

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
MARCH 4, 2024**

**10,015**

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, March 4, 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. Others present: Neil Winter, Tom Mattingly, Keith Parsons, Jack Winter, Frank Genova, Kate Sisko, Brian Kane, Keith Parsons, and Judy Battista.

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 Cheney, seconded by Trustee Foster, and carried to approve the Acceptance of Minutes: February 20, 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

**Authorization to Pay all Approved and Audited Claims**

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$139,231.67.

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

**Presentation**

1. Convergent – Battery Storage Facility Update.

Frank Genova, co-founder of Convergent, expressed gratitude to the Village for continued dialogue and apologized for the incidents that occurred last summer involving the battery backup devices. He reminded the Board that the last time they met, they shared details of the incident and the results of the root cause analysis (RCA). They committed to providing an update to ensure that the battery containers or enclosures

would be watertight, as they should have been. The goal of the presentation was to have Powin, their partner responsible for ensuring the safety and watertightness of the battery containers, walk through the updates made following the RCA and present a plan for moving forward, which includes redundancies to avoid water infiltration, the cause of the incident. They wanted to share this plan for feedback and then open it up for questions. Mr. Genova also emphasized that the battery storage systems are intended to enhance Orange and Rockland Utilities' infrastructure, improve power grid reliability, and prevent community power disruptions, especially during peak demand times such as hot summer days. He clarified that while battery storage may seem new to the community, it's not uncommon in New York State, which has over 320 megawatts of energy storage in operation. Lastly, he reminded everyone that the battery systems are not manufactured by Convergent but are procured from tier one suppliers, specifically supplied by Powin. The technical specifics would be covered by Powin in the presentation.

Brian Kane, Chief Projects Officer at Powin, expressed gratitude for the opportunity to address the events from last summer and conveyed sincere regret for any disruption caused to the community. He provided an overview of Powin, highlighting its specialization in energy storage system integration, covering design, engineering, manufacturing, installation, and long-term service of energy storage solutions. Established in 2010, Powin has deployed nearly four gigawatt hours of battery storage systems globally and monitors over 5.1 million battery cells daily. Safety is a paramount concern for Powin, and they manage the entire lifecycle of their systems, ensuring compliance with safety standards and conducting remote monitoring 24/7. Powin collaborates with major utilities, developers, and investors worldwide. On June 26, 2023, fires broke out at the Church Street system and later at County Route 1, coinciding with severe weather conditions. Powin responded promptly, deploying an emergency response team to stabilize the sites and ensure community safety. The following day, Powin personnel were on-site to assess the situation. In response to the events, Powin commissioned DMV, an independent engineering firm, to conduct a comprehensive RCA to determine the cause and prevent recurrence. The findings of the RCA, presented to the Board in the fall, confirmed water intrusion as the root cause of both incidents. Water entered the battery enclosures through inadequate holes, leading to a short circuit and arcing external to the battery cells and modules. The root cause was identified as a manufacturing defect allowing water ingress, which has since been addressed. Powin took swift action to remove impacted energy segments and prevent future water intrusion. Additional testing and data analysis informed corrective actions, which will be discussed further. To prevent future incidents, Powin has implemented several changes based on the recommendations from the root cause analysis. Firstly, all impacted and non-impacted units will be replaced rather than retrofitted with new units. A thoroughly tested and RCA-compliant sealing process has been applied to prevent water intrusion, akin to a sealant used by dentists. This sealing process is the primary defense against water ingress. Additionally, an integrated water protection system has been installed within the

enclosures to detect moisture buildup. In case of a primary defense failure, additional internal barriers within the enclosures will prevent water from reaching the batteries. Substantial investments have been made to enhance the manufacturing process, including the implementation of uniform production and water testing procedures for every battery energy storage unit before shipment. Currently, over 200 segments are being water tested weekly. The results of these enhanced water tests are being validated by DMV, the independent engineering firm, and by the Warwick School Board's independent consultant, Vertex. In addition to addressing water intrusion, Powin has installed fire barriers between each segment using fire stop pillows and structural components to secure them. This measure is designed to prevent potential fires from spreading between units. Summarizing the corrective actions, they fall into three categories: product enhancement, enhanced testing, and third-party review of testing, including by Vertex.. Thousands of systems have already benefited from these improvements since the incidents last summer, with over 5,000 units deployed in North America. The Warwick systems remain offline but are expected to resume operation by the end of May 2024 after the installation and commissioning of the improved enclosures. Powin remains committed to safety, innovation, and ensuring a smooth transition to more sustainable, reliable, and resilient energy systems. Mr. Kane emphasized the ongoing monitoring and evaluations in order to maintain the highest safety standards and are collaborating with NYSERDA to help establish industry-leading safety standards. Despite the inherent risks associated with electricity, Powin believes the improvements made have increased safety redundancies and resolved the issue of water intrusion identified in the root cause analysis. Before concluding, Mr. Kane expressed gratitude for the opportunity to address the matter and invites any questions or concerns from the Board.

Frank Genova, representing Convergent, expressed gratitude for the opportunity to address the Board and provided further details on the plan for replacement units. He assured that the replacement units would be identical in dimensions and installation locations but would not be able to connect in the same areas to prevent a recurrence of the previous incidents. Additionally, Convergent would conduct additional training with the fire department and work closely with them to tailor an Emergency Response Plan (ERP) before the systems were commissioned. Mr. Genova emphasized that the updates and replacements would be financed by Powin and Convergent as the system owners, relieving the community of any financial burden. He reiterated their commitment to safety and emphasized their motivation to get the systems online in time for the summer peak demand period. Lastly, Mr. Genova opened the floor for questions, assuring the Board that representatives from Convergent, Powin, and Orange and Rockland Utilities were present to provide answers and address any concerns.

Trustee McKnight expressed gratitude for the presentation and mentioned that having a copy of the statements beforehand would have been helpful for him to process the details

more thoroughly. He then raised a question regarding the root cause analysis, inquiring about when it was shared with the Village.

Mr. Genova was unsure of the exact date the report was provided to the Board.

Trustee McKnight did not recall ever seeing the report and said this was the first he heard about the official RCA.

Mr. Genova acknowledged the initial concern regarding non-disclosure agreements (NDAs) and mentioned ongoing discussions with Pat Wayne about the disclosure of information. He expressed a willingness to follow up on ensuring that the Board receives the root cause analysis report and addresses any outstanding concerns regarding NDAs.

Trustee McKnight expressed concerns about not having seen the root cause analysis report and questioned the necessity of a non-disclosure agreement (NDA) regarding the information. He also inquired about the impact of the New York State Governor's interagency Fire Safety Working Group and their recommendations on the company's approach to ensuring safety going forward.

Mr. Genova acknowledged working closely with state agencies involved in the Governor's interagency Fire Safety Working Group. He mentioned frequent communication with Powin and Brian Kane regarding the incident and shaping legislation moving forward. Additionally, he noted that the project would be compliant with the recommendations of the report issued by the state.

Another Convergence employee, who identified herself as Kate, highlighted that the company already meets the recommendations set forth by the working group, including having someone available to respond to alerts within 15 minutes and on-site within four hours. She emphasized that these standards were already being met in New York State and would continue to be upheld.

Trustee McKnight pointed out that several recommendations from the interagency group are still in progress, which may not align with the timeline for getting the system operational by summer. He sought clarification on how this misalignment would be addressed and reconciled.

Mr. Genova explained that despite the report from the interagency group not being finalized, they don't anticipate significant changes to the recommendations. He assured that the site, with the enhancements being made by Powin, will be compliant with the established roadmap.

Trustee McKnight requested to review the RCA. Additionally, he suggested that if there

is a script for future presentations, it would be beneficial to share it in advance to facilitate a more meaningful conversation.

Mr. Genova assured Trustee McKnight that the RCA would be provided, highlighting that while the report contains extensive detail and data, its conclusion identified water infiltration as the root cause. He emphasized the need for product enhancements and changes to prevent similar incidents in the future, ensuring alignment on the RCA's summary output.

Trustee McKnight raised concerns about the adequacy of the initial training provided to the fire department and questioned the completeness and accuracy of the emergency response plan. He emphasized the importance of ensuring that the fire department has comprehensive training and accurate information to effectively respond to incidents and prioritize public safety.

Mr. Genova addressed Trustee McKnight's concerns by clarifying the approach to fire training and emphasizing the priority of firefighter safety. He explained that the training aims to simplify procedures and ensure firefighters remain at a safe distance from the site, as entering or approaching the area during such incidents is not advisable. Additionally, he mentioned ongoing communication with the fire department to incorporate their feedback into the Emergency Response Plan (ERP) and ensure that any necessary updates are made before the system comes back online.

Trustee Foster asked for details regarding the training.

Mr. Genova responded that it was live exercises.

Mayor Newhard inquired about the internal fire suppression system, expressing concern about its role in the failure.

Mr. Kane clarified that the internal fire suppression system at the Church Street site functioned as expected during the electrical fire incident, resulting in a brief event.

Mayor Newhard brought up the event on County Route 1.

Mr. Kane explained that while the fire suppression system at the County Route 1 site is effective for electrical fires, it does not interfere with the process if a battery fire were to occur. The failure in that incident was the spread of fire from one segment to another, despite initial testing indicating otherwise. To address this, industry-standard fire barriers were introduced to prevent such thermal events from spreading between segments. These barriers have been extensively tested to ensure effectiveness.

Trustee McKnight inquired as to if the centipede that will be the replacement battery has been tested.

Mr. Kane ensured Trustee McKnight that the enhanced system had been tested for water ingress and fire suppression.

Mr. Genova emphasized the importance of having an unbiased third party involved in several key aspects. Firstly, this includes supporting product enhancements. Secondly, specifying the water testing protocols. And thirdly, conducting, reviewing, and reporting on the results of the water tests. Additionally, he highlighted the rigorous testing process for every box returning to Warwick, ensuring comprehensive evaluation, and reporting on the results.

Trustee Cheney requested the updated ERP be submitted to the Village, as the Village is the permitting agency to enter the facility.

Mr. Genova responded that they could send the Board a draft copy to review if desired, but they would certainly submit the final plan once approved by the fire chief.

Trustee Cheney inquired about the segmentation and firewalls implemented for the units, particularly regarding testing for potential off gases and air quality measurement.

Mr. Kane responded that the quality of the air was tested during the event and it demonstrated no impact to the community.

Trustee Cheney asked about the timing of the air quality testing in relation to when the fire started, as he was sure it was not immediate.

Mr. Genova stated that the air quality testing occurred a few hours after the fire started, indicating that the batteries were the primary components burning during that time. He emphasized that the HAZMAT team and the New York State Department of Environmental Conservation confirmed safe conditions based on the test results.

Trustee Cheney wanted to know if there was anyway the gas could be contained in the event of a fire.

It was determined that there was not.

Trustee McKnight asked if the RCA could be sent immediately. Mayor Newhard sent him a copy.

Trustee Foster inquired about the status of mitigating measures discussed in the previous

meeting to ensure grid resilience in the interim. She sought clarification on whether there was a report available regarding these measures. Additionally, Trustee Foster asked O&R about the specific measures being implemented, such as whether they involved a mobile substation.

A representative from Orange and Rockland (O&R) mentioned that the company has taken measures to secure the area for the upcoming summer season while the batteries are being addressed and explained that additional ties were established with other circuits to enhance reliability in case of any contingencies.

Mayor Newhard inquired about similar issues occurring in other communities with similar systems and questioned whether these incidents were due to a faulty batch or other factors.

Mr. Kane explained that the issues in other communities with similar systems were also due to water ingress resulting from manufacturing defects in early production batches.

Trustee Foster received confirmation from the O&R representative that the enhancements made to the circuits were a permanent improvement and also received confirmation that documentation could be provided in regard to the increased capacity details of the enhancement.

Trustee Foster asked as to why this enhancement was not considered prior to the installation of the battery backups.

The O&R representative explained that the batteries serve as a backup substation, ensuring grid stability during peak demand periods. While improvements were made to the system for reliability, the batteries are crucial for future peak demand scenarios. Additionally, plans for a permanent substation are underway to address long-term needs.

Trustee Foster asked for the timeline of the new substation.

The O&R representative did not have that information but did confirm that the new substation was within a five-year plan.

Mayor Newhard inquired as to the location of the new substation.

The representative stated that it would be located adjacent to the Green Thumb Industries (GTI) in the industrial complex.

Trustee Foster assumed that the additional redundancies in the system were insufficient for long-term needs due to anticipated capacity increases and stresses on the system.

Mayor Newhard was under the impression that the substation was specifically for GTI due to their power needs.

The representative stated that the new station will be able to serve GTI as well as the greater Warwick community by replacing wisdom substations as well as increase the number of circuits.

Trustee Cheney asked if there was still plans to build a substation across from the bus garage, as O&R had purchased the property several years ago.

The representative stated that to his knowledge there were currently no plans to create a substation at that location.

Trustee Foster inquired about how the new substations would serve the Warwick community, particularly the Village, once they are operational.

Trustee Cheney replied that there would be two, one near Wisner and one in Minisink.

Trustee Foster sought clarification on whether the two substations had the capacity to independently serve the Village. She inquired if one substation could fully support the Village in case the other went down, or if both were necessary to meet the Village's needs.

Mayor Newhard asked if there would still be a need to have the battery storage system if a substation was built.

The representative mentioned that in the construction of substations, there is now an effort to include battery storage capacity in each substation.

Trustee McKnight questioned Mr. Kane about the three pillars outlined by Powin in addressing the situation: product enhancement, enhanced testing, and third-party reviews of testing. He acknowledged the rationale behind product enhancement such as seals and fire barriers. Regarding enhanced testing, he inquired about the differences between the current testing and previous ones. Trustee McKnight emphasized the importance of testing to ensure failure prevention and sought clarification on the confidence level in the enhanced testing process.

Mr. Kane explained that there are two standards, NEMA and IP, which dictate the qualification of the product. He mentioned that the system design met these standards. However, he noted that the issues arose due to a manufacturing defect and the lack of a 100% testing standard during the production of the units. In the past, only a subset of units were tested and passed. Now, they have implemented two changes: Firstly, every unit undergoes 100% testing, and secondly, they have established a testing standard for

every unit that complies with the standard. This enhanced testing process aims to ensure that every product is thoroughly tested after production to confirm the absence of manufacturing defects or water ingress issues.

Trustee McKnight had no further questions.

Trustee Foster inquired about the DNV report, mentioning that it is five pages long. She sought clarification on whether there was a longer, more complex document that they were also supposed to receive.

Mr. Genova clarified that the document provided by Powin is a summary document, which all stakeholders have received. This summary document contains data and results from the longer, more complex report but presented in a more digestible format.

Mr. Kane affirmed that the document shared by DNV is the report released for external sharing. Additionally, DNV could be available for direct question and answer sessions if any Board Members wished to inquire further about their conclusions.

Trustee Foster suggested that the Board could compile any further questions.

### **Announcement**

1. The Village of Warwick General Election will be held on Tuesday, March 19, 2024, at the Goodwill Hook and Ladder Co., 25 Church Street Extension, Warwick, NY. The polls will be open from 9:00 a.m. to 9:00 p.m.
2. The Mobile DMV office will be in the Warwick CVS parking lot on Tuesday, March 26, 2024, between the hours of 10:00 a.m. and 3:30 p.m. with a lunch break between 12:00 p.m. and 1:00 p.m.

### **Discussion**

1. NYS Clean Energy Communities Grant Projects.  
<https://www.nyserda.ny.gov/All-Programs/Clean-Energy-Communities/High-Impact-Actions>

Trustee McKnight provided an update on the Village of Warwick's involvement in the New York State Clean Energy Community Program, highlighting their recent achievement of reaching the first level and becoming eligible for a \$10,000 grant. He mentioned the potential for an additional \$50,000 grant and proposed discussing how to utilize the funds for clean energy projects, such as solar initiatives. Trustee McKnight also mentioned the Climate Smart Communities program, where the Village's inventory

of greenhouse gas emissions has been completed and published on the website. The next step involves developing a community-wide Climate Action Plan, which aligns with ongoing grant initiatives like the RAISE grant and Safe Streets for All. He emphasized the interconnectedness of these programs with other Village initiatives.

Trustee Foster provided updates on several grant initiatives. She mentioned progress on the Safe Streets for All grant agreement, indicating that the Federal Highway Administration (FHWA) is satisfied with the content and will soon send it back for signing, allowing the project to commence. The Safe Streets for All project includes a campaign to slow down traffic, tailored for the Village, as well as a town-wide transportation action plan that will involve collaboration with the Town. Additionally, Trustee Foster informed the Board that the Village had submitted a \$2.8 million application for the RAISE grant, aimed at funding design-related services for various complete streets improvements. These improvements include sidewalks on West Street, enhancements to Route 17A, and the potential development of a multi-use trail from the Village to Shoprite. Furthermore, improvements to South Street Extension are planned to enhance walkability in the area.

2. Climate Smart Communities – Communitywide Greenhouse Gas Admissions Inventory. [https://villageofwarwick.org/wp-content/uploads/VOW\\_CommunityGHGReport\\_Feb2024.pdf](https://villageofwarwick.org/wp-content/uploads/VOW_CommunityGHGReport_Feb2024.pdf)

Topic will be discussed at a future work session.

3. Ethics Code

Trustee Cheney proposed two amendments to the Village's Code of Ethics. The first amendment suggests that candidates for elected Village positions should be required to file a disclosure form at the same time they file their Certificate of Acceptance to run for office. This would align with the requirement for sitting Board Members to disclose certain information. The second proposed amendment addresses the treatment of gifts and aims to establish clearer limits. Trustee Cheney suggested specifying that no individual or entity should provide gifts with an aggregate value exceeding \$75 in any 12-month consecutive period. Additionally, the amendment seeks to prevent the acceptance or solicitation of gifts that could reasonably be inferred as intended to influence the recipient's official duties. These proposed amendments are inspired by similar regulations from the county.

Mayor Newhard agreed with the suggested additions.

Trustee Foster thought that section O seemed unnecessary and suggested its removal. She

expressed concern about the potential implications as well as indicating that the matter was not an ethical issue but a behavioral issue.

Mayor Newhard was fine with that suggestion and pointed out that the subject matter of section O was covered in the Village's handbook.

Trustee Collura expressed hesitation regarding the removal of the mentioned provision. She acknowledged that while these standards were outlined in the Village's handbook, she emphasized that the public did not have access to the handbook. Her concern was ensuring transparency for residents by making them aware of the standards applied to elected officials and Village employees.

The Board discussed rewording section O.

Trustee Foster raised a point about the ethics disclosure form, specifically regarding item three, which requests the listing of the location and description of all real estate within the Village of Warwick. She suggested that if the property listed is one's domicile, it might not be necessary to include it on the form.

The Board briefly discussed the topic, during which Trustee Foster emphasized that the provided information wouldn't serve the intended purpose of the ethics disclosure form, which is to identify potential conflicts of interest and suggested the section may need more complex language.

Trustee Cheney raised a concern regarding the appointment process for the Ethics Board, noting that appointments were currently written as annually, with no mention of term length or staggering terms. Trustee Cheney thought this lack of clarity could lead to potential issues with the Ethics Board continuity and stability.

Trustee Foster added that it would take the appointees time to get oriented and agreed that a year is not enough time.

Mayor Newhard suggested staggered terms.

The Board discussed several typos in the document as well as discussed the section relating to real estate ownership.

The discussion continued regarding several redlines from the Village Attorney, Stephen Gaba. The Board decided to continue the discussion during a future work session when counsel would be present.

#### 4. Short Term Rentals

The Board discussed the potential requirement of a representative of the property owner to be available to respond to the location within a 15-minute timeframe, with Trustee Foster emphasizing the need for a prompt response in emergencies, comparable to hotels or bed and breakfasts.

Both Trustee McKnight and Trustee Cheney opposed the idea, emphasizing that such a requirement would effectively eliminate the possibility of operating Airbnbs unless the property was owner-occupied.

The discussion persisted as the Board delved into the underlying purpose of the code.

Trustee Cheney questioned whether the Village was overly involving itself in the matter. He referenced Mr. Gaba's prior remarks regarding the Interstate Commerce Clause and voiced concerns about opening up the Village's vulnerability to lawsuits, citing similar legal challenges in other states.

Trustee Foster drew parallels between the existing New York State regulations for operating a Bed and Breakfast and her proposed requirements for Airbnbs.

Trustee Cheney proposed the inclusion of an entity disclosure provision in the short-term rental property code, requiring the disclosure of individuals owning or having a stake of more than 5% in the LLC or similar entities. He suggested extending this requirement to other Village applications, such as those before the Planning Board.

The Board decided to continue the discussion at a future date with counsel present.

### **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.

Judy Battista expressed gratitude for the opportunity to discuss mental health initiatives and

thanked everyone for their support, particularly highlighting their assistance with last year's event. She announced the upcoming second annual Mental Health Awareness initiative, emphasizing the continuity and growth of the program over time. Providing an update on the initiative, Ms. Battista noted the Community Center's role as the fiscal agent for the program's first year to streamline administrative tasks. She highlighted collaborations with local organizations such as Team Up for Hope and emphasized the importance of community involvement, including the creation of uplifting signs to promote mental well-being. Ms. Battista underscored the prevalence of mental health conditions and suicides and stressed the need for prevention efforts. She outlined plans for the upcoming Mental Health Month, including expanding outreach efforts and organizing a mental health celebration event with various vendors and organizations. Ms. Battista proposed the possibility of street closures to accommodate the event, emphasizing its potential to foster community engagement and support for mental health awareness.

Mayor Newhard suggested considering Stanley Demming Park as a potential venue in the future for the mental health celebration event, noting its amenities such as playgrounds and bathrooms. He highlighted the concern of closing streets during summer weekends due to the increase in traffic, which could impact accessibility for businesses.

Ms. Battista expressed openness to discussing these options further for future events and highlighted the benefit of having multiple events in the Village to accommodate various interests and activities.

There was a discussion regarding the street closure request.

Ms. Battista emphasized the importance of considering the needs of attendees who may struggle with various mental health conditions, such as sensitivity to light or sound. She requested that the Board prioritize providing a safe and accommodating environment for all attendees. Additionally, she expressed gratitude for the support and highlighted the significance of celebrating mental health and life. Ms. Battista extended an invitation to neighboring communities to join in the event and suggested displaying banners to further promote mental health awareness. She thanked the Board for their ongoing support and collaboration in making the event a success.

**VILLAGE OF WARWICK'S**  
**SUPPORT FOR AN INCREASE IN AIM FUNDING**

**WHEREAS**, the Aid and Incentives for Municipalities (AIM) program plays a critical role in funding essential municipal services for cities and villages across New York State; and

**WHEREAS**, city and village officials share the same priorities as our state leaders which is to make New York safer and more affordable; and

**WHEREAS**, New York's local governments, who are on the frontlines of controlling property tax affordability and ensuring public safety, are integral to achieving those goals; and

**WHEREAS**, the State has not increased AIM funding in 15 years and according to the Bureau of Labor Statistics, inflation has increased by nearly 45% during that same period; and

**WHEREAS**, this neglect from the State has led to rising municipal tax burdens and harmful disinvestment in essential municipal services and staff; and

**WHEREAS**, the property tax cap further limits the ability of local governments to properly fund the services their residents need; and

**WHEREAS**, the challenges of rising inflation, the increasing costs of labor and supplies, and the end of extraordinary federal aid, only accentuate the need for an increase in AIM funding; and

**WHEREAS**, the Governor's 2024-25 Executive Budget proposes to keep AIM funding flat; and

**WHEREAS**, an increase in AIM funding would reduce the local tax burden and help revitalize communities across New York;

**NOW, THEREFORE, BE IT RESOLVED** that the Village of Warwick urges Governor-Hochul to work with the leaders of the Senate and Assembly and increase AIM funding in the 2024-25 adopted State Budget.

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

**Purchase of Spare Sulzer 6” Pump – Orchard Street Pump Station**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to approve the purchase of a spare Sulzer 6” pump from Reiner Pump Systems at a cost of \$24,752.00, plus shipping, for the Orchard Street Pump Station, per the recommendation of Water System Operator, Keith Herbert. Funds are appropriated in budget code G.8120.000.

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

**Employee Training - New York Rural Water Association Technical Training Workshop**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to grant permission to DPW Employees Dylan Gerstner & Chris Kane to attend the New York Rural Water Association Technical Training Workshop from May 20, 2024 – May 22, 2024, at the Turning Stone Resort, Verona, NY at a cost of \$370 each for registration which includes breakfast & lunch, \$174 each per night for the hotel stay, and \$35 each per night for dinner tickets, per the recommendation of Water Distribution Supervisor, Christopher Bennett. Mileage reimbursement is not applicable, village vehicle will be used. Funds are appropriated in budget code F.8340.4750.

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

**Music for Humanity - New York State Gaming Commission form GC-RCF: Raffle Consent**

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney and carried to approve the New York State Gaming Commission form GC-RCF: Raffle Consent Form for Music for Humanity to sell raffle tickets in the Village of Warwick during the 2024 calendar year and authorize the Village Clerk to sign the same. Approval of form GC-RCF does not authorize the applicant to sell tickets at their leisure. All ticket sales during events and/or street fairs are subject to prior written approval of the event organizers and must be filed in the Clerk's Office. All other ticket sales are subject to prior written approval from the Village Board of Trustees.

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

**Facility Use Permit – Veterans Memorial Park - Highlander Rugby**

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura and carried to grant permission to Highlander Rugby to use the football field between the parking lot, Over 35 Field, and grassy area to the right of the parking lot in Veterans Memorial Park for practices on Tuesdays, Wednesdays, and Thursdays from 7:00 p.m. to 9:00 p.m. from April 2024 through December 2024, and to use the football field in Veterans Memorial Park for games. All practices and games are to be in coordination with other organizations that regularly use the park for practice and games. Request includes use of field lights for the season. It is the responsibility of Highlander Rugby to enforce that parking is in the designated parking lot and not in the grass on the entrance roads. Completed facility use permit, proof of insurance, security deposit, and Memorial Park Football/Over 35 Field light fee has 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 Aye

**Facility Use Permit – Railroad Green – May Mental Health Event - AMENDED**

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney to grant permission to Warwick Community Bandwagon Inc. to hold May Mental Health Month Awareness at Railroad Green on Saturday, May 4, 2024, from 12:00 p.m. to 4:00 p.m. with a rain date of Sunday, May 5, 2024. Setup to begin at 10:00 a.m. with breakdown to be completed by 5:00 p.m. Requests

includes use of speakers and electricity, the setup of tents, the placement of portable toilets, and the use of Village-owned tables and chairs. Completed park permit, proper insurance and security deposit have been received.

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

Trustee Cheney \_\_\_ Trustee Foster \_\_\_ Trustee Collura \_\_\_  
Trustee McKnight \_\_\_ Mayor Newhard \_\_\_

### **Discussion**

Trustee Cheney suggested the installation of meters and bags along the designated spots, emphasizing their importance and the benefits observed from their use during the previous year's event.

Mayor Newhard supported the suggestion, noting the necessity for parking, especially considering the presence of an ambulance at the event.

There was a discussion regarding portable toilets and whether the public toilets would be operational during that time.

Mayor Newhard strongly believed that Stanley Demming would be the most accommodating venue for the event in the future, especially as it becomes even more successful. He also stressed concern over closing the street during the day on a Saturday with the volume of traffic the Village receives.

The question was raised if trains go through the area on Saturdays during the day, it was determined that they typically only appear at nighttime.

Trustee Foster provided background information on the issue, explaining that she had received complaints from concerned individuals about feeling uncomfortable near the railroad tracks. Additionally, she shared her personal experience of being present on a train during two separate pedestrian fatalities in different states.

Mayor Newhard said he has since acquired a contract for the RR and will reach out for a train schedule, as previous requests had been declined.

The Board concluded to partially close the road on the Railroad Green side with barriers and parking meter bags rather than close the entire road to traffic.

**Facility Use Permit – Railroad Green – May Mental Health Event**

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney and carried to grant permission to Warwick Community Bandwagon Inc. to hold May Mental Health Month Awareness at Railroad Green on Saturday, May 4, 2024, from 12:00 p.m. to 4:00 p.m. with a rain date of Sunday, May 5, 2024. Setup to begin at 10:00 a.m. with breakdown to be completed by 5:00 p.m. Requests includes use of speakers and electricity, the setup of tents, the placement of portable toilets, and the use of Village-owned tables and chairs. Permission includes the use of barricades and parking meter bags to close the parking spots along the Railroad Green side of Railroad Avenue. Completed park permit, proper 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 Aye

**RESOLUTION AUTHORIZING SUBMISSION OF AN INCENTIVE PROPOSAL  
TO EMPIRE STATE DEVELOPMENT**

WHEREAS, the Village Board of the Village of Warwick is undertaking a Strategic Planning and Feasibility Study which will explore adding a multi-use trail connecting the Village to a local shopping, food, and employment hubs; and

WHEREAS, The New York State Department of Economic Development and the New York State Urban Development Corporation, d/b/a Empire State Development has provided the Village with an Incentive Proposal under which the Village will receive funding for reimbursement for a portion of the cost of consulting and professional services incurred on the Strategic Planning and Feasibility Study; and

WHEREAS, the Village is required to provide a Two Hundred and Fifty Dollar (\$250) application fee for the Incentive Proposal.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board hereby authorizes the Village Mayor to execute and submit the Incentive Proposal and all documents necessary for full submission thereof; and
2. That the Village Board hereby authorizes full payment of the \$250 application fee.

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	<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>

### **Discussion**

Trustee Foster noted that there were some concerns with the agreement. However, she clarified that authorizing the signing and payment of the \$250.00 fee would not hinder ongoing discussions with Empire State Development.

### **GOVERNING BODY FAIR HOUSING RESOLUTION**

The Village of Warwick supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. It is the policy of the Village of Warwick to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, Veterans status, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Village of Warwick further

objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. Therefore, the Municipal Council of the Village of Warwick do hereby approve the following resolution.

BE IT RESOLVED, that within available resources, the Village of Warwick will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New York State Human Rights Law and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED, that the Village of Warwick shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New York State Human Rights Law, and any local laws or ordinances.

BE IT FURTHER RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Trustee Collura 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      Aye

**FY-2025 Community Development Block Grant Program Public Hearing**

A **MOTION** was made by Trustee Collura, seconded by Trustee Cheney and carried to schedule a Public Hearing for Monday, April 15, 2024, to discuss projects considered for funding under the FY-2025 Community Development Block Grant 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

**2024-25 Local Government Records Management Improvement Fund (LGRMIF) Grant Application**

A **MOTION** was made by Trustee McKnight, seconded by Trustee Collura and carried to submit a 2024-2025 Local Government Records Management Improvement Fund (LGRMIF) grant application to support a comprehensive Inactive and Active Records Inventory and Planning Project for the Building & Planning Department, Department of Public Works, Water Department & Assessor's Office and authorize the Mayor so 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 Aye

**Discussion**

Mayor Newhard thanked Village Clerk, Raina Abramson for her work on the grant application.

Raina Abramson expressed excitement about the potential grant, emphasizing the benefits it would bring to organizing the records stored in Village Hall. She highlighted the importance of moving records from the attic, which is not suitable for storage, as well as cleaning up the back storage room. Ms. Abramson also mentioned plans to transition towards electronic content management in the future, viewing it as the next step after securing the current grant.

**Gallego Information Services – 2024-25 Records Inventory & Planning Project**

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster and carried to select and enter into a contract with Gallego Information Services to conduct a Records Inventory and Planning Project for approximately 570 cubic feet of records from the Building & Planning Department, Department of Public Works, Water Department & Assessor's Office at a cost not to exceed \$37,175 per the recommendation of Village Clerk/Records Management Officer, Raina Abramson. Project is subject to the award of a 2024-25 NYS Archives Local Government Records Management Improvement Fund grant. Funds to be included in the FY2024-25 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 Aye

**Public Comment – *Non-Agenda Items***

No comments were made.

**Final Comments from the Board**

Trustee Foster announced her upcoming meeting with high school students from the government class, inviting input from fellow Board members on any initiatives they'd like feedback on. She also extended an invitation for anyone interested to join her at the meeting.

Trustee Cheney reiterated that the Orange County Department of Motor Vehicles mobile office would be stationed in Warwick at the CVS parking lot on Tuesday, March 26, from 10:00 a.m. to 3:30 p.m. with a lunch period from 12:00 pm to 1:00 pm.

Trustee Collura informed the Board that the spring 2024 newsletter had been delivered to Village Hall and would soon be distributed to mailboxes. The newsletter spans eight pages and contains a wealth of information for residents. Trustee Collura encouraged residents to provide feedback on the newsletter by scanning the QR code to access the suggestion box on the Village website. She emphasized the importance of gathering opinions on what residents liked, what was working well, and what they would like to see more of in future newsletters.

Trustee Foster expressed appreciation for the "Slow Down Warwick" initiative, particularly highlighting the prominent display of the 25 miles per hour speed limit in the newsletter. Additionally, she commended the newsletter's inclusion of information about the policy update process, considering it a valuable addition.

**Executive Session**

A **MOTION** was made by Trustee Collura, seconded by Trustee Cheney and carried to enter into Executive Session to discuss the medical, financial, credit or employment history of a particular person or corporation, or matter leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

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

In Executive Session: Michael Newhard, Mayor, and Trustees Barry Cheney, Mary Collura, Carly Foster and Tom McKnight.

**Adjournment of Executive Session**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to exit Executive Session.

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

**Adjournment**

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried to exit the regular meeting at approximately 9:45 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