basis that most people drive at speeds they deem safe for themselves, making the 80th percentile approach the standard for setting speed limits, which Trustee Foster described as inadequate for considering all road users.

Mayor Newhard informed the public about the Village's requests to reduce speed limits on several roads: Route 94 (Maple Avenue) from 35 mph to 30 mph, Route 94 at Colonial Avenue and Main Street from 30 mph to 25 mph, Route 94 between West Street and Oakland Avenue to 25 mph, and Route 17A between West Street and Galloway to 25 mph. However, these requests were not accepted, despite what he described as odd calculations used in the decision-making process.

Trustee Foster mentioned that aligning the speed limits on these roads with the Village's overall speed limit would have ensured consistency across Warwick.

Mayor Newhard suggested being persistent with the Village's request.

Trustee Foster emphasized the importance of resident support in addressing the speed limits on Galloway Road, particularly concerning the transition from 55 miles per hour down to 30 miles per hour and further to a 20-mile-per-hour school zone. She noted that despite speed detectors being in place, vehicles often exceed 40 miles per hour within the school zone during school hours. The request was for adjustments to the speed transition points to ensure drivers are aware and compliant with reduced speed limits earlier in the area.

Mayor Newhard expressed support for public input on the speed limit concerns, encouraging residents to contact any member of the Board via email or in person to provide feedback and suggestions directly.

Discussion

1. Draft Short-Term Rental Code.

Village Attorney, Stephen Gaba proposed several minor revisions to the rental property regulations, which included refining the wording of authorization for property owners,

restructuring the definition of bedroom sizes, and several grammatical adjustments throughout the document.

Trustee Cheney expressed his concern about the potential of having a dormitory-style setup where additional square footage is required for each person beyond three in a bedroom.

Mr. Gaba noted that implementing a dormitory-style setup could potentially run into issues with the Building Code, as it might require a very large building to accommodate such arrangements.

Mr. Gaba discussed several minor revisions made to the document. One significant change involved removing specific short-term rental off-street parking requirements and instead directing readers to Section 145-70, “Off-Street Parking and Loading Requirements” of the Village Code.

The Board discussed revisions to the ownership clause, now requiring contact information from the majority stockholder and extending the same requirement to the registered agent. Trustee Cheney proposed expanding the requirement to include stakeholders holding 10% or more. The Board deliberated on the rationale and feasibility of this broader disclosure. Ultimately, the Board agreed with Trustee Cheney’s proposal. Trustee Foster noted that enhanced disclosure aligns with the standards set in the recently adopted Ethics Code.

Additional changes Mr. Gaba made to the document were as follows: requiring the inclusion of the municipal permit number in all short-term rental listings, the requirement for the completed rental registration application to be notarized, and some general revised wording for clarity.

To alleviate pressure on the Building Inspector, Mr. Gaba proposed several adjustments: reducing renewal fees to encourage renewals, reducing the number of inspections for the renewal process, and requiring owners to submit a sworn statement confirming no structural changes and ensuring all safety equipment is operational on the renewal form.

The Board deliberated on these proposals but concluded that further research is needed before reaching a decision. The Board expressed concern over the properties not being inspected at the time of renewal and suggested owners could hire certified home inspectors to alleviate the Building Inspector. Trustee Foster also suggested exploring inspection requirements for Bed and Breakfasts to maintain consistency. Mr. Gaba would speak to Boris regarding the inspections.

Mr. Gaba reviewed various minor changes related to suspensions and revocations in the document. A notable suggestion was to specify the penalty amount in the Village's Schedule of Fees, which could be adjusted by resolution as needed. The Board supported this proposal. Trustee Cheney emphasized the need to split the amount into two lines to prevent confusion. Trustee Foster raised a question about the consistency of this penalty with other violation amounts, leading to a detailed discussion on the distinction between fees and fines.

To conclude the discussion, Trustee Foster outlined the action items: confirming the required bedroom size, ensuring consistency in violation fees, and refining the inspection process. It was decided that the requested edits should be finalized for review at the second meeting in August.

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.

Motions

Trustee Cheney's Motions

RESOLUTION APPROVING A PROPOSED CONTRACT FOR PARKING ENFORCEMENT & PERMIT MANAGEMENT SOFTWARE AND SERVICES

WHEREAS, the Village Board of the Village of Warwick has before it a proposed renewable three-year contract with T2 Systems, Inc., for parking enforcement and permit management software and related services; and

WHEREAS, the Village Board finds the contract acceptable and wishes to enter into it;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board hereby approves the said contract, a copy of which is annexed hereto; and
2. That the Mayor is authorized to execute the said contract and all documents necessary for carrying out the terms and provisions thereof.
3. Funds to come from budget code A-3320-2300 Parking Division - Equipment.

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

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>Absent</u>
Mary Collura, Trustee, voting	<u>Aye</u>
Michael Newhard, Mayor, voting	<u>Aye</u>

Change Order No. 1 – South St. Sidewalk Phase 3 Project – Jorrey Excavating

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to approve and authorize the Mayor to sign Change Order No. 1 for the South Street ADA Sidewalk Phase 3 Project with Jorrey Excavating, Inc. to adjust the contract pricing for the inclusion of a color additive, Chromix Landmarks Gray (C-284) as manufactured by Scofield, or approved equal, to be incorporated into the concrete mixture. Additionally, the removal of 30 LF of re-setting existing bluestone sidewalks and propose the replacement with new colorized concrete sidewalk, increasing the project cost by \$4,923.60 with a new contract price of \$184,823.60 as per the

recommendation of Village Engineer, Keith Woodruff.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Discussion

Trustee Cheney expressed concerns about the replacement of the sidewalk section between Third Street and Lawrence Avenue, noting that while much of the existing material was in poor condition and costly to repair, some sections of bluestone were still intact and in good shape. Despite acknowledging the maintenance challenges and costs associated with bluestone, Trustee Cheney emphasized the aesthetic value and expressed a strong desire to preserve as much of the bluestone as possible. He suggested exploring options to retain and incorporate bluestone where feasible.

Mayor Newhard brought up the costly amount to repair and replace bluestone.

Trustee Cheney emphasized the importance of maintaining bluestone sidewalks during Village projects, suggesting proactive engagement with property owners to encourage their upkeep. He acknowledged past instances where property owners took initiative to reset bluestone, citing a recent project at Oakland and Linden. Trustee Cheney expressed support for legislation that would establish clearer sidewalk maintenance responsibilities for homeowners, aiming to preserve bluestone sidewalks as a valuable asset to both the Village and individual properties.

Mayor Newhard noted that the concept for the coloring, suggested and approved by the Architectural Historic District Review Board, aimed to complement the bluestone by mimicking a slate-like color. The Mayor expressed anticipation to observe how this coloring initiative would integrate with the remaining bluestone sidewalks.

Trustee Foster clarified during the meeting that the Village lacks a revenue source dedicated to sidewalk maintenance. She highlighted that according to the Village Code, the upkeep and restoration of sidewalks fall under the responsibility of the adjacent property owners.

Payment #2 TAM Enterprises, Inc. – DPW Pole Barn

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to approve payment #2 in the amount of \$4,512.50 to TAM Enterprises, Inc. for the Pole Barn DPW project for work including the remaining submittals for review and approval, and mobilization as per the recommendation of Village Engineer, Keith Woodruff. Funds are appropriated in budget code A1640.2350.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Vacation Carryover – Jennifer Mante

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura and carried to grant permission to Village of Warwick Employee, Jennifer Mante, to carry over 3.25 vacation hours.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Budget Modification

A **MOTION** was made by Trustee Collura, seconded by Trustee Cheney and carried to approve the budget modification request in the amount of \$5,588.33 as per the Village Treasurer's memo dated July 10, 2024.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Budget Modification

A **MOTION** was made by Trustee Collura, seconded by Trustee Cheney and carried to approve the budget modification request in the amount of \$6,981.99 as per the Village Treasurer's memo dated July 10, 2024.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Reports

Trustee Cheney's Report:

Trustee Cheney commended the DPW for their swift and effective response to a stormwater basin issue near the library. He explained that an engineering intern identified a problem where water was incorrectly entering the basin, causing erosion. The DPW quickly reconfigured and reconstructed the basin, restoring it to its intended function within a short timeframe of about a day and a half. Trustee Cheney expressed gratitude to the DPW for their proactive approach and acknowledged the intern's role in identifying the issue. He emphasized the DPW's dedication to addressing community needs promptly and effectively.

Mayor Newhard expressed appreciation for the DPW's successful resolution of a chronic issue with water retention ponds near the library. He acknowledged that the problem had been puzzling for some time, and praised the DPW's effective action in ensuring the ponds now function as intended.

Trustee Cheney mentioned that part of the solution involved dredging out the bottom of the water retention ponds, which had been an ongoing maintenance requirement that was somewhat neglected due to questions about responsibility between the library and the Village. He noted that since the parking lot is on Village property and open to the public, including visitors to Memorial Park and potentially a future skate park, it was essential to address these maintenance needs comprehensively.

Trustee Cheney updated residents on the Village's lead service line inventory, funded by a \$575,000 grant. Homeowners are required to identify their property's service pipes, distinguishing between lead, brass, copper, and galvanized types. Lead pipes, identified

by their heavy weight, non-magnetic property, and gray color, were contrasted with brass and copper, which share similar non-magnetic characteristics but differ in appearance. Trustee Cheney noted that copper pipes can be confirmed by comparing them with a penny to match its color. Galvanized pipes, prevalent in homes built before the 1940s, are also non-magnetic and have a silvery appearance.

Trustee Cheney emphasizing the importance of identifying and replacing lead and galvanized pipes. He highlighted that homeowners would receive a postcard within two to four weeks with instructions to identify their service pipes, noting that lead service lines were typically connected to lead goosenecks at the water main. Trustee Cheney explained that removing these pipes, especially those connected to lead goosenecks, would be an improvement to property owners. He also noted that plastic pipes, installed after 1986 when lead service lines were prohibited, would likely be identified during the inventory process.

Trustee Foster's Report:

Trustee Foster mentioned several ongoing tasks, including reviewing the CFA grant for zoning and working on other grant applications, such as for Dial-a-Bus, Parks and Recreation, as well as Veterans Memorial Park. These applications are extensive and may require submission over this year and possibly into next year. She also noted the need to follow up on the State Environmental Quality Review (SEQR) process for the Veterans Memorial Park master plan, indicating that this step had not yet been addressed.

There was a discussion amongst the Board and the Village Attorney regarding the timing and process of the SEQR review. Trustee Foster stated that she would look into it and provide a follow up.

Trustee Foster mentioned receiving inquiries about trees in the park and highlighted that some invasive and dead trees have been identified. The Shade Tree Commissioner has recommended replacing them with native shade trees, which Trustee Foster finds exciting and beneficial for the park.

Mayor Newhard clarified that the trees being discussed were in Stanley Deming Park, noting that alongside the sidewalk redevelopment project on the opposite side of the street, there are plans to replant the entire tree landscape with native trees along that section of South Street.

Trustee Foster provided a final update, stating that the contract for the Safe Streets for All project has been received from the state. Upon signing and execution of the contract, the project will commence, marking an exciting development for the Village.

Trustee Collura's Report:

Trustee Collura provided an update on her discussion with the Village of Monroe regarding their online registration system for day camp programs. She reported that Monroe successfully implemented online registration this year without technical issues, using a specific program along with a local programmer. Trustee Collura shared that she has emailed the details to the Board for consideration of adopting a similar system for future use in the Village of Warwick.

Trustee Foster inquired how many kids registered for their program in comparison to the Village's program.

Trustee Collura mentioned her intention to gather more information regarding the number of children involved in Monroe's camp program. She noted that Monroe may have a larger program exclusively for day camp, unlike the Village's mix of options. Trustee Collura expressed gratitude to the Village of Monroe for their openness in sharing information and acknowledged her frequent inquiries into various matters with them.

Trustee Collura shared updates from the Historical Society's recent activities. They held a successful book release event titled *Stories from Warwick's Past*, selling approximately 100 books. These books are available for purchase at the Warwick Historical Society offices located across from the 1810 House for \$20.00, tax included. She also mentioned two upcoming events organized by the Historical Society: the George Washington Day 5k in the morning, followed by a George Washington Day picnic at Louis Park in the afternoon. The picnic will feature old-fashioned games, a circus performance, and the inaugural "I Cannot Tell a Lie. Best Cherry Pie" contest.

Trustee Collura mentioned that the Student Youth Leadership Academy has been ongoing since the beginning of the month. She highlighted a recent enjoyable lunch meeting with the students, alongside the Mayor. Trustee Collura described the students as a great group who asked insightful questions, making the experience particularly enjoyable. Mayor Newhard agreed that the students were wonderfully inquisitive.

Trustee McKnight's Report:

No report, absent.

Mayor Newhard's Report

Mayor Newhard mentioned the commencement of the Police Youth Academy, highlighting it as a valuable and positive activity for the youth in the community.

Mayor Newhard shared a unique message received via the Village's virtual suggestion box, detailing the history of the Reebok "Let U.B.U." campaign. The message, from Martin Thomas, a retired ad professional now residing in France, fondly recalled his time in Warwick during the campaign's creation. Mr. Thomas recounted how Warwick's local police officer, George Arnott, posed on a scooter for the iconic campaign posters, which gained prominence in New York City. Mayor Newhard reminisced about seeing these posters throughout the subway system, highlighting the campaign's success and its numerous awards. Mr. Thomas also expressed gratitude for Mayor Newhard's touching tribute to George Arnott, which featured the iconic photo. Mayor Newhard further recalled another memorable image from the campaign, featuring Mr. and Mrs. Baird on their Warwick farm with Reebok shoes hanging on a clothesline, Mr. Baird holding a pitchfork, reminiscent of an American Gothic scene.

Public Comment – *Non-Agenda Items*

No comments.

Final Comments from the Board

No comments.

Adjournment

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney and carried to adjourn the regular meeting at approximately 9:10 p.m.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye