

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
MAY 2, 2022  
AGENDA**

**LOCATION:  
VILLAGE HALL  
77 MAIN STREET, WARWICK, NY**

**Call to Order  
Pledge of Allegiance  
Roll Call**

1. Introduction by Mayor Newhard.
2. **Public Hearing on the Proposed Application for the Orange County Community Development Block Grant Program for FY-2023.**
3. Authorization to Pay all Approved and Audited Claims in the amount of \$ \_\_\_\_\_.

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

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

**Correspondence**

1. Letters from Joe Lawler, member of VFW Post 4662, thanking DPW Supervisor, Mike Moser and Village Clerk, Raina Abramson.
2. Letter from Village Engineer, David Getz, to DPW Supervisor, Mike Moser, regarding the Orchard Street Pump Station Vertical Spiral Screen punch list and substantial date of completion.

**Discussion**

1. Waiving facility use fees and security deposits for the following entities: schools, scouts, the fire department, police department, ambulance corp. and veterans' organizations.

**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.

## **Motions**

### **Trustee Cheney's Motions**

1. **MOTION** to accept the Notice of Intent to Reestablish Lead Agency received from the Village of Warwick Planning Board for the environmental review of the Village View Estates Subdivision and Site Plan and consent to the Planning Board reestablishing lead agency status.

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

Trustee Cheney \_\_\_ Trustee Foster \_\_\_ Trustee Bachman \_\_\_

Trustee McKnight \_\_\_ Mayor Newhard \_\_\_

### 2. **RESOLUTION REGARDING NY-NJ WATERSHED PROTECTION ACT: H.R. 4677**

WHEREAS, New York Congressman Tonko has proposed the NY-NJ Watershed Protection Act, a unique federal investment program to authorize \$50 million of federal funds to protect and restore all watersheds, including the Hudson River Watershed, that flow into New York-New Jersey Harbor; and

WHEREAS, The Act has unanimous support among the Hudson Valley's Congressional delegation; and,

WHEREAS, the Act would provide benefits to diverse stakeholders such as the protection of fisheries and wildlife, conservation of natural resources and public and private lands, critical urban greenspaces, ocean and coastal resources, and various opportunities to improve the quality of life for community members throughout the region; and

WHEREAS, the Village of Warwick is part of the most densely populated and economically important regions in the country, the proposed NY-NJ Watershed Act will provide enormous economic and environmental benefits locally, regionally and nationally; and

WHEREAS, watersheds provide drinking water, tourism and outdoor recreation, economic opportunities, as well as sustain fisheries, critical wildlife and provide vital infrastructure from flooding and rising sea levels; and

WHEREAS, the Act would provide matching funds to achieve the goals of New York State Department of Environmental Conservation's Hudson River Estuary Program, a state program that has greatly benefitted Hudson Valley communities; and,

WHEREAS, the Act would fund shoreline management and restoration within the watersheds,

WHEREAS, as an elected body tasked with protection and safeguarding irreplaceable water-connected resources and nature-based flood hazard mitigation measures that are essential to protect human life and infrastructure; and

WHEREAS, this Act would direct the Secretary of the Interior to enhance collaboration and coordinate restoration activities at all levels of government to protect fish and wildlife habitats, endangered species, improve water quality, increase public access to the estuary, mitigate flood risks, and develop public outreach and educational activities; and

WHEREAS, many residents of the region of the NY-NJ Watershed live in communities lacking environmental justice, where access to and enjoyment of fish, wildlife, clean water, and other natural resources have been impaired or compromised, federal funding is necessary to mitigate these long overdue environmental and social issues; and

WHEREAS, the Village of Warwick would benefit from the Act as it would establish beneficial programs and award grants to help fund valuable restoration projects in our local community; and

WHEREAS, the Village of Warwick is a cornerstone in which its residents depend on and the region relies on for its resources to provide prosperity throughout the state, therefore, the Village of Warwick must uphold its duty to protect the community's access to drinking water and natural resources; and

WHEREAS, the Village of Warwick has an opportunity to be a social and environmental leader of the state, by supporting the NY-NJ Watershed Protection Act, we may lead by example and facilitate much needed change; and

NOW THEREFORE, BE IT RESOLVED, that the Village Board, supports the passing of the NY-NJ Watershed Protection Act.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees hereby supports the passing of the NY-NJ Watershed Protection Act.

\_\_\_\_\_ presented the foregoing resolution which was  
seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting \_\_\_\_\_

Carly Foster, Trustee, voting \_\_\_\_\_

Thomas McKnight, Trustee, voting \_\_\_\_\_

Corey Bachman, Trustee, voting \_\_\_\_\_

Michael Newhard, Mayor, voting \_\_\_\_\_

### **Trustee Bachman's Motions**

3. **MOTION** to advertise for the position of Summer Office Intern at a pay rate of \$14.00 per hour at 20 hours per week for approximately twelve (12) weeks.

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

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Bachman \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_

### **Trustee Foster's Motions**

4. **MOTION** to grant permission to the Warwick Fire Department to use the Veterans Memorial Park Pavilion for a Department Picnic on Saturday, July 30, 2022, from 8:00 a.m. to 9:00 p.m. Request includes use of alcohol, inflatable rides, restrooms and Village owned tables and chairs. Completed park permit and proof of proper insurance, including Host Liquor Liability & coverage for inflatable rides have been received.

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

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Bachman \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_

5. **MOTION** to grant permission to Boy Scout Troop 38 to use Railroad Green for a fundraiser plant sale on Saturday, May 7, 2022, from 8:00 a.m. to 5:00 p.m. Completed park permit and proof of proper insurance have been received.

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

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Bachman \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_

6. **MOTION** to grant permission to Park Avenue Elementary School to hold a third-grade picnic in Stanley-Deming Park on June 9, 2022, with a rain date of June 10, 2022, from 12:15 p.m. to 2:30 p.m. Completed park permit and proof of proper insurance have been received.

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

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

7. **MOTION** to approve the budget modification and transfer request as per the Village Treasurer's letters dated April 28, 2022.

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

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

8. **MOTION** to approve the Village of Warwick Summer Concert Series Schedule per the attached calendar provided by Summer Concert Coordinator, William Iurato.

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

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

9. **MOTION** to grant permission to the Warwick Merchants Guild to hold their annual Pickers Paradise Sale on Main Street and Railroad Avenue on Saturday, July 9, 2022, from 10:00 a.m. to 5:00 p.m., with setup to begin at 8:00 a.m. and breakdown complete by 6:00 p.m. and on Sunday, July 10, 2022, from 10:00 a.m. to 3:00 p.m., with setup to begin at 8:00 a.m. and breakdown to be complete by 4:00 p.m. Completed facility use permit, proof of proper insurance and security deposit have been received.

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

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

10. **MOTION** to grant permission to the Warwick Merchants Guild to place 'No Parking' meter bags on the meters on Saturday, July 9, 2022, from 6:00 a.m. – 6:00 p.m. and on Sunday, July 10, 2022, from 6:00 a.m. – 4:00 p.m. along Main Street as follows: Eddies

Roadhouse to Bank Street, G's Restaurant to Fetch Bar and Grill, Bertoni Gallery to Etched in Time, B Free to Yesterdays, Akins Pharmacy to WVT for the benefit of the annual Pickers Paradise Sale. Pickup and return of 'No Parking' meter bags to be coordinated with the Village of Warwick, DPW Clerk.

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

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

11. **MOTION** to place 'No Parking' meter bags on the meters along Railroad Avenue on Saturday, July 9, 2022, between the hours of 6:00 a.m. and 6:00 p.m. and Sunday, July 10, 2022, between the hours of 6:00 a.m. and 4:00 p.m. for the benefit of the Warwick Merchants Guild Pickers Paradise Sale. Pickup and return of 'No Parking' meter bags to be coordinated with the Village of Warwick, DPW Clerk.

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

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

12. **MOTION** to close Railroad Avenue on Saturday, July 9, 2022, from 8:00 a.m. and 6:00 p.m. and Sunday, July 10, 2022, from 8:00 a.m. and 4:00 p.m. for the benefit of the Warwick Merchants Guild Pickers Paradise Sale.

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

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

**Final Comments from the Board**

**Executive Session (if applicable)**

**Adjournment**

77 Main Street  
Post Office Box 369  
Warwick, NY 10990  
www.villageofwarwick.org



(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

# VILLAGE OF WARWICK

INCORPORATED 1867

## LEGAL NOTICE

### NOTICE OF PUBLIC HEARING

Please take notice that the Village Board of the Village of Warwick does hereby set a public hearing on the 2<sup>nd</sup> day of May 2022 at 7:30 o'clock p.m. at Village Hall at 77 Main Street, Warwick, NY on proposed Application for FY-2023 Orange County Community Development Block Grant Program.

The Village invites public comments and suggestions regarding projects to be considered for funding under the Orange County Community Development Block Grant Program. Under this Program a variety of physical improvements as listed below are eligible for funding: acquisition and disposition of real property; public works, public facilities or site improvements; code enforcement (housing and health codes); clearance, demolition and rehabilitation for public use or economic development; housing rehabilitation loan and grants; special projects for elderly and handicapped; provision of public services (shelter, clinics, senior nutrition, etc.); payment of non-federal shares of other grant programs; relocation payments and assistance. The Village will be considering projects to be submitted to the Orange County Community Development Block Grant Program. The deadline for submittal is May 31, 2022.

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

**BY ORDER OF THE BOARD OF TRUSTEES**  
**VILLAGE OF WARWICK**  
**RAINA ABRAMSON**  
**VILLAGE CLERK**

Dated: April 8, 2022



## OFFICE OF COMMUNITY DEVELOPMENT

Nicole Andersen, Director  
40 Matthews Street, Suite 307A  
Goshen, NY 10924

Tel: (845) 615-3820 • Fax: (845) 360-9093

Email: [CommDev@orangecountygov.com](mailto:CommDev@orangecountygov.com)

**Steven M. Neuhaus**  
County Executive

February 07, 2022

Dear Urban County Consortium Member:

We are pleased to announce the start of the FY-2023 Community Development Block Grant (CDBG) Municipal Grant Application process. The application will only be transmitted via email and is also available on the Community Development website at <https://www.orangecountygov.com/192/Community-Development>. Please feel free to share the information with any other interested party.

**Enclosed with this letter is the FY-2023 CDBG Program Year Calendar. Please take a few moments to review all important deadline dates as several key dates have been changed. Any municipality that submits an application for funding must hold a public hearing to inform citizens of the opportunity to apply for federal funding, review its community development needs, and obtain citizen input, particularly from people with low to moderate income, on which activities should be included in funding proposal and application, and authorize the Municipal Official to submit an application. All municipal applications are to be submitted to the Office of Community Development (OCD) no later than 4:00 PM, Friday, June 24, 2022.**

**NOTE: We no longer are requiring hard copies of the application – please submit electronically only.**

At least one representative from the Applicant/Municipality must attend a **MANDATORY VIRTUAL Application Workshop on Thursday, March 24, 2022 from 9:30 a.m. to 11:30 noon via Microsoft Teams**. There can be no exceptions to the application deadline or attendance at the meeting. We suggest that the Municipal Official, Primary Contact, Project Manager and Engineer (if applicable) attend. To register and be sent the Microsoft Teams Invite, e-mail a list of Attendees with their Contact Information to [nandersen@orangecountygov.com](mailto:nandersen@orangecountygov.com), by Friday, **March 11, 2022**.

Thank you for your continued interest in this important program and we look forward to assisting you with your FY-2023 municipal application. If you have any questions, please do not hesitate to contact me at (845) 615-3819 or [nandersen@orangecountygov.com](mailto:nandersen@orangecountygov.com).

Sincerely,

*Nicole Andersen*

Nicole Andersen  
Director of Community Development



## ORANGE COUNTY OFFICE OF COMMUNITY DEVELOPMENT FY-2023 PROGRAM YEAR CALENDAR

February 7, 2022	FY-2023 CDBG Application E-Mailed to Supervisors/Mayors and posted on OCD website FY-2023 HOME Application E-Mailed to Contact List and posted on OCD website
February 7, 2022	Send FY-2023 Action Plan Public Hearing #1 public notice to newspaper, post on website, and email to community stakeholders
February 10, 2022	Public Notice for Public Hearing #1 published 14 days before Public Hearing
February 24, 2022 at 3 pm	Public Hearing #1 for the FY-2023 Action Plan via Microsoft Teams Meeting +1 347-991-6654 Conference ID: 831 592 114# and at the Orange County Office of Community Development, 40 Matthews Street, Suite 307A, Goshen, NY at 3 pm
March 22, 2022 9:30-11:30 am	HOME Application Workshop via Microsoft Teams- <b>**MANDATORY for Applicants**</b>
March 24, 2022 9:30-11:30 am	CDBG Application Workshop via Microsoft Teams - <b>**MANDATORY for Applicants**</b>
April 2022	Receive Notice from HUD of final 2023 CDBG, HOME and ESG Entitlement
June 24, 2022 (Friday)	CDBG and HOME Applications Due to OCD Office by 4:00 p.m.
July 14 and 22, 2022 July 18, 2022	CDBG Advisory Committee Site Visits (Tentative) HOME Advisory Committee Site Visits or Microsoft Teams Presentations (Tentative)
July 27, 2022 at 9:30am July 28, 2022 at 9:30am	HOME Advisory Committee Ranking Meeting CDBG Advisory Committee Ranking Meeting
August 2022	County Executive Review of CDBG and HOME Advisory Committee Recommendations
September 9, 2022	Send 2023 Action Plan public notice to newspaper, post on website, and email to community stakeholders
September 16, 2022	Public Notice of Display Period and Public Hearing #2 published 14 days before Public Display
September 19, 2022	Submit Legislative Request for Resolution from Legislature to Submit FY-2023 Action Plan to HUD
October 1-31, 2022	30-Day Public Display and Comment Period for 2023 DRAFT Action Plan
October 13, 2022 at 2pm	2023 Action Plan Public Hearing #2 at the Orange County Office of Community Development, 40 Matthews Street, Suite 307A, Goshen, NY at 2 pm
October 21, 2022	OCD presents 2023 Action Plan to Education & Economic Development Statutory Committee for Legislature Approval
November 3, 2022	Legislative Approval to Submit FY-2023 Action Plan to HUD
November 15, 2022	Deadline to submit FY-2023 Action Plan to HUD
December 2022	FY-2023 CDBG Anticipated Award letters mailed to Municipalities FY-2023 HOME Anticipated Award letters mailed to Awardees
January 1, 2023	Begin FY-2023 Program Year – HUD Approves FY-2023 Action Plan

*These dates are tentative and are subject to change. Notice of actual hearing dates, proposed and final plan adoption, and related public comment periods will be published in the Times Herald Record and on the OCD website:*  
<https://www.orangecountygov.com/192/Community-Development>

**Program Fiscal Year 2023  
Orange County Urban County Consortium  
Community Development Block Grant (CDBG) Application**

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**\*\*\*CDBG Applications must be submitted to the Orange County Office of Community Development no later than 4:00 p.m. on Friday, June 24, 2022\*\*\***

This program is funded and regulated at the federal level by the U.S. Department of Housing and Urban Development (HUD) and administered locally by the Orange County Office of Community Development. The CDBG Program provides annual grants on a formula basis to Entitlement Communities to support viable communities by providing decent housing, suitable living environments and expanded economic opportunities to benefit people with low to moderate incomes. No more than 15% of CDBG funds for any fiscal year may be used for public service activities. The Orange County Urban County Consortium anticipates receiving approximately **\$1.7 million** from the US Department of Housing and Urban Development (HUD) for the Fiscal Year 2023 (January 1, 2023 – December 31, 2023) Community Development Block Grant (CDBG) Program of which, approximately \$1,200,000 dollars are to be distributed to member municipalities. CFDA # 14.218, 24 CFR Part 570. The Community Development Program is now beginning its 39<sup>th</sup> year of operation in Orange County. To date, over **\$78,700,000** has been made available to the County and participating communities.

Projects must serve Orange County residents with low to moderate incomes. Census data and Municipal maps depicting the low-moderate income areas in each of the participating municipalities is provided on the Orange County Office of Community Development website: (<https://www.orangecountygov.com/1786/Census-Maps>).

**CDBG Application and Process for FY 2023:**

**Technical Assistance**

At least one representative from the Applicant/Municipality's must attend a **MANDATORY VIRTUAL Application Workshop on Thursday, March 24, 2022 from 9:30 a.m. to 11:30 a.m.** via Microsoft Teams. OCD will give an overview of the program, provide application assistance and answer any questions. There can be no exceptions to the application deadline or attendance at the meeting. We suggest that the Municipal Official, Primary Contact, Project Manager and Engineer (if applicable) attend. To register, e-mail a list of Attendees with their Contact Information to [nandersen@orangecountygov.com](mailto:nandersen@orangecountygov.com), by **March 12, 2022 to receive the Microsoft Teams Invite with Meeting ID and password.**

Staff is available to provide technical assistance during the application process and implementation. Contact Alaina Walag, Assistant Director of Community Development at (845) 615-3817 or [awalag@orangecountygov.com](mailto:awalag@orangecountygov.com) to have your application reviewed or to discuss potential projects for eligibility.

All applicants must be available to provide a tour/overview of their project on May 20 or May 27, 2022 and are welcome to present their project at a public hearing on April 7, 2022 at 3:30 p.m. via Zoom. Applicants will be notified of the date and time for their tour. A second public hearing will be held October 22, 2022 at 5 p.m. at the Office of Community Development.

**Project Award**

**Only one (1) application per applicant is allowed per year.**

There is a minimum application amount of \$25,000 and a maximum of \$375,000 for projects that are to be completed within one (1) year. If an applicant is awarded more than \$125,000 for a project, that applicant will be ineligible to apply again for three years. For example, if a municipality is awarded \$225,000 of FY 2023 funds, that municipality would not be eligible to apply until the FY 2026 application is open. Should project costs increase post-award, the grant award will not be adjusted upward. Matching funds are not required but recommended.

### Project Term Completion Date

Once all conditions of award are met (see Successful Applicant Requirements below) and a contract is executed with the County, **the project must be completed within 12 months from the Notice to Proceed date.** OCD will monitor the progress of project work and will recapture awarded funds if significant progress is not made.

### Eligible Applicants and Project Benefit Area

CDBG funds are available through the Orange County Urban County Consortium for all municipalities in Orange County which have elected to be a member of the consortium. The following municipalities have elected not to participate in the County's program and therefore projects that primarily serve these communities generally are not eligible: City of Newburgh, City of Middletown, City of Port Jervis, Town of Palm Tree, and Village of Kiryas Joel. Eligible Municipalities may also apply on behalf of a Non-Profit Subrecipient.

### Application Requirements

- The CDBG application requires an approval by the governing body (municipal or non-profit) and must be signed by the Supervisor, Mayor, Village Manager, or an authorized representative of the non-profit applicant. Applications **must be discussed at a public meeting with time for public comments.** **Submit notice of meeting and minutes showing the action and provide a copy of the resolution. A sample is included for use.**
- Legislation # S.1150-A/A.1228-A was passed February 3, 2022, requiring that all public bodies make documents to be discussed at public meetings available to the public at least 24 hours in advance of the meeting. This legislation requires any proposed resolution, law, rule, regulation, policy, or amendment to be made available upon request and to be posted to the body's website at least 24 hours in advance of their discussion at an open meeting, giving the public access to these important documents in advance.
- Renovation or construction of buildings used for the general conduct of government (Town or Village Halls or Office buildings or garages) is **NOT** an eligible activity, **except for handicap accessibility** in compliance with current ADA code requirements.
- **Current Cost Estimate** prepared by an individual knowledgeable in the preparation of such estimates, using federal construction requirements, including, but not limited to, Federal wage rates **MUST** be included with application.
- **Incomplete applications will NOT be considered for funding.** Be sure to complete all sections of the application and provide all requested documentation.
- **DUNS Number:** § 200.32 Data Universal Numbering System (DUNS) number. DUNS number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify entities. A non-Federal entity is required to have a DUNS number in order to apply for, receive, and report on a Federal award. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).
- **Registration on [www.sam.gov](http://www.sam.gov)** is required by HUD for all entities in order to receive CDBG funding. Proof of registration along with CAGE code is required at the time of application. **\*\*\*Register as soon as possible.**
- **Fair Housing Resolution** - Orange County takes fair housing responsibilities very seriously. All participating municipalities must **annually** adopt the attached draft municipal resolution that reinforces the municipality's commitment to federal and state fair housing regulations and post the Fair Housing Notice (note attached) on the website.

### Project Selection Process and Scoring of Applications

The County's CDBG Program is funded by the Federal government. Federal laws, regulations and guidance supersede County policies and procedures in any case where they conflict.

Applications are reviewed for completion. Applications that lack required items or contain technical errors will be notified by email and given ten (10) calendar days to correct the error. Failure to submit the missing items by the deadline will result in ineligibility.

Members of the CDBG Advisory Committee are appointed by County Executive to review applications and make project and funding allocation recommendations. Applicants might be asked to give a tour of the project or a presentation to the Committee as part of the process. Committee recommendations are published in draft form and public comment is invited prior to a public hearing. The County Executive makes the final project award selections for submission in the form of a One-Year Action Plan, which HUD must approve before final award Agreements are executed. Projected timelines for these activities are in the Community Development Annual Calendar; however, the exact dates are subject to change. CDBG funding payments to grant recipients will be negotiated and detailed in the final award Agreements and the new program year begins January 1, 2023.

In selecting projects for funding this year, Orange County will consider the following factors:

- Attendance of applicant representative at CDBG Application Mandatory Workshop
- Submission of application by due date
- Completeness of application including a detailed project description and all required attachments
- Is a **current** Fair Housing Resolution included in the application and posted on the municipal webpage?
- Demonstration that the activity is a CDBG eligible activity
- Demonstration of the project's ability to meet a national objective in assisting individuals with low and moderate incomes
- Projects that are eligible based on current census data (not ADA or survey) will be prioritized
- How is the project creative and/or innovative?
- Does the project include collaboration, shared services and/or a cooperative effort with another entity or across departments within a municipality?
- Is the project consistent with the Orange County 2020-2024 Community Development Consolidated Plan which states the County's overall priority for the investment of CDBG funds is to increase self-sufficiency and economic opportunity for lower income residents and individuals with special needs so that they can achieve a reasonable standard of living?
- How does the project support the following goals of the Con Plan:
  - To provide decent housing by preserving the affordable housing stock, increasing the availability of affordable housing, reducing discriminatory barriers, increasing the supply of supportive housing for those with special needs, and transitioning homeless persons and families into housing.
  - To improve the quality of life and living environments for people with low- to moderate incomes through community reinvestment and improvements to public facilities and infrastructure.
  - To generate economic opportunities by supporting sustainable development activities that promote long-term community viability and the empowerment of people with low to moderate incomes to achieve self-sufficiency.
- Amount of Community Development dollars per low to moderate income beneficiary
- Reasonableness of Costs and a budget that reflects fiscal prudence and a readiness to proceed - Is there a logical justification for all expenses in the budget? Is there an explanation for each budget line that clearly supports the applicant's need for financial resources to achieve project outcomes? Does the proposal describe how the grant recipient will monitor expenditures during the life of the project to ensure that the project stays on schedule and within budget?
- Sound administrative infrastructure and capacity, including demonstration of project planning, administrative structures, turnover in staff, weaknesses identified in prior onsite or offsite reviews, and audit or financial statement findings in management letters
- Project can be completed within a reasonable time frame of one year
- **Past performance on prior CDBG funded projects - Consideration may be given to how timely an applicant completed previous projects, including its reporting requirements; how successful it was in outreach, especially to minority- and woman-owned businesses; the ongoing upkeep and maintenance of the funded project; and its cooperation in inspections, monitoring, and other activities**
- **Municipalities that have not received CDBG funding within recent years will be given 1<sup>st</sup> priority**

- Municipalities that do not have an open project from Years 2017-2021 will be given 2<sup>nd</sup> priority
- Municipalities with open projects from Funding Years 2020-2021 will be given 3<sup>rd</sup> priority
- Municipalities with open pre-2020 projects are not eligible to apply
- The County reserves the right to include other scoring factors as deemed necessary such as is the facility/infrastructure/services essential during COVID or a disaster.

### Successful Applicant Requirements

Successful applicants are advised NOT to begin work until a project contract with the County of Orange has been fully executed and written notice to proceed from the Office of Community Development has been issued. Proceeding without advance OCD approval will jeopardize grant reimbursement. ***Certain conditions of award must be met to the satisfaction of OCD before any choice limiting actions are undertaken by the applicant/grantee including environmental and historic preservation reviews (including archeological review) and documentation of all necessary approvals to undertake the project.***

Project costs are eligible for CDBG funds only if the specified work meets HUD and Orange County Office of Community Development standards and the expenditures are made in compliance with federal, state and county requirements. Failure to comply with these requirements could jeopardize full eligibility for payment of project costs. Requirements include:

- **NEW REQUIREMENT:** In accordance with the Federal Funding Accountability and Transparency Act (FFATA), any funds awarded in excess of 25,000 trigger the requirement to report in the FFATA Subaward Reporting System (FSRS), evidence of registration must be submitted ahead of the written agreement execution if your project is awarded. <https://www.fsr.gov/>
- Pursuant to Article 15A of the Executive Law, Minority and Women-owned Business Enterprises/Equal Employment Opportunity, grant recipients will be required to solicit MWBEs before commencing work and to document efforts involving MWBEs during the project term. The Orange County Office of Community Development has a goal of 15% each for MWBE Firms (30%) total. This is not a requirement, but contractors must show that efforts were made to solicit MWBE Firms. Contractors who respond to bids and have MWBE subconsultants or are an MWBE firm themselves will be given preference during the award process. A list of current MWBE Firms can be found on the Empire State Development (NYS ESD) Website:  
<https://ny.newnycontracts.com/FrontEnd/SearchCertifiedDirectory.asp?XID=6812&TN=ny>
- **Contracts awarded in the amount of \$100,000 or more are subject to requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3).** The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low- income persons, particularly persons who are recipients of HUD assistance for housing.
- A list of local Section 3 Business Concern can be found on the HUD Website:  
<https://portalapps.hud.gov/Sec3BusReg/BRegistry/SearchBusiness>
  - **NEW REQUIREMENT:** It is required that the Notice of Invitation for Bids for Section 3 covered contracts is sent directly to all qualified Section 3 Business Concerns in the area. Documentation that the invitation was sent to these businesses directly is required to be submitted to the Office of Community Development after the bid opening is conducted. (PDF of an Email Transmission is sufficient for documentation.)
  - If a Section 3 Business Concern is not the Prime Contractor or Subcontractor on the awarded bid, the awarded contractor must employ 25% of their workforce on the CDBG funded project as Section 3 Persons (low-income persons).
  - A copy of the Orange County Office of Community Development's Section 3 Policy can be found on our website at: <https://www.orangecountygov.com/207/Plans-Reports>

- Bidders failing to meet the benchmarks must demonstrate compliance with the Section 3 requirements in 24 CFR Part 75 by certifying that they have followed the prioritization efforts identified in 24 CFR Part 19.
  - Indicate whether Section 3 Business Concerns were solicited for each type of work the bidder expects to subcontract for and for all materials which the bidder expects to procure and, if not, the reason(s) why no such solicitation was made;
  - Indicate the reason why a Section 3 Business Concern has not been committed to for a type of subcontract work or materials in any area where a quote was received from a Section 3 Business Concern, and;
  - In any case where no quotations are received nor commitments made to a Section 3 Business Concern, indicate on Contract/Solicitation and Commitment Statement that no quotes were received, and if there is another reason for no commitments being made, the reason for the lack of commitments.
  - If the bidder fails to submit such evidence, the bid submission shall be considered nonresponsive and the bid rejected.
  
- Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money and must also adhere to CDBG procurement guidance. If you need technical assistance to better understand the procurement process, please refer to 2 CFR part 200: <https://www.law.cornell.edu/cfr/text/2/200.320> or call 845-615-3820.
  
- All projects on property eligible or listed on the National or State Registers of Historic Places must be satisfactorily documented so that the State Historic Preservation Office can ensure work was done in conformance with the Secretary of the Interior Standards. These types of projects will be submitted to the State Historic Preservation Office (SHPO) and work will need to be completed in adherence with any recommendations received. This consultation is conducted by the Office of Community Development as part of our Environmental Review Compliance under 24 CFR Part 58.
  
- Projects involving “new” ground disturbance (trenching, grading, demolition, new construction, etc.), may be subject to an archeological investigation if recommended by SHPO. In addition, new ground disturbance triggers the need for compliance with Section 7 of the Endangered Species Act and Consultation with the United States Fish and Wildlife Service (USFWS) and/or the NYS Department of Environmental Conservation (DEC). Any consultation needed is the responsibility of the Office of Community Development and will be conducted during the Environmental Review. All recommendations from Consultations must be adhered to when the project is implemented.
  
- Any permits required from agencies such as the NYS Department of Transportation (DOT), NYS Department of Environmental Conservation (DEC) or the US Army Corps of Engineers (USACE) must be filed before construction begins. Our Office strongly suggests starting permit applications as soon as possible in this process as permitting can lead to project delays which will affect the ability for the project to be completed in the required 12-month timeframe.
  
- No “choice limiting actions” such as acquisition, demolition, disposition, rehabilitation, repair, new construction, site preparation, and leasing or any other activities that commit to future activities can be undertaken before the Office of Community Development has completed its Environmental Review responsibilities under 24 CFR Part 58. The municipality and engineer will get written notification to proceed when the Environmental Review is complete.
  
- The Office of Community Development must accept/approve plans and specifications, bid documents, competitive bidding procedures, and Force Account Labor Utilization Plans.

- Federal wage rates (Davis-Bacon Act) apply to all CDBG funded construction or renovation projects unless force account labor is being used. Confidential Labor interviews will be conducted to ensure the correct wages are paid to laborers.
- State Bid Lists cannot be used for procurement unless a specific project "Mini-Bid" is completed and the Office of Community Development has reviewed the bid and approved the process for procurement.
- Office of Community Development staff will conduct periodic inspections, including a final inspection of the project, and may conduct post completion inspections as warranted to ensure the public benefit is maintained as part of our project monitoring requirements

Thank you for considering the submission of an application to the Orange County Community Development Block Grant Program. We look forward to working with you to ensure a successful year of grant applications. Please do not hesitate to contact our office with any questions concerning the enclosed grant application:

**Orange County Office of Community Development**  
**40 Matthews Street, Suite 307A, Goshen, NY 10924**  
**Telephone: 845-615-3820 - e-mail: [CommDev@orangecountygov.com](mailto:CommDev@orangecountygov.com)**  
**<https://www.orangecountygov.com/192/Community-Development>**

RECEIVED

APR 25 2022

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE



Michael Newhard, Mayor  
Village of Warwick  
77 Main St  
P.O. Box 369  
Warwick, NY 10990

Mar 18, 2022

Dear Mayor Newhard:

We would like to extend our appreciation to your DPW Supervisor Mike Moser for all of his and his department's efforts throughout the years for the Warwick VFW Post 4662. He has been extremely helpful and accommodating to our needs. We fully appreciate his efforts on keeping Memorial Park in such excellent shape, from installing our flag drop box to maintaining the flags and the Veterans Memorial in front of the park. His assistance in installing our signs at the monument in such a prompt and professional manner was greatly appreciated.

There has never been a problem or condition that he was not able to address in a timely manner. He truly is an asset to your staff and to our village. Please extend our sincere thanks to him for all he has done for our veterans.

Sincerely,   
Joe Lawler, Member, VFW Post 4662

cc: Jose' Morales, Commander VFW Post 4662  
Carmine Garritano, Sr. Vice Commander, VFW Post 4662

VFW POST 4662

RECEIVED

APR 25 2022

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE



Michael Newhard, Mayor  
Village of Warwick  
77 Main St  
P.O. Box 369  
Warwick, NY 10990

Mar 18, 2022

Dear Mayor Newhard:

It is with great pleasure that I write to you to inform you of the outstanding work performed by your office clerk. Raina has been extremely helpful and efficient whenever we have contacted her regarding veterans affairs. She was instrumental in assisting us regarding our Veterans Day parade in 2021.

As you know we did not have a parade in 2020 due to the covid outbreak. In addition to that we have had all new officers elected that were not involved in previous parades, so it was a learning experience for us.

Raina's guidance in this and other matters has been instrumental in our success in meeting requirements for permits and notifications to the proper authorities. She is always helpful and courteous and she is an asset to your staff.

Sincerely,   
Joe Lawler, Member, VFW Post 4662

cc: Jose' Morales, Commander VFW Post 4662  
Carmine Garritano, Sr. Vice Commander, VFW Post 4662

VFW POST 4662



Montgomery Office:  
71 Clinton Street  
Montgomery, NY 12549  
phone: (845) 457-7727  
fax: (845) 457-1899

Warwick Office:  
17 River Street  
Warwick, NY 10990  
phone: (845) 986-7737  
fax: (845) 986-0245

[www.EngineeringPropertiesPC.com](http://www.EngineeringPropertiesPC.com)

April 25, 2022

VILLAGE OF WARWICK DEPARTMENT OF PUBLIC WORKS  
77 MAIN STREET  
WARWICK, NY 10990

ATT: MICHAEL MOSER  
DPW SUPERINTENDENT

Re: Vertical Spiral Screen for the Orchard Street Pump Station  
Punch List / Date of Substantial Completion  
W.O. #1800.61

Dear Mr. Moser:

Today Matt Blake assisted us with an inspection of the improvements that have been completed at the Orchard Street pump station. Only one minor punch list item was found: to repair a leaking seal in the motor for the vertical spiral screen.

We have established today, April 25, 2022, as the date for substantial completion of the project.

Sincerely,  
Engineering & Surveying Properties, P.C.

David A. Getz, P.E.

cc: Keith Herbert, JCO  
Chad Young, TAM Enterprises  
Barry Cheney, Village Trustee

RECEIVED

APR 26 2022

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE

77 Main Street  
Post Office Box 369  
Warwick, NY 10990  
www.villageofwarwick.org



**VILLAGE OF WARWICK**  
INCORPORATED 1867

(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

**RECEIVED**

**APR 18 2022**

**VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE**

April 14, 2022

Re: **NOTICE OF INTENT TO REESTABLISH LEAD AGENCY**

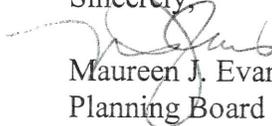
Project: **VILLAGE VIEW ESTATES SUBDIVISION & SITE PLAN**

To Whom It May Concern:

Enclosed please find a signed letter from Village of Warwick Planning Board Chairman, Jesse Gallo requesting reestablishment for Lead Agency on a proposed project in the Village of Warwick, New York. Also enclosed please find the following:

- 1) A copy of the Long EAF
- 2) A subdivision/site plan with the title: 28 lot Cluster Subdivision

Sincerely,

  
Maureen J. Evans,  
Planning Board secretary

Cc: Town of Warwick Board of Trustees & Planning Board  
OCHD  
OCPD  
NYS DEC  
Army Corp of Eng.  
Village of Warwick Board of Trustees

77 Main Street  
Post Office Box 369  
Warwick, NY 10990  
www.villageofwarwick.org



(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

## VILLAGE OF WARWICK

INCORPORATED 1867

### VILLAGE OF WARWICK, NEW YORK PLANNING BOARD NOTICE OF INTENT TO REESTABLISH LEAD AGENCY

**TO: INVOLVED AGENCIES**  
**PROJECT TITLE: VILLAGE VIEW ESTATES SUBDIVISION AND SITE PLAN**

This notification is for the purpose of reestablishing the lead agency status of the Village of Warwick Planning Board for the environmental review of the above titled project in accordance with the requirements of Title 6 NYCRR 617 et. seq. and the regulations promulgated thereunder.

On **April 12, 2022** the Village of Warwick Planning Board (“Planning Board”) declared its Intention to be Lead Agency for a proposed Subdivision and Site Plan located at the corner of Woodside Dr. and Locust St. in the Village of Warwick. On **October 21, 2004** the lead agency status of the Planning Board was established. The Planning Board has been acting in that capacity to this date. On **October 21, 2004** the Planning Board resolved to issue a Positive Declaration of Environmental Impacts. A Draft Environmental Impact Statement (DEIS) has been prepared and on **July 19, 2018** a Public Hearing on the DEIS was opened and thereafter closed on **October 18, 2018**. In response to comments and concerns received at and after the Public Hearing the project sponsor has submitted an alternative plan for consideration. The plan incorporates adjoining lands owned by the project sponsor and located in the Town of Warwick, County of Orange, State of New York. As a result of this now submitted alternative plan which incorporates lands in the Town of Warwick the Village Planning Board hereby notifies involved agencies of its Intent to Reestablish its status as Lead Agency for this project.

A copy of the Alternative Plan is attached.

This notification is being sent to involved agencies with the request that you consent to the Village of Warwick Planning Board’s reestablishment of its status as Lead Agency. If, however, you do not agree, you may follow the procedures outlined in 6NYCRR 617.6(b)(5).

If you have any questions you can contact me by telephone at 845-986-2031 ext.7 or via e-mail at [planning@villageofwarwick.org](mailto:planning@villageofwarwick.org).

Sincerely,

Jesse Gallo, Chairman  
Village of Warwick Planning Board

**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project: Village View 28 Lot Cluster Subdivision		
Project Location (describe, and attach a general location map): The Project is located on the corner of Woodside Drive and Locust Street in the Village of Warwick, NY.		
Brief Description of Proposed Action (include purpose or need): Amended cluster subdivision application to reduce the number of dwelling units from a 42 unit mix of single family and two family units, as shown on a previously approved plan known as the Reduced Scale Alternative, to a 28 lot single family clustered subdivision.		
Name of Applicant/Sponsor: Village View Estates, Robert Silber	Telephone: 845-222-1812	E-Mail: silberconstruction@gmail.com
Address: 4 Fosse Court		
City/PO: Airmont	State: NY	Zip Code: 10952
Project Contact (if not same as sponsor; give name and title/role): Kirk Rother PE	Telephone: 845-988-0620	E-Mail: krother@kirkrother.com
Address: 5 Saint Stephens Lane		
City/PO: Warwick	State: NY	Zip Code: 10990
Property Owner (if not same as sponsor): Same as applicant	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Developer's Agreement	
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	V. Warwick: subdivision and site plan approval, T Warwick: drain easement and road connection	
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	O.C.H.D. Water main extension, Realty Subdivision, County Planning GML-239.	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DEC Storm SPDES, Sewer Extension	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	ACOE Wetland	
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>• <b>If Yes</b>, complete sections C, F and G.</li> <li>• <b>If No</b>, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
_____	
_____	
_____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
_____	
_____	
_____	

**C.3. Zoning**

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
R-1 Zoning district
- b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No
- c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? N/A

**C.4. Existing community services.**

- a. In what school district is the project site located? Warwick Valley School District
- b. What police or other public protection forces serve the project site?  
Town of Warwick Police Department, Orange County Sherriff's Office, New York State Police
- c. Which fire protection and emergency medical services serve the project site?  
Village Warwick Fire Department, Warwick Volunteer Ambulance
- d. What parks serve the project site?  
The Lewis Park, Memorial Park, Stanley Deming Park Orange County Warwick Park & Hickory Hill Golf Course.

**D. Project Details**

**D.1. Proposed and Potential Development**

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential
- b. a. Total acreage of the site of the proposed action? 20.3 acres  
b. Total acreage to be physically disturbed? 11.5 +/- acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 99.5 acres
- c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_
- d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
Residential  
ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? 28  
iv. Minimum and maximum proposed lot sizes? Minimum 1/4 ac +/- Maximum 1/2 ac +/-
- e. Will proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: 36 months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase I (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	<u>28</u>	_____	_____	_____
At completion of all phases	<u>28</u>	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,  
 i. Total number of structures \_\_\_\_\_  
 ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length  
 iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,  
 i. Purpose of the impoundment: Strom Water Management  
 ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: Storm water run-off  
 iii. If other than water, identify the type of impounded/contained liquids and their source. N/A  
 iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ TBD million gallons; surface area: \_\_\_\_\_ TBD acres  
 v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ < 6 ft. height; \_\_\_\_\_ TBD length  
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:  
 i. What is the purpose of the excavation or dredging? \_\_\_\_\_  
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  
 • Volume (specify tons or cubic yards): \_\_\_\_\_  
 • Over what duration of time? \_\_\_\_\_  
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. N/A  
 iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres  
 vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres  
 vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet  
 viii. Will the excavation require blasting?  Yes  No  
 ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
N/A

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:  
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will proposed action cause or result in disturbance to bottom sediments?  Yes  No  
If Yes, describe: \_\_\_\_\_

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_  
\_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No  
If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ 12,320+/- gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
If Yes:

- Name of district or service area: Village of Warwick Water Department
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
Extension of water mains internal to site for fire hydrant and individual unit connections
- Source(s) of supply for the district: Existing Municipal Water

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_  
\_\_\_\_\_

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No  
If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 12,320+/- gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_  
Sanitary wastewater from 28 four bedroom residential lots.

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
If Yes:

- Name of wastewater treatment plant to be used: Warwick Sanitary Wastewater Treatment Plant
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

Yes  No  
 Yes  No  
 If Yes:
 

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

 Extension of sewer mains internal to site for individual connections to an off-site sewer main owned and operated by the Village of Warwick

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:
 

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:
 

- i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or 4.1+/- acres (impervious surface)  
 \_\_\_\_\_ Square feet or 20+/- acres (parcel size)
- ii. Describe types of new point sources. Interior access roads. Roof tops, driveways and sidewalks. Playground areas.
- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
On-site storm water management facilities and then discharge to on-site drainage courses.
  - If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
On-Site drainage course is tributary to Stream: Class CT with Index #H -139-13-61-9-21-1
  - Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:
 

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_
- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_
- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:
 

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No
- ii. In addition to emissions as calculated in the application, the project will generate:
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
  - \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No  
 If Yes:  
 i. Estimate methane generation in tons/year (metric): \_\_\_\_\_  
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No  
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No  
 If Yes:  
 i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_  
 ii. For commercial activities only, projected number of semi-trailer truck trips/day: \_\_\_\_\_  
 iii. Parking spaces: Existing 0 Proposed 56 Net increase/decrease + 56  
 iv. Does the proposed action include any shared use parking?  Yes  No  
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:  
Construction of approximately 1,800 LF of new Village roadway.  
 vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No  
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No  
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No  
 If Yes:  
 i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
N/A  
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):  
N/A  
 iii. Will the proposed action require a new, or an upgrade to, an existing substation?  Yes  No

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l. Hours of operation. Answer all items which apply.  
 i. During Construction:  
 • Monday - Friday: 7am to 7pm  
 • Saturday: 7 am to 4 pm  
 • Sunday: not anticipated  
 • Holidays: not anticipated  
 ii. During Operations:  
 • Monday - Friday: 24 hours  
 • Saturday: 24 hours  
 • Sunday: 24 hours  
 • Holidays: 24 hours

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No

If yes:

i. Provide details including sources, time of day and duration:

\_\_\_\_\_

\_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No

Describe: \_\_\_\_\_

\_\_\_\_\_

---

n.. Will the proposed action have outdoor lighting?  Yes  No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
Pole mounted lights. at approximately 16' to 18' in height for street lighting, wall mounted units on individual residential units

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No

Describe: Removal of trees on the interior of site will have open design between houses for a village atmosphere.

\_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

\_\_\_\_\_

---

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No

If Yes:

i. Product(s) to be stored \_\_\_\_\_

ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)

iii. Generally describe proposed storage facilities: \_\_\_\_\_

\_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No

If Yes:

i. Describe proposed treatment(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)
- Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

---

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)

Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

---

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.00 +/-	4.2 +/-	+ 4.2
• Forested	19.35 +/-	7.85	- 11.5
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.00	0.00	0.00
• Agricultural (includes active orchards, field, greenhouse etc.)	0.00	0.00	0.00
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.10 +/-	0.10 +/-	0.00
• Wetlands (freshwater or tidal)	0.85 +/-	0.85 +/-	0.00
• Non-vegetated (bare rock, earth or fill)	0.00	0.00	0.00
• Other Describe: Lawns and Landscaping, Storm water management areas	0.00 +/-	7.3 +/-	+ 7.3

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
St. Anthony Community Hospital, Devon Woods Senior Housing

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
\_\_\_\_\_  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ > 10 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

MdB	39.80 %
MdC	40.35 %
Ab	19.85 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ > 10 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: 95 % of site  
 Poorly Drained: 5 % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: 70 % of site  
 10-15%: 25 % of site  
 15% or greater: 5 % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 855.5-228 INDEX # H-139-13-61-9-21-1 Classification C (T)
- Lakes or Ponds: Name N/A Classification \_\_\_\_\_
- Wetlands: Name Un-Named Federal waters Approximate Size 0.85 acres
- Wetland No. (if regulated by DEC) N/A

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 n/a

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100 year Floodplain?  Yes  No

k. Is the project site in the 500 year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: Sole Source Aquifer : Northwest NJ Basin SSA

m. Identify the predominant wildlife species that occupy or use the project site:		
Deer _____	Squirrel _____	Song Birds _____
Raccoon _____	Fox _____	Rabbit _____
Groundhog _____		
n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If Yes:		
i. Describe the habitat/community (composition, function, and basis for designation): _____		
ii. Source(s) of description or evaluation: _____		
iii. Extent of community/habitat:		
• Currently: _____ acres		
• Following completion of project as proposed: _____ acres		
• Gain or loss (indicate + or -): _____ acres		
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>		
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If yes, give a brief description of how the proposed action may affect that use: _____		
<b>E.3. Designated Public Resources On or Near Project Site</b>		
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If Yes, provide county plus district name/number: _____		
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
i. If Yes: acreage(s) on project site? _____		
ii. Source(s) of soil rating(s): _____		
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If Yes:		
i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature		
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____		
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If Yes:		
i. CEA name: _____		
ii. Basis for designation: _____		
iii. Designating agency and date: _____		

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: i. Describe possible resource(s): <u>None</u> ii. Basis for identification: <u>Phase 1A/1B analysis</u>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: i. Identify resource: <u>Appalachian Trail</u> ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Historic Trail</u> iii. Distance between project and resource: _____ <u>4.2 miles.</u>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

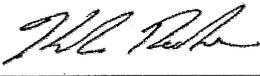
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Robert Silber c/o Kirk Rother Date 03/29/2002

Signature  Title Engineer



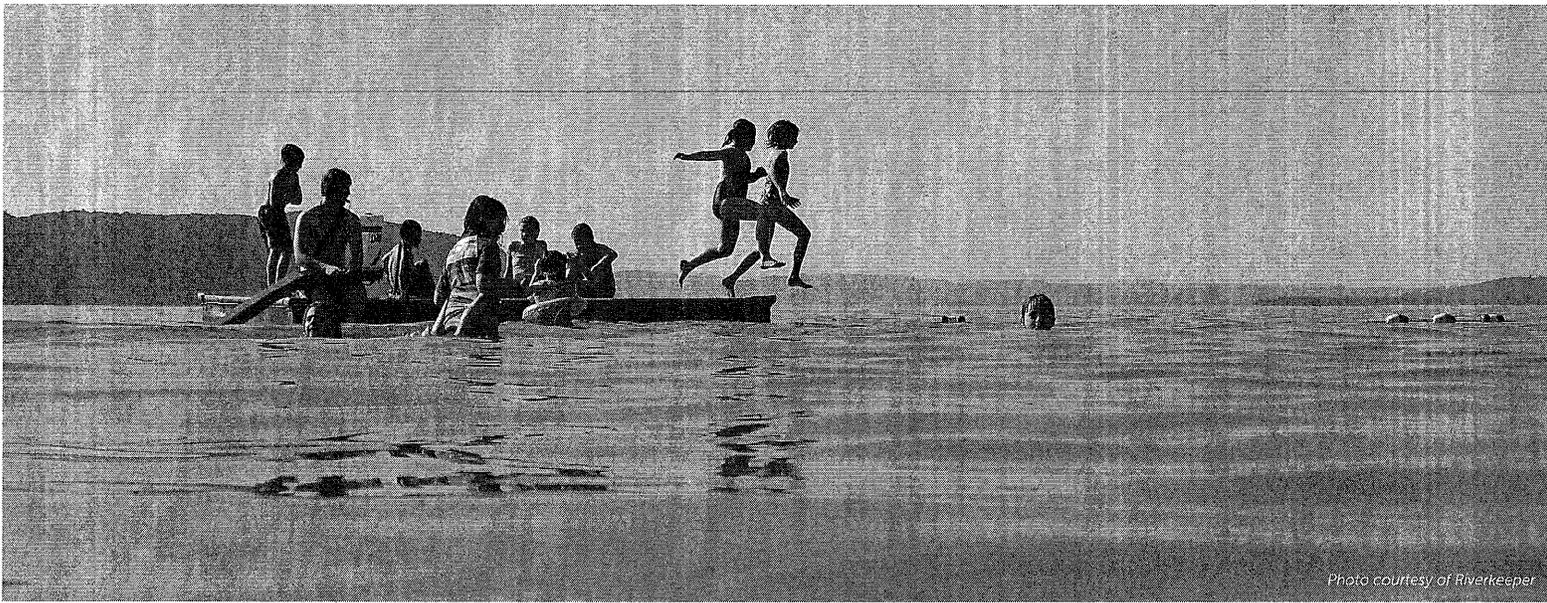


Photo courtesy of Riverkeeper

# New York-New Jersey Watershed Protection Act (H.R. 4677)

A watershed moment for 15 million people — and all Americans

## **BENEFITS + IMPACTS:**

- Direct the Secretary of the Interior to **enhance collaboration and coordinate restoration activities** at all levels of government.
- Establish a program to **coordinate restoration and award grants** to help fund approved plans and restoration projects in local communities.
- Ensure that restoration efforts utilize **science-based principles** to protect fish and wildlife habitats, improve water quality, increase public access to the estuary, mitigate flood risks, and develop public outreach and educational activities.
- **Authorize \$50 million annually** through fiscal year 2026 to accomplish these goals.

The NY-NJ Harbor and the watersheds of New York and New Jersey that flow into this national resource provide enormous economic and environmental benefits not just to the region but the entire nation.

Along with supplying the country's most densely populated region with **clean water**, they host some of the **busiest U.S. ports**, provide opportunities for **tourism and outdoor recreation** that attract people from around the world and improve **public health**, sustain **significant fisheries and critical wildlife habitat**, and protect **businesses and vital infrastructure** from flooding and rising sea levels.

These waterways **play a critical role in enhancing Americans' quality of life, health and prosperity**, and in restoring communities disproportionately impacted by climate change. Local partnerships are strong and regional priorities have been established through several science-based and consensus-driven plans to manage these natural resources. Federal leadership and resources will strengthen these partnerships and deliver on-the-ground public benefits across local jurisdictions.

The **New York-New Jersey Watershed Protection Act** also would make the federal government a stronger partner in protecting and restoring the watersheds that flow into New York-New Jersey Harbor (including the Hudson, Mohawk, Raritan, Passaic, Hackensack and Bronx River watersheds), investing in on-the-ground projects that will improve **accessibility, habitat, climate resiliency and economic opportunity** for the 15 million Americans living near them—and for all Americans.

**It's time to turn the tide** and rebuild this valuable and ecologically vital system of watersheds, ensuring it can serve as a resource to local communities — and the entire nation — for many years to come.

The New York-New Jersey Watershed Act is supported by:

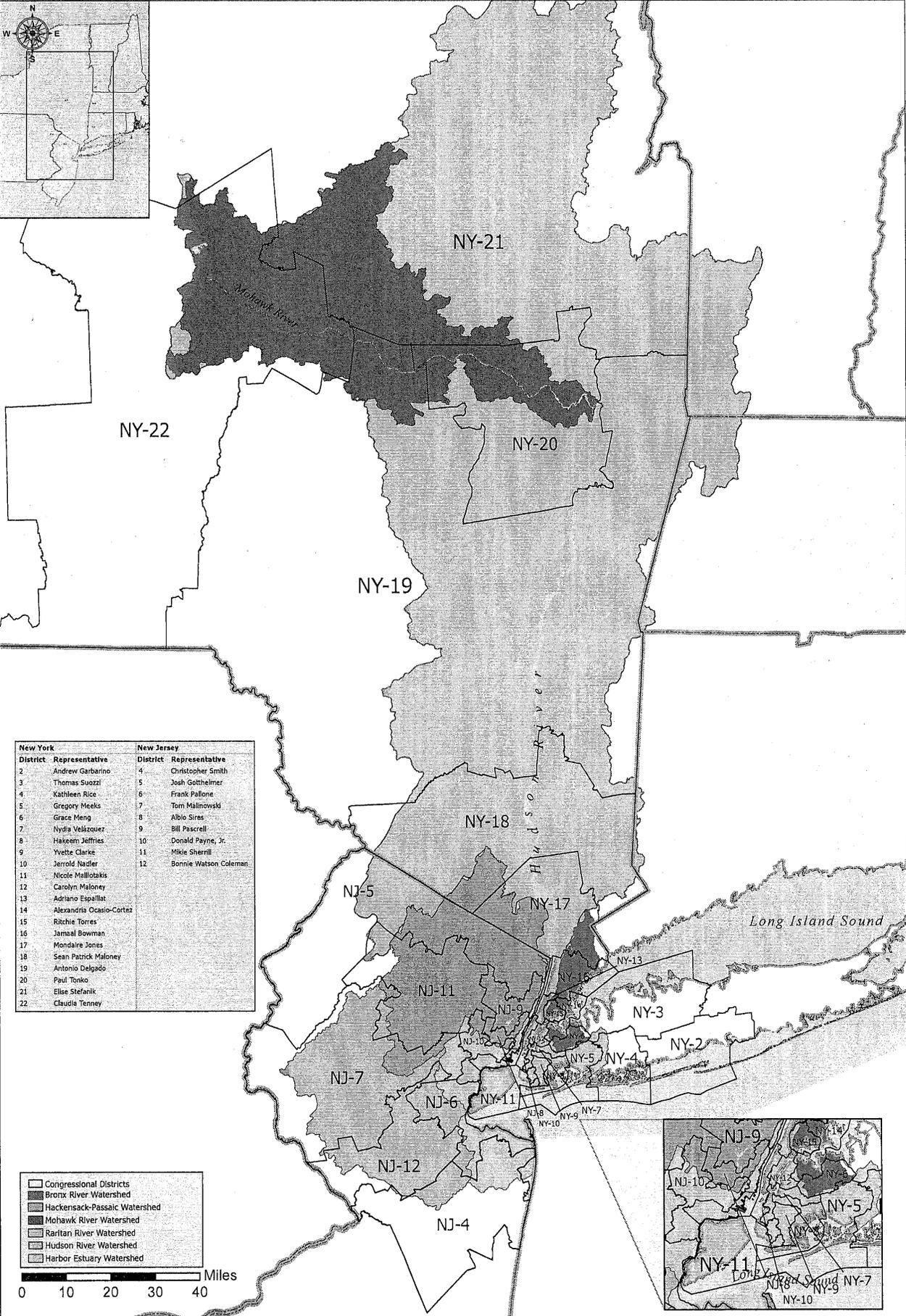
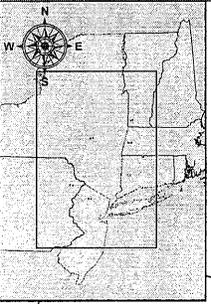


*This document was prepared by Scenic Hudson for groups supporting the NY-NJ Watershed Protection Act.*



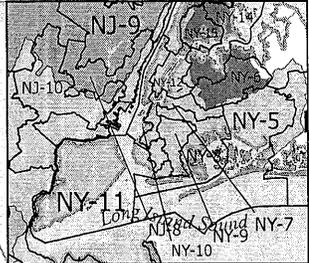
# NY/NJ Watershed Congressional Districts

December 2021



New York		New Jersey	
District	Representative	District	Representative
2	Andrew Garbarino	4	Christopher Smith
3	Thomas Suozzi	5	Josh Gottheimer
4	Kathleen Rice	6	Frank Pallone
5	Gregory Meeks	7	Tom Malinowski
6	Grace Meng	8	Albio Sires
7	Nydia Velázquez	9	Bill Pascrell
8	Hakeem Jeffries	10	Donald Payne, Jr.
9	Yvette Clarke	11	Mikie Sherrill
10	Jerrold Nadler	12	Bonnie Watson Coleman
11	Nicole Mallotakis		
12	Carolyn Maloney		
13	Adriano Espaillat		
14	Alexandria Ocasio-Cortez		
15	Ritchie Torres		
16	Jamaal Bowman		
17	Mondaire Jones		
18	Sean Patrick Maloney		
19	Antonio Delgado		
20	Paul Tonko		
21	Elise Stefanik		
22	Claudia Tenney		

Congressional Districts  
 Bronx River Watershed  
 Hackensack-Passaic Watershed  
 Mohawk River Watershed  
 Raritan River Watershed  
 Hudson River Watershed  
 Harbor Estuary Watershed



## OFFICE OF THE COMMISSIONER

New York State Department of Environmental Conservation  
625 Broadway, 14th Floor, Albany, New York 12233-1010  
P: (518) 402-8545 | F: (518) 402-8541  
www.dec.ny.gov

Testimony of Basil Seggos  
Commissioner, New York State Department of Environmental Conservation  
Regarding H.R. 4677  
Before the  
Subcommittee on Waters, Oceans and Wildlife  
United States House of Representatives  
January 20, 2022

Chair Huffman, Ranking Member Bentz, and Members of the Subcommittee:

Thank you for convening this hearing to discuss H.R. 4677, the New York/New Jersey Watershed Protection Act. If enacted, this legislation will provide critical federal support to address the restoration and protection of the Hudson-Passaic-Mohawk River and watershed system, which stretches from upstate New York to northern New Jersey and includes the New York/New Jersey Harbor. As Commissioner of the New York State Department of Environmental Conservation (DEC), I am pleased to provide the following testimony in support of this legislation that would enhance ongoing state and local efforts to safeguard this national treasure.

### Overview; Rationale for H.R. 4677

Extending from the Verrazano Narrows and including the Passaic, Hackensack and Mohawk Rivers, the Hudson watershed is a rich, diverse, and productive ecosystem, despite enormous damage from legacy contaminants, massive physical alterations, invasive species, wetland loss, combined sewage overflows and polluted runoff. More than 14 million people live in the counties encompassing the Hudson watershed's core waters. The Mohawk River, the largest tributary to the Hudson, makes up roughly 25 percent of the Hudson River drainage area. The connectivity of these watersheds makes them an important regional system affecting both New York and New Jersey residents and businesses. The system was also integral to our nation's history and development, and its rich biodiversity is critically important to many aquatic and terrestrial species.

In fact, as the New York/New Jersey Harbor and Estuary Program and the Hudson River Foundation stated in *The State of the Hudson 2020*,

*The estuary is a unique and highly productive ecosystem that is habitat for a wide variety of fish and wildlife, including some that have provided economic benefit to people for centuries and others that provide inspiration and ecological benefit. In particular, the estuary enables a rich biodiversity of migratory fish—shad, striped bass, sturgeon, and herring—that spawn in the estuary and then spend much of their life in the ocean. Blue crab, a migratory crustacean, and resident fish such as bass and perch are also highly valued. Bald eagles, diamondback terrapin, herons and ducks are just some of the rich wildlife resources of the estuary. All of these species depend on the chemical, physical, and biological characteristics of the estuary, including a complex food web of plants and animals, as well as habitats.*



Department of  
Environmental  
Conservation

Federal and state entities such as the New York-New Jersey Harbor and Estuary Program (HEP), and New York's Hudson River Estuary Program and Mohawk River Basin Program, operated through DEC, are providing valuable science-based guidance on opportunities for the restoration and preservation of these watersheds and their natural and cultural resources. However, given the national importance of the Hudson/Mohawk/Passaic system, sustainable federal funding is necessary to ensure the system's effective future use and protection.

H.R. 4677 creates a collaborative, consultative partnership to protect this important watershed by encouraging federal agencies to work in consultation with key stakeholders, including representatives of state and local governments, academic institutions, and regional and non-profit organizations, as appropriate, to identify, prioritize, and implement restoration and protection activities within the Hudson watershed. This process would draw on existing management plans including the HEP Action Agenda, Hudson Raritan Comprehensive Restoration Plan, Hudson River Comprehensive Restoration Plan, Hudson River Estuary Program Action Agenda, Mohawk River Action Agenda, Sustainable Raritan River Initiative Action Plan, and the New Jersey Sports and Exhibition Authority Meadowlands Restoration Plan, as well as other critical conservation plans and assessments in the region that will help advance the bill's conservation goals.

The \$50 million annual appropriation authorized by H.R. 4677 will provide substantial support, and a federal perspective, to on-going efforts to protect the Hudson-Mohawk-Raritan watershed. It's important to note that the funds will be used to support locally-driven efforts, which, in DEC's experience, are critical to ensuring that the projects have citizen support. The H.R. 4677 funded projects will effectively restore ecosystems and enhance flood resiliency and align with the Biden Administration's important goals, such as Justice 40 and 30x30. This approach parallels the Delaware River Basin Conservation Act (DRBC Act), which President Obama signed in 2016, and which annually provides grants through the National Fish and Wildlife Foundation to serve the needs of both local communities and natural resources. Senator Tom Carper (D-DE) has noted that the DRBC Act "is supporting important efforts to keep this critical resource vibrant for years to come," and I am confident that the New York/New Jersey Watershed Protection Act will have a similar benefit for this crucial, populous and historic watershed.

#### Documentation of the Need to Enact H.R. 4677

In 2018, "The Hudson We Share," a consortium of state and federal agencies, not-for-profit organizations, and academic institutions, advised that, "(d)espite recent improvements to the Hudson River water quality, cumulative effects of expanding populations, industry and transportation projects have taken their toll on the estuary's habitats and ecological processes, and reduce the river's potential to support life." This statement encapsulates why the enactment of H.R. 4677 is so vital to the restoration of this region.

Similar collaborative efforts have articulated the importance of restoring the Mohawk River watershed. The 2015 Mohawk River Watershed Coalition Report found that the implementation of Best Management Practices would assist in protecting the watershed from agricultural and industrial pollution, enhance flood resiliency in this highly flood-prone region, and improve the function of water resources and fish and wildlife habitats.

In 2019, the New York Historical Society displayed an exhibit, "Hudson Rising," to showcase 200 years of "ecological change and environmental activism along 'the most interesting river in America.'" This display, now an educational curriculum, documents the centuries of ecological change along the Hudson River, which has been shaped by Revolutionary War battles, industrialization, and population expansion. New Yorkers do not forget the Hudson River's immense importance to the shaping of our nation, nor its contributions to the country's environmental conservation efforts. Indeed, the "Battle for Storm King" is universally recognized

as the legal precedent that established the modern environmental movement, first in New York State and subsequently across the U.S. Storm King became the basis for President Johnson's call to "end the poisoning of our rivers and the air we breathe" and create a "green legacy," as well as the legal underpinning for the National Environmental Policy Act.

The Mohawk River is also positioned uniquely in American history. Named for the Mohawk Nation of the Iroquois Confederacy, the Mohawk River was first a highway for the Mohawk people and later, through the creation of the Erie Canal, provided waterborne transport enabling western migration and spurring economic development. It also was strategically important in both the French and Indian War and the Revolutionary War. As the Hudson played a critical role in modern environmental protections, the Mohawk was vital to the nation's growth. Recognizing the damage past generations of Americans wrought through development and colonization, HR 4677 appropriately advances environmental justice.

The history and use of these rivers, and their watershed as a whole, has left a problematic legacy. As noted by *The Hudson We Share*:

*Habitats have been altered or destroyed by dredging, filling and sediment contamination. Shorelines and wetlands have been altered, relocated and eliminated completely. River flow has been directed to a single channel between Catskill and Troy, and over a third of the surface area of the river in this same reach was filled with sediments dredged from the federal navigation channel. Invasive and exotic species have been introduced, and water quality has been degraded.*

*As a result populations of numerous native fish, wildlife and plant species have declined, and several have been listed as threatened or endangered. Hundreds of dams have been built in tributaries leading to the Hudson, preventing migratory fish movement and degrading water quality. Water and sediments have been contaminated with toxins, and invasive plant and animal species have taken up residence in the estuary.*

*While we cannot restore the river to its original condition, we can take action to improve and restore remaining habitats, while also continuing the Hudson's current function as a navigable river and a transportation corridor.*

While benefiting many, development of these rivers and adjacent lands has resulted in environmental degradation and contamination. Flooding, sewer overflows, and harmful algal blooms pose serious potential risks to human health and public safety. Loss of industries has led to poverty for many communities in this region. Wildlife has suffered, as well. DEC's State Wildlife Action Plan (SWAP) identified myriad risks to terrestrial and aquatic species across the state, including those in the Hudson/Mohawk region. Threats from invasive species are also noted in the SWAP, and it is essential to remember that through the Port of New York and New Jersey, the Hudson/Mohawk system is a pathway for aquatic invasives to potentially become established in the Great Lakes/Mississippi River system, as well as Lake Champlain. The need to block pathways for invasive species is a priority for New York, and an objective we cannot achieve without the assistance of our federal partners. HR 4667 provides an important means to address this serious ecological and economic threat.

#### Climate Change and Environmental Justice in the Hudson/Mohawk Watershed

Two key issues must be highlighted in efforts to protect the Mohawk/Hudson watershed: climate change and environmental justice, which are two fundamental priorities of Governor Kathy Hochul and DEC.

Climate change has had dramatic impacts on this region. We saw this play out just last year through the unprecedented devastation caused by Hurricane Ida, which produced more than \$140 million in damages in New York alone. This same region of New York was devastated by Superstorm Sandy in 2012, highlighting current vulnerabilities and the need for sustained and coordinated action from all levels of government.

Devising methods to bolster flood resiliency, while enhancing natural ecologies, is a key focus of planning efforts throughout the Hudson/Mohawk/Passaic watershed. Mohawk River flooding has been a historic problem and DEC works closely with the U.S. Army Corps of Engineers (USACE), Natural Resources Conservation Service, and local communities to improve resiliency to flooding and severe weather. For Hudson River communities, Superstorm Sandy illustrated the extent and severity of coastal storm risks as our climate continues to change. The USACE Harbor and Tributaries Study, along with many ongoing projects, offer opportunities to protect the public. But more research is needed as we advance efforts to address flooding through nature-based solutions such as wetlands and streambank restoration and other green alternatives that are designed to provide significant protection at lower cost than traditional concrete and steel infrastructure. Nature-based solutions, which have substantial benefits for natural resources and our communities, are specifically supported in H.R. 4677.

In New York, action to address climate change is underway as the State works to implement the Climate Leadership and Community Protection Act (CLCPA). Among its many features, this holistic law requires the state to address Environmental Justice issues through the development and implementation of the Disadvantaged Communities Barriers and Opportunities Report. The Barriers Report, issued in December 2021, will help New York State better understand barriers to renewable energy solutions for some communities, often the same communities historically and disproportionately impacted by climate change and environmental pollution.

This is the challenge that we face – not just in New York but also across the United States and around the globe – how best to protect those most vulnerable to the devastating, life-threatening impacts of climate change. For the Hudson watershed, H.R. 4677 is an effective, necessary means to address this critical issue.

#### Drinking Water Issues for the Hudson/Mohawk Watershed

The Hudson watershed also provides drinking water to more than 10 million New Yorkers, including New York City, the largest unfiltered drinking water supply in the world. It provides approximately 1.2 billion gallons of high-quality drinking water to nearly one-half of New York State's population every day. DEC, New York City municipal officials, and many other partners work in close collaboration to ensure the safety of this drinking water supply.

Working with the U.S. Geological Survey, efforts are underway to assess impairments of Mohawk River water quality so that constructive actions can be taken to ensure high-quality drinking water for all users. From New York's perspective, we appreciate that H.R. 4677 acknowledges and provides means to address this issue.

#### Ongoing Projects in the Hudson/Mohawk Region

It is important to emphasize that New York and its communities are not simply waiting for federal assistance. We recognize the threats to the Hudson/Mohawk system and are acting to address these threats. We also appreciate the federal support and assistance that we have received to date. However, we believe that enactment of HR 4677 is a necessary catalyst to protect this heavily populated and historically significant region, and, as noted, actions to protect

the Hudson/Mohawk region benefit the nation by boosting the economy and helping to prevent the spread of invasive species.

New York is continuing to make significant investments in projects, which are addressing combined sewer overflows, flooding, and habitat restoration, while also providing opportunities for economic development. These state investments would be leveraged greatly with enactment of H.R. 4677, and we would be happy to provide the Committee with an accounting of the projects underway currently that would be expanded with enactment of this legislation.

#### Conclusion

Through HR 4677's provisions, I am confident that New York will be able to significantly expand upon water quality, flood resilience and ecosystem restoration efforts, particularly in Environmental Justice communities, to protect and restore our natural resources, reduce flooding risks, and ensure water quality. I applaud Congressman Tonko for introducing this important legislation and the members of the New York Congressional Delegation – led by Congresswoman Velazquez – for their support of his efforts. DEC looks forward to working with our federal, local, and New Jersey partners to implement this bill.

On behalf of Governor Hochul, thank you for providing New York with the opportunity to submit testimony in support of this bill.

# TOWN OF BETHLEHEM

*Albany County - New York*

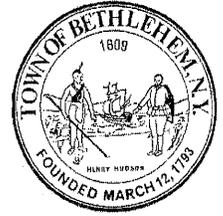
## OFFICE OF THE SUPERVISOR

445 DELAWARE AVENUE

DELMAR, NEW YORK 12054

(518) 439-4955 x1164

Email: [DVanLuven@townofbethlehem.org](mailto:DVanLuven@townofbethlehem.org)



*David VanLuven*  
*Town Supervisor*

March 2, 2022

### **STATEMENT OF SUPPORT for the NY/NJ Watershed Protection Act**

The Town of Bethlehem, NY strongly supports the proposed NY-NJ Watershed Protection Act.

Protecting our region's exceptional natural resources, robust economy, and quality of life requires active investment in conservation and restoration actions. And these actions need to be taken at the local level where they will deliver tangible, measurable results.

The Town of Bethlehem has a long and deep connection to the river and the watershed that supports it. We are actively advancing the strategic development of green-energy industries that depend upon port facilities, are working with landowners to protect vital greenspaces, are working to ensure that our drinking water supplies and wastewater treatment facilities are resilient against climate change, and much more.

The NY-NJ Watershed Protection Act would provide federal funds to further our work in Bethlehem and in communities throughout the Hudson River Watershed. Importantly, it would deliver these funds in close partnership with the NYS Department of Environmental Conservation's Hudson River Estuary Program – a program that is a model of state government at its very best because it advances real actions.

The NY-NJ Watershed Protection Act has been years in the making, and it could deliver generations of benefits. The Town of Bethlehem therefore strongly supports passage of this vital and visionary legislation.

Best regards,

A handwritten signature in black ink, appearing to read "David VanLuven", is written over a circular stamp or seal.

David VanLuven  
Town Supervisor

77 Main Street  
Post Office Box 369  
Warwick, NY 10990  
www.villageofwarwick.org



(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

**VILLAGE OF WARWICK**  
INCORPORATED 1867

**Facility Use Request Form**  
**For Gatherings of Less Than 200 People**

ONLY USE THIS FORM IF YOUR EVENT WILL HAVE 200 PEOPLE OR LESS

Date Request Submitted: April 15, 2022

Title of Event: Warwick Fire Department Family Picnic

Purpose of Event: Family Picnic for members and immediate family

**SECTION 1: REQUESTED VILLAGE-OWNED PROPERTY**

Railroad Green       Stanley-Deming Park       Lewis Woodlands

Veterans Memorial Park       Veterans Memorial Park Pavilion

*\*Please use the attached map to indicate the specific area(s) to be used within each park.*

Village of Warwick Parking Lots - check all that apply:

South Street Lot     1<sup>st</sup> Street Lot     Chase Lot (non-permit only)  
 Spring Street Lot     Wheeler & Spring St. Lot     Upper CVS Lot     Lower CVS Lot

Village of Warwick Streets: \_\_\_\_\_

**SECTION 2: DATE AND TIME REQUESTED**

Date(s) Requested: July 30, 2022      Rain Date Requested: \_\_\_\_\_

Arrival Time: 8 AM      Departure Time: 9 PM

Event Start Time: NOON      Event End Time: 8 PM

**SECTION 3: APPLICANT INFORMATION**

Check one:  Non-Profit Organization     Commercial/Business Organization     Family

*\*For-profit activities are prohibited.*

Applicant's Name/Responsible Party: deborah schweikart

*\*Person of responsibility representing the organization must be a Town of Warwick resident.*

Mailing Address of Responsible Party: 72 Southern Lane, Warwick, NY 10990

Email Address: warwickfire150@gmail.com Cell Phone: 845-494-3810

Proof of Town of Warwick Residency of Responsible Party:  Driver's License  Utility Bill

Name of Organization (if Applicable): Warwick Fire Department

Name of Organization's Director(s)/Officer(s): Melissa Stevens, President deborah schweikart, scty

Organization's Phone: 845-986-fire Email Address: warwickfire150@gmail.com

Mailing Address of Organization: PO Box 31  
Warwick, NY 10990

Physical Address of Organization: 25 Church St Ext, Warwick, NY 10990

**SECTION 4: EVENT INFORMATION**

Maximum Number of People Intended at the Event: 150

*\* If greater than 200 people, at any given time DO NOT complete this form. See instructions.*

# of Adults: \_\_\_\_\_ # of People Under 18: \_\_\_\_\_

Expected Number of Vehicles Intended at the Event: 25

Please explain the parking plan for the event: We will be parking vehicles on the grass by the pavillion

**WILL YOUR EVENT INCLUDE:**

**CHECK YES OR NO**

<b>Greater than 200 people at any given time</b> <i>If yes, DO NOT complete this form. Please complete form: FACILITY USE PERMIT APPLICATION FOR GATHERINGS GREATER THAN 200 PEOPLE</i>	Yes _____ No _____
<b>Music / Loudspeakers / Sound System</b> <i>If yes, explain: _____</i> <i>Location of Music/Loud Speakers/ Sounds System: _____</i>	Yes <u>X</u> No _____
<b>Parade, walk, road race, etc.</b> <i>Request must include in writing a clear layout of the intended route AND a letter from the Warwick Police Department approving the route and police resources.</i>	Yes _____ No _____
<b>Tent(s)</b> <i>Include a map detailing the placement of the tent(s).</i> <i>Date &amp; time tent will be set up: _____</i> <i>Date &amp; time tent will be removed: _____</i>	Yes _____ No _____

<b>RVs, Campers, Food Trucks, etc.</b> <i>If yes, explain:</i> _____	Yes ____ No ____
<b>Admission Fee to Be Charged</b> <i>If yes, please list the admission fee:</i> _____	Yes ____ No ____
<b>Alcohol</b> <i>Host Liquor Liability Insurance is required.</i>	Yes <input checked="" type="checkbox"/> No ____
<b>Food will be served or sold</b> <i>If yes, explain the method of food distribution and disposal of trash:</i> We are having a catered picnic and we will take care of the trash _____  <i>*A permit is required from the Orange County Department of Health when offering or selling any food to the public. It is the applicant's responsibility to contact the Orange County Department of Health to obtain necessary permits. Contact the Orange County Department of Health for further information.</i> <i>*Applicants must provide a drawing to scale showing where the food will be served/sold and where trash will be disposed.</i>	Yes <input checked="" type="checkbox"/> No ____
<b>Rides: Mechanical Carnival Rides, Bounce House, Inflatable Slide, etc.</b> <i>If yes, explain:</i> We will have inflatables for the families at the picnic _____ <i>Additional contract(s) and/or insurance is required.</i>	Yes <input checked="" type="checkbox"/> No ____
<b>Portable Toilets</b> <i>Placement of portable toilets must be detailed on the map that is required with the application.</i>	Yes ____ No ____
<b>Other</b> <i>Please explain:</i> _____	Yes ____ No ____

**SPECIAL REQUESTS:**

**CHECK YES OR NO**

<b>Road Closure</b> <i>List road(s):</i> _____ <i>Closed between the hours of</i> _____ <i>and</i> _____ <i>Number of 'No Parking' meter bags requested, if applicable:</i> _____	Yes ____ No ____
<b>Use of Village-owned tables and chairs</b> <i>Veterans Memorial Park Pavilion Only. No. of Tables</i> <sup>ALL</sup> ____ <i>No. of Chairs</i> <sup>ALL</sup> ____	Yes <input checked="" type="checkbox"/> No ____
<b>Use of Electricity</b>	Yes ____ No ____
<b>Use of Memorial Park Football/Over 35 Field Lights</b> <i>Additional fee required for use of field lights.</i>	Yes ____ No ____
<b>Use of Memorial Park Pavilion Lights</b>	Yes ____ No ____

<b>Use of Village of Warwick Restrooms</b> <i>Memorial Park and Stanley Deming Park only.</i>	Yes <u>X</u> No <u>      </u>
<b>Other</b> <i>Please explain: _____</i>	Yes <u>      </u> No <u>      </u>

**SECTION 5: FEES/SECURITY DEPOSIT**

*Fees and Security Deposit are Due Upon Application / Checks payable to: The Village of Warwick*

- \$200 Security Deposit - *(Must be a Separate Payment)*
- Memorial Park Football/Over 35 Field Lights (circle one) - \$10 per day or \$300 per season

**TOTAL FEES:** \$ \_\_\_\_\_ (excluding security deposit)

**SECTION 6: INDEMNITY & HOLD HARMLESS**

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the Village of Warwick for the use and care of the facilities. He/she, on behalf of Warwick Fire Department (Name of Organization) does hereby covenant and agree to defend, indemnify and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of Village's property, facilities and/or services by \_\_\_\_\_ Warwick Fire Department (Name Organization).

Deborah Schweikart

Printed Name of Applicant/Responsible Party

*Deborah Schweikart*

Signature of Applicant/Responsible Party

4-15-22

Date

**Clerk Use Only:** Security Deposit Check # \_\_\_\_\_ Certificate of Insurance ✓ Host Liquor Liability ✓  
 Fees Received NA Park Map(s) ✓ Police Dept. Approval (if applicable) NA

Permit Holder. Applicants are urged to bring extra plastic garbage bags to facilitate cleanup.

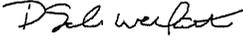
17. Any organization with youths under 18 years old requires the presence of adequate adult supervision at all times.
18. Supervision and parking are the responsibility of the applicant organization/individual.
19. Permits may be revoked at any time.
20. All posted rules must be adhered to.
21. No field or building alterations (lining of fields, erecting goal posts or structures, etc.) are allowed without prior approval.
22. The emergency telephone number for police is 911 or 986-5000; fire and ambulance 911.
23. Prior to the start of the event, an announcement should be made to your group regarding emergency evacuation procedures, for example pointing out posted procedures, direction for exiting, procedures for emergency helicopter landing, etc. Need pamphlet to hand out to applicants.
24. In the event of an accident, please notify the Village Clerk at (845) 986-2031 before the end of the next business day.
25. The Village of Warwick does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

### INDEMNITY & HOLD HARMLESS

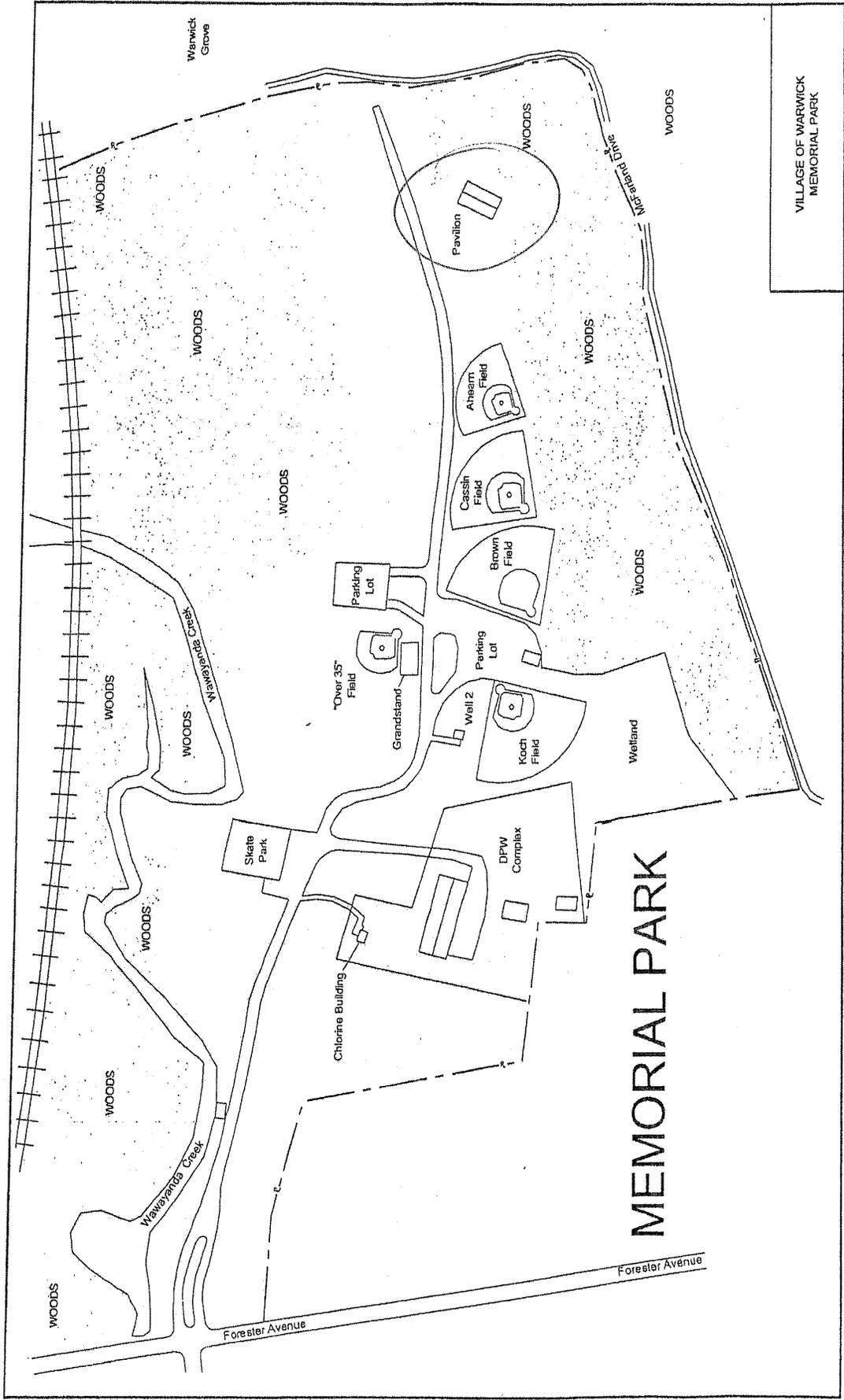
**FACILITY USER** does hereby covenant and agree to defend, indemnify, and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of the Village of Warwick property, facilities and/or services.

I have read and understand the Facilities Use Requirements:

Deborah Schweikart  
Printed Name of Applicant/Responsible Party

  
Signature of Applicant/Responsible Party

Date April 18, 2022



VILLAGE OF WARWICK  
MEMORIAL PARK

# MEMORIAL PARK

Forester Avenue

Forester Avenue

2nd Public Stn.

Warwick Grove

WOODS

Chlorine Building

DPW Complex

Grandstand

Over 35 Field

Well 2

Koch Field

Brown Field

Casin Field

Ahearn Field

Pavilion

Parking Lot

Parking Lot

Skate Park

Wauwataung Creek

Wauwataung Creek



77 Main Street  
Post Office Box 369  
Warwick, NY 10990  
www.villageofwarwick.org



(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

# VILLAGE OF WARWICK

INCORPORATED 1867

## Facility Use Request Form For Gatherings of Less Than 200 People

ONLY USE THIS FORM IF YOUR EVENT WILL HAVE 200 PEOPLE OR LESS

Date Request Submitted: 3-14-22

Title of Event: Troop 38 Plant Sale

Purpose of Event: Fundraise for boyscout Troop 38

### SECTION 1: REQUESTED VILLAGE-OWNED PROPERTY

Railroad Green       Stanley-Deming Park       Lewis Woodlands

Veterans Memorial Park       Veterans Memorial Park Pavilion

*\*Please use the attached map to indicate the specific area(s) to be used within each park.*

Village of Warwick Parking Lots - check all that apply:

South Street Lot     1<sup>st</sup> Street Lot     Chase Lot (non-permit only)  
 Spring Street Lot     Wheeler & Spring St. Lot     Upper CVS Lot     Lower CVS Lot

Village of Warwick Streets: \_\_\_\_\_

### SECTION 2: DATE AND TIME REQUESTED

Date(s) Requested: Sat. 5/7/22      Rain Date Requested: \_\_\_\_\_

Arrival Time: 8 AM      Departure Time: 5 PM

Event Start Time: 8:30      Event End Time: 4:30

### SECTION 3: APPLICANT INFORMATION

Check one:  Non-Profit Organization     Commercial/Business Organization     Family

*\*For-profit activities are prohibited.*

Applicant's Name/Responsible Party: Ingrid Lucas - Town Resident

*\*Person of responsibility representing the organization must be a Town of Warwick resident.*

*Responsible party,  
BSA GHV Council  
Scout Executive,  
Richard Stockton*



Mailing Address of Responsible Party: 16 Weldon Way Warwick, NY

Email Address: ingridrlucas@gmail.com Cell Phone: 845 325 3133

Proof of Town of Warwick Residency of Responsible Party:  Driver's License  Utility Bill

Name of Organization (if Applicable): BSA, Greater Hudson Valley Council

Name of Organization's Director(s)/Officer(s): Richard Staekton, Scout Executive

Organization's Phone: 845-566-7300 Email Address: GHV.Service@Scouting.org

Mailing Address of Organization: PO Box 974, Mohegan Lake, NY 10547

Physical Address of Organization: 22 Camp Nooteening Rd, Salt Point NY

**SECTION 4: EVENT INFORMATION**

Maximum Number of People Intended at the Event: 5 at each table

*\* If greater than 200 people, at any given time DO NOT complete this form. See instructions.*

# of Adults: (2 per table) 4 in total # of People Under 18: 6-8

Expected Number of Vehicles Intended at the Event: 2

Please explain the parking plan for the event: MA drop off table & flowers

WILL YOUR EVENT INCLUDE:	CHECK YES OR NO
<b>Greater than 200 people at any given time</b> <i>If yes, DO NOT complete this form. Please complete form: FACILITY USE PERMIT APPLICATION FOR GATHERINGS GREATER THAN 200 PEOPLE</i>	Yes ___ No <u>X</u>
<b>Music / Loudspeakers / Sound System</b> <i>If yes, explain:</i> _____ <i>Location of Music/Loud Speakers/ Sounds System:</i> _____	Yes ___ No <u>X</u>
<b>Parade, walk, road race, etc.</b> <i>Request must include in writing a clear layout of the intended route AND a letter from the Warwick Police Department approving the route and police resources.</i>	Yes ___ No <u>X</u>
<b>Tent(s)</b> <i>Include a map detailing the placement of the tent(s).</i> <i>Date &amp; time tent will be set up:</i> _____ <i>Date &amp; time tent will be removed:</i> _____	Yes ___ No <u>X</u>



<b>RVs, Campers, Food Trucks, etc.</b> If yes, explain: _____	Yes ___ No <input checked="" type="checkbox"/>
<b>Admission Fee to Be Charged</b> If yes, please list the admission fee: _____	Yes ___ No <input checked="" type="checkbox"/>
<b>Alcohol</b> Host Liquor Liability Insurance is required.	Yes ___ No <input checked="" type="checkbox"/>
<b>Food will be served or sold</b> If yes, explain the method of food distribution and disposal of trash: _____ _____ *A permit is required from the Orange County Department of Health when offering or selling any food to the public. It is the applicant's responsibility to contact the Orange County Department of Health to obtain necessary permits. Contact the Orange County Department of Health for further information. *Applicants must provide a drawing to scale showing where the food will be served/sold and where trash will be disposed.	Yes ___ No <input checked="" type="checkbox"/>
<b>Rides: Mechanical Carnival Rides, Bounce House, Inflatable Slide, etc.</b> If yes, explain: _____ Additional contract(s) and/or insurance is required.	Yes ___ No <input checked="" type="checkbox"/>
<b>Portable Toilets</b> Placement of portable toilets must be detailed on the map that is required with the application.	Yes ___ No <input checked="" type="checkbox"/>
<b>Other</b> Please explain: <u>table with flowers</u>	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>

**SPECIAL REQUESTS:**

**CHECK YES OR NO**

<b>Road Closure</b> List road(s): _____ Closed between the hours of _____ and _____ Number of 'No Parking' meter bags requested, if applicable: _____	Yes ___ No <input checked="" type="checkbox"/>
<b>Use of Village-owned tables and chairs</b> Veterans Memorial Park Pavilion Only. No. of Tables _____ No. of Chairs _____	Yes ___ No <input checked="" type="checkbox"/>
<b>Use of Electricity</b>	Yes ___ No <input checked="" type="checkbox"/>
<b>Use of Memorial Park Football/Over 35 Field Lights</b> Additional fee required for use of field lights.	Yes ___ No <input checked="" type="checkbox"/>
<b>Use of Memorial Park Pavilion Lights</b>	Yes ___ No <input checked="" type="checkbox"/>



Use of Village of Warwick Restrooms Memorial Park and Stanley Deming Park only.	Yes _____ No <u>X</u>
Other Please explain: _____	Yes _____ No <u>X</u>

**SECTION 5: FEES/SECURITY DEPOSIT**

Fees and Security Deposit are Due Upon Application / Checks payable to: The Village of Warwick

- \$200 Security Deposit - (Must be a Separate Payment)
- Memorial Park Football/Over 35 Field Lights (circle one) - \$10 per day or \$300 per season

TOTAL FEES: \$ \_\_\_\_\_ (excluding security deposit)

**SECTION 6: INDEMNITY & HOLD HARMLESS**

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the Village of Warwick for the use and care of the facilities. He/she, on behalf of BSA Greater Hudson Valley Council, does hereby covenant and agree to defend, indemnify and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of Village's property, facilities and/or services by

BSA Greater Hudson Valley Council (Name Organization).

Richard Stockton, Scout Executive  
Printed Name of Applicant/Responsible Party

Richard Stockton  
Signature of Applicant/Responsible Party

3/3/22  
Date

Clerk Use Only: Security Deposit Check # 1124 Certificate of Insurance  Host Liquor Liability NA  
Fees Received NA Park Map(s)  Police Dept. Approval (if applicable) NA



Permit Holder. Applicants are urged to bring extra plastic garbage bags to facilitate cleanup.

17. Any organization with youths under 18 years old requires the presence of adequate adult supervision at all times.
18. Supervision and parking are the responsibility of the applicant organization/individual.
19. Permits may be revoked at any time.
20. All posted rules must be adhered to.
21. No field or building alterations (lining of fields, erecting goal posts or structures, etc.) are allowed without prior approval.
22. The emergency telephone number for police is 911 or 986-5000; fire and ambulance 911.
23. Prior to the start of the event, an announcement should be made to your group regarding emergency evacuation procedures, for example pointing out posted procedures, direction for exiting, procedures for emergency helicopter landing, etc. Need pamphlet to hand out to applicants.
24. In the event of an accident, please notify the Village Clerk at (845) 986-2031 before the end of the next business day.
25. The Village of Warwick does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

### INDEMNITY & HOLD HARMLESS

**FACILITY USER** does hereby covenant and agree to defend, indemnify, and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of the Village of Warwick property, facilities and/or services.

I have read and understand the Facilities Use Requirements:

*BSA, Greater Hudson Valley Council,*

*Richard Stockton, Scout Executive*

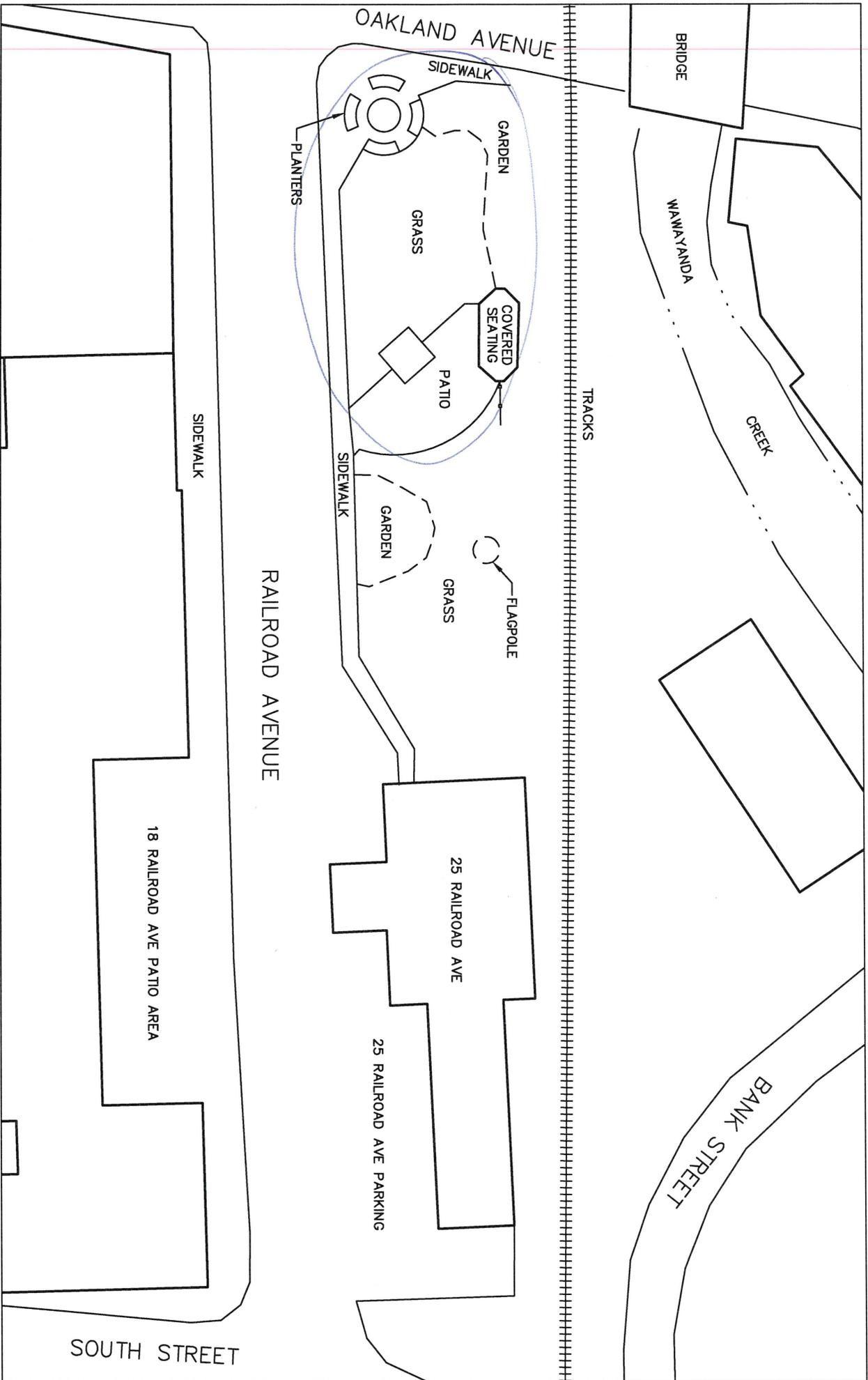
Printed Name of Applicant/Responsible Party

*Richard Stockton*

Signature of Applicant/Responsible Party

Date

*4/1/12*



77 Main Street  
Post Office Box 369  
Warwick, NY 10990  
www.villageofwarwick.org



(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

RECEIVED  
APR 27 2022

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE

VILLAGE OF WARWICK  
INCORPORATED 1867

**Facility Use Request Form**  
**For Gatherings of Less Than 200 People**

ONLY USE THIS FORM IF YOUR EVENT WILL HAVE 200 PEOPLE OR LESS

Date Request Submitted: 4-27-2022

Title of Event: Picnic - Park Ave Grade 3

Purpose of Event: Picnic

**SECTION 1: REQUESTED VILLAGE-OWNED PROPERTY**

Railroad Green       Stanley-Deming Park       Lewis Woodlands

Veterans Memorial Park       Veterans Memorial Park Pavilion

*\*Please use the attached map to indicate the specific area(s) to be used within each park.*

Village of Warwick Parking Lots - check all that apply:

South Street Lot     1<sup>st</sup> Street Lot     Chase Lot (non-permit only)  
 Spring Street Lot     Wheeler & Spring St. Lot     Upper CVS Lot     Lower CVS Lot

Village of Warwick Streets: \_\_\_\_\_

**SECTION 2: DATE AND TIME REQUESTED**

Date(s) Requested: 6/9/2022      Rain Date Requested: 6/10/2022

Arrival Time: 11:30      Departure Time: 2:30

Event Start Time: 11:30      Event End Time: 2:30

**SECTION 3: APPLICANT INFORMATION**

Check one:  Non-Profit Organization     Commercial/Business Organization     Family  
*\*For-profit activities are prohibited.*

Applicant's Name/Responsible Party: Denise Kipp  
*\*Person of responsibility representing the organization must be a Town of Warwick resident.*

Mailing Address of Responsible Party: 8 Black Walnut Dr. Warwick  
 Email Address: dkipp1258@gmail.com Cell Phone: 845-642-7259

Proof of Town of Warwick Residency of Responsible Party:  Driver's License  Utility Bill

Name of Organization (if Applicable): Park Ave. School

Name of Organization's Director(s)/Officer(s): Dr. Natale

Organization's Phone: 987-3000 Email Address: dkipp@wvcsd.org

Mailing Address of Organization: \_\_\_\_\_

Physical Address of Organization: \_\_\_\_\_

**SECTION 4: EVENT INFORMATION**

Maximum Number of People Intended at the Event: 100

\* If greater than 200 people, at any given time DO NOT complete this form. See instructions.  
 # of Adults: \_\_\_\_\_ # of People Under 18: \_\_\_\_\_

Expected Number of Vehicles Intended at the Event: 10

Please explain the parking plan for the event: parent volunteers

WILL YOUR EVENT INCLUDE:	CHECK YES OR NO
<b>Greater than 200 people at any given time</b> <i>If yes, DO NOT complete this form. Please complete form: FACILITY USE PERMIT APPLICATION FOR GATHERINGS GREATER THAN 200 PEOPLE</i>	Yes _____ No <input checked="" type="checkbox"/>
<b>Music / Loudspeakers / Sound System</b> <i>If yes, explain: _____</i> <i>Location of Music/Loud Speakers/ Sounds System: _____</i>	Yes _____ No <input checked="" type="checkbox"/>
<b>Parade, walk, road race, etc.</b> <i>Request must include in writing a clear layout of the intended route AND a letter from the Warwick Police Department approving the route and police resources.</i>	Yes _____ No <input checked="" type="checkbox"/>
<b>Tent(s)</b> <i>Include a map detailing the placement of the tent(s).</i> <i>Date &amp; time tent will be set up: _____</i> <i>Date &amp; time tent will be removed: _____</i>	Yes _____ No <input checked="" type="checkbox"/>

<b>RVs, Campers, Food Trucks, etc.</b> <i>If yes, explain:</i> _____	Yes _____ No <input checked="" type="checkbox"/>
<b>Admission Fee to Be Charged</b> <i>If yes, please list the admission fee:</i> _____	Yes _____ No <input checked="" type="checkbox"/>
<b>Alcohol</b> <i>Host Liquor Liability Insurance is required.</i>	Yes _____ No <input checked="" type="checkbox"/>
<b>Food will be served or sold</b> <i>If yes, explain the method of food distribution and disposal of trash:</i> <u>Lunch/Snack</u>	Yes <input checked="" type="checkbox"/> No _____
<i>*A permit is required from the Orange County Department of Health when offering or selling any food to the public. It is the applicant's responsibility to contact the Orange County Department of Health to obtain necessary permits. Contact the Orange County Department of Health for further information.          *Applicants must provide a drawing to scale showing where the food will be served/sold and where trash will be disposed.</i>	
<b>Rides: Mechanical Carnival Rides, Bounce House, Inflatable Slide, etc.</b> <i>If yes, explain:</i> _____ <i>Additional contract(s) and/or insurance is required.</i>	Yes _____ No <input checked="" type="checkbox"/>
<b>Portable Toilets</b> <i>Placement of portable toilets must be detailed on the map that is required with the application.</i>	Yes _____ No <input checked="" type="checkbox"/>
<b>Other</b> <i>Please explain:</i> _____	Yes _____ No <input checked="" type="checkbox"/>

**SPECIAL REQUESTS:**
**CHECK YES OR NO**

<b>Road Closure</b> <i>List road(s):</i> _____ <i>Closed between the hours of _____ and _____</i> <i>Number of 'No Parking' meter bags requested, if applicable:</i> _____	Yes _____ No <input checked="" type="checkbox"/>
<b>Use of Village-owned tables and chairs</b> <i>Veterans Memorial Park Pavilion Only. No. of Tables _____ No. of Chairs _____</i>	Yes _____ No <input checked="" type="checkbox"/>
<b>Use of Electricity</b>	Yes _____ No <input checked="" type="checkbox"/>
<b>Use of Memorial Park Football/Over 35 Field Lights</b> <i>Additional fee required for use of field lights.</i>	Yes _____ No <input checked="" type="checkbox"/>
<b>Use of Memorial Park Pavilion Lights</b>	Yes _____ No <input checked="" type="checkbox"/>

<b>Use of Village of Warwick Restrooms</b> <i>Memorial Park and Stanley Deming Park only.</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Other</b> <i>Please explain: _____</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>

**SECTION 5: FEES/SECURITY DEPOSIT**

*Fees and Security Deposit are Due Upon Application / Checks payable to: The Village of Warwick*

- \$200 Security Deposit - *(Must be a Separate Payment)*
- Memorial Park Football/Over 35 Field Lights (circle one) - \$10 per day or \$300 per season

**TOTAL FEES:** \$ \_\_\_\_\_ (excluding security deposit)

**SECTION 6: INDEMNITY & HOLD HARMLESS**

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the Village of Warwick for the use and care of the facilities. He/she, on behalf of Park Ave 3rd grade (Name of Organization) does hereby covenant and agree to defend, indemnify and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of Village's property, facilities and/or services by Park Ave School (Name Organization).

Denise Kipp  
 Printed Name of Applicant/Responsible Party

W. Kipp  
 Signature of Applicant/Responsible Party

4/27/2022  
 Date

**Clerk Use Only:** Security Deposit Check # \_\_\_\_\_ Certificate of Insurance  Host Liquor Liability NA  
 Fees Received NA Park Map(s)  Police Dept. Approval (if applicable) NA  
calendar

Permit Holder. Applicants are urged to bring extra plastic garbage bags to facilitate cleanup.

17. Any organization with youths under 18 years old requires the presence of adequate adult supervision at all times.
18. Supervision and parking are the responsibility of the applicant organization/individual.
19. Permits may be revoked at any time.
20. All posted rules must be adhered to.
21. No field or building alterations (lining of fields, erecting goal posts or structures, etc.) are allowed without prior approval.
22. The emergency telephone number for police is 911 or 986-5000; fire and ambulance 911.
23. Prior to the start of the event, an announcement should be made to your group regarding emergency evacuation procedures, for example pointing out posted procedures, direction for exiting, procedures for emergency helicopter landing, etc. Need pamphlet to hand out to applicants.
24. In the event of an accident, please notify the Village Clerk at (845) 986-2031 before the end of the next business day.
25. The Village of Warwick does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

**INDEMNITY & HOLD HARMLESS**

**FACILITY USER** does hereby covenant and agree to defend, indemnify, and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of the Village of Warwick property, facilities and/or services.

I have read and understand the Facilities Use Requirements:

Denise Kipp  
Printed Name of Applicant/Responsible Party

DKipp  
Signature of Applicant/Responsible Party

Date 4/27/2022



STANLEY DEMING PARK

GALLOWAY ROAD

PARK PLACE

PARK LANE

PARKWAY

BALL FIELD

BASKETBALL

PLAYGROUND

RESTROOMS

PAVILION

GAZEBO

MISTUCKY CREEK

SOUTH STREET

LAWRENCE AVE.

CLINTON AVE.

BELMAR CT.

## Raina Abramson

---

**From:** dakipp1258@gmail.com  
**Sent:** Wednesday, April 27, 2022 4:56 PM  
**To:** Raina Abramson  
**Subject:** Waiver of Fee

To Whom It May Concern,

I would like to request that the \$200 fee for the use of Stanley Demming Park be waived. We are Park Avenue School group of students that would like to use the park for a school picnic.

Thank you,

Denise Kipp

Park Ave Teacher

Sent from my iPhone

77 Main Street  
 Post Office Box 369  
 Warwick, NY 10990  
 www.villageofwarwick.org



(845) 986-2031  
 FAX (845) 986-6884  
 mayor@villageofwarwick.org  
 clerk@villageofwarwick.org

**VILLAGE OF WARWICK**  
 INCORPORATED 1867

**Budget Modification Request**

**For Board of Trustees Approval - Meeting on 5/2/22**

For approval to transfer available appropriations for the following Fiscal Year 2021-2022 budget account lines:

**GENERAL FUND**

FROM Account Code	Account Description	Budget Approp. Balance	Transfer Request	Reason	TO Account Code	Account Description	Budget Approp. Balance	Transfer Amount
A5110.1000	Streets - Personal Service	159,122.16	1,000.00	Variance for Actual Payroll Distribution DPW	A7140.1000	Parks - Personal Service	(216.80)	1,000.00
A5110.2350	Streets - Equipment	32,255.54	5,000.00	To cover the costs for the remainder of FY	A5110.4050	Streets - Auto Maintenance	721.08	5,000.00
A1440.4000	Engineer - Contracted Services	27,721.25	150.00	To cover the cost of Comprehensive Plan	A1910.4950	Other	(150.00)	150.00
A5182.4350	Street Lighting Utilities	30,904.11	8,132.60	To cover the cost associated with the street light project	A5182.2000	Street Lighting-Equipment/Capital	0.00	8,132.60
<b>TOTAL</b>			<b>14,282.60</b>		<b>TOTAL</b>			<b>14,282.60</b>

**WATER FUND**

FROM Account Code	Account Description	Budget Approp. Balance	Transfer Request	Reason	TO Account Code	Account Description	Budget Approp. Balance	Transfer Amount
F8330.2350	Purification - Equip/Machinery	703,015.11	10,000.00	Variance for Actual Payroll Distribution	F8340.1000	Trans/Dist - Personal Services	(5,000.63)	8,450.00
				Variance for Actual Payroll Distribution	F9030.8000	Water Social Security	(265.85)	1,250.00
				Variance for Actual Payroll Distribution	F9035.8000	Water Medicare	(62.66)	300.00
<b>TOTAL</b>			<b>10,000.00</b>		<b>TOTAL</b>			<b>10,000.00</b>

Respectfully submitted,

*S. Becker*  
 Sadie Becker  
 Village Treasurer

Backup Documentation: Negative Balance Listing report, M. Moser request

Report Date: 4/28/22

**Sadie Becker**

---

**From:** CathyS  
**Sent:** Wednesday, April 27, 2022 10:05 AM  
**To:** Sadie Becker  
**Cc:** Mike Moser; Keith Herbert  
**Subject:** Budget Modification

Sadie,

I will need the following Budget modifications to finish the FYE 5/2022. **\$5000.00 from Budget Line A5110.2350 Streets-Equipment To A5110.4050 Streets – Auto Maintenance.**

**\$5000.00 from Budget Line F8330.4920 Purification Testing To F8330.4970 Purification – Chemicals**

Thanks.

*Cathy Schweizer*  
DPW Clerk  
Village of Warwick  
[dpw@villageofwarwick.org](mailto:dpw@villageofwarwick.org)  
845-986-2031 Ext 6

Range of Accounts: First to Last  
Report Type: Sub Account Include Non-Budget Accounts: N

Account No	Description		Expended	Transfers	Reimbursed	Canceled	Balance	%Used
	Budgeted	Encumbered						
A-1910-4950	27,100.00	0.00	29,340.00	2,090.00	0.00	0.00	150.00-	100.51
A-5182-2000	0.00	0.00	8,132.60	0.00	0.00	0.00	8,132.60-	0.00
A-7140-1000	31,614.00	0.00	50,745.41	18,914.61	0.00	0.00	216.80-	100.43
<b>Fund Total</b>	<b>58,714.00</b>	<b>0.00</b>	<b>88,218.01</b>	<b>21,004.61</b>	<b>0.00</b>	<b>0.00</b>	<b>8,499.40-</b>	<b>110.66</b>
F-8340-1000	189,450.00	0.00	200,450.63	6,000.00	0.00	0.00	5,000.63-	102.56
F-9030-8000	15,235.00	0.00	15,500.85	0.00	0.00	0.00	265.85-	101.74
F-9035-8000	3,563.00	0.00	3,625.66	0.00	0.00	0.00	62.66-	101.76
<b>Fund Total</b>	<b>208,248.00</b>	<b>0.00</b>	<b>219,577.14</b>	<b>6,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>5,329.14-</b>	<b>102.49</b>
<b>Year Total</b>	<b>266,962.00</b>	<b>0.00</b>	<b>307,795.15</b>	<b>27,004.61</b>	<b>0.00</b>	<b>0.00</b>	<b>13,828.54-</b>	<b>104.70</b>

SUMMER CONCERT SERIES  
FYE 22/23

**Village of Warwick Summer Concert Series - FY 2022-23**

Concert Date	Performer	Time
Saturday, May 28, 2022	TBD	TBD
Saturday, June 4, 2022	Stoneflower	7:30 p.m.
Friday, June 10, 2022	NY Wind Symphony	7:00 p.m.
*Sunday, June 12, 2022	*NY Wind Symphony	*3:00 p.m.
*Wednesday, June 15, 2022	*NY Wind Symphony	*7:00 p.m.
Saturday, June 18, 2022	TBD	TBD
Wednesday, June 22, 2022	OC5	7:30 p.m.
Saturday, July 2, 2022	Big Funk	7:30 p.m.
Sunday, July 3, 2022	Free Shrimp Band	TBD
Saturday, July 16, 2022	Emish	7:30 p.m.
Saturday, July 23, 2022	Dark Horses	7:30 p.m.
Saturday, July 30, 2022	Elisa Jones	7:30 p.m.
Saturday, August 6, 2022	Uncle Shoehorn	7:30 p.m.
Saturday, August 20, 2022	HVJF	TBD
Wednesday, August 31, 2022	Tangent	7:30 p.m.
Saturday, September 3, 2022	Some Guys & a Broad	7:30 p.m.
Saturday, September 10, 2022	TBD	TBD
Saturday, September 17, 2022	Latin Nite	7:30 p.m.

\*Rain Dates

Warwick Merchants Guild  
PO Box 1197  
Warwick, NY 10990

RECEIVED

APR 27 2022

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE

Mayor Newhard & Village Trustees  
77 Main Street  
Warwick, NY 10990

Dear Mayor Newhard & Trustees,

The Warwick Merchants Guild would like permission to hold our annual Pickers Paradise Sidewalk Sale on the dates of July 9<sup>th</sup> and 10<sup>th</sup> 2022. The times of the event will take place on July 9<sup>th</sup> from 10 am to 5 pm and July 10<sup>th</sup> from 10 am – 3pm.

We would like to close the following parking spaces on Main Street from 7 am – 6 pm on Saturday and from 7 am – 4 pm Sunday:

Eddies Roadhouse to Bank Street  
G's Restaurant to Fetch Bar and Grill  
Bertoni Gallery to Etched in Time  
B Free to Yesterdays  
Akins Pharmacy to WVT

We would also like permission to close Railroad Avenue to vehicular traffic from 8 am to 6 pm on Saturday and from 8 am to 4 pm on Sunday.

We will be working with the Warwick Garden Club, as we know both of our events take place on Saturday. The Merchants Guild will coordinate with them to make sure both events have the space they need.

Thank you for your consideration,



Corrine Iurato  
Merchants Guild Committee Chair

77 Main Street  
Post Office Box 369  
Warwick, NY 10990  
www.villageofwarwick.org



(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

# VILLAGE OF WARWICK

INCORPORATED 1867

## Facility Use Request Form For Gatherings of Less Than 200 People

ONLY USE THIS FORM IF YOUR EVENT WILL HAVE 200 PEOPLE OR LESS

Date Request Submitted: 04/27/2022

Title of Event: Pickers Paradise Sidewalk Sale

Purpose of Event: Outside vendors and store sales

### SECTION 1: REQUESTED VILLAGE-OWNED PROPERTY

Railroad Green       Stanley-Deming Park       Lewis Woodlands

Veterans Memorial Park       Veterans Memorial Park Pavilion

*\*Please use the attached map to indicate the specific area(s) to be used within each park.*

Village of Warwick Parking Lots - check all that apply:

South Street Lot     1<sup>st</sup> Street Lot     Chase Lot (non-permit only)  
 Spring Street Lot     Wheeler & Spring St. Lot     Upper CVS Lot     Lower CVS Lot

Village of Warwick Streets: Main Street + Railroad Avenue

### SECTION 2: DATE AND TIME REQUESTED

Date(s) Requested: July 9th + 10th      Rain Date Requested: \_\_\_\_\_

Arrival Time: 8am      Departure Time: 6pm      *Saturday times* - *Sunday Times*  
Event Start Time: 10am      Event End Time: 5pm      *8am - 4pm*  
*10am - 3pm*

### SECTION 3: APPLICANT INFORMATION

Check one:  Non-Profit Organization     Commercial/Business Organization     Family  
*\*For-profit activities are prohibited.*

Applicant's Name/Responsible Party: Corrine Iurato  
*\*Person of responsibility representing the organization must be a Town of Warwick resident.*

Mailing Address of Responsible Party: 79 Laudaten Way Warwick NJ 10990

Email Address: Warwickmerchantsguild@gmail.com Cell Phone: 845-239-0142

Proof of Town of Warwick Residency of Responsible Party:  Driver's License  Utility Bill

Name of Organization (if Applicable): Warwick Merchants guild / WV Chamber

Name of Organization's Director(s)/Officer(s): Corrine Iurato

Organization's Phone: \_\_\_\_\_ Email Address: Warwickmerchantsguild@gmail.com

Mailing Address of Organization: PO Box 1197 Warwick NJ 10990

Physical Address of Organization: 25 South Street Warwick NJ 10990

**SECTION 4: EVENT INFORMATION**

Maximum Number of People Intended at the Event: 150-175 at a time

\* If greater than 200 people, at any given time DO NOT complete this form. See instructions.

# of Adults: \_\_\_\_\_ # of People Under 18: \_\_\_\_\_

Expected Number of Vehicles Intended at the Event: \_\_\_\_\_

Please explain the parking plan for the event: vendors park @ crs

**WILL YOUR EVENT INCLUDE:**

**CHECK YES OR NO**

<b>Greater than 200 people at any given time</b> <i>If yes, DO NOT complete this form. Please complete form: FACILITY USE PERMIT APPLICATION FOR GATHERINGS GREATER THAN 200 PEOPLE</i>	Yes _____ No <u>X</u>
<b>Music / Loudspeakers / Sound System</b> <i>If yes, explain: _____ Location of Music/Loud Speakers/ Sounds System: _____</i>	Yes _____ No <u>X</u>
<b>Parade, walk, road race, etc.</b> <i>Request must include in writing a clear layout of the intended route AND a letter from the Warwick Police Department approving the route and police resources.</i>	Yes _____ No <u>X</u>
<b>Tent(s)</b> <i>Include a map detailing the placement of the tent(s). Date &amp; time tent will be set up: _____ Date &amp; time tent will be removed: _____</i>	Yes _____ No <u>X</u>

Some vendors will bring their own tents set up in parking spaces

<b>RVs, Campers, Food Trucks, etc.</b> <i>If yes, explain:</i> _____	Yes ___ No <u>X</u>
<b>Admission Fee to Be Charged</b> <i>If yes, please list the admission fee:</i> _____	Yes ___ No <u>X</u>
<b>Alcohol</b> <i>Host Liquor Liability Insurance is required.</i>	Yes ___ No <u>X</u>
<b>Food will be served or sold</b> <i>If yes, explain the method of food distribution and disposal of trash:</i> _____ _____ <i>*A permit is required from the Orange County Department of Health when offering or selling any food to the public. It is the applicant's responsibility to contact the Orange County Department of Health to obtain necessary permits. Contact the Orange County Department of Health for further information.</i> <i>*Applicants must provide a drawing to scale showing where the food will be served/sold and where trash will be disposed.</i>	Yes ___ No <u>X</u>
<b>Rides: Mechanical Carnival Rides, Bounce House, Inflatable Slide, etc.</b> <i>If yes, explain:</i> _____ <i>Additional contract(s) and/or insurance is required.</i>	Yes ___ No <u>X</u>
<b>Portable Toilets</b> <i>Placement of portable toilets must be detailed on the map that is required with the application.</i>	Yes ___ No <u>X</u>
<b>Other</b> <i>Please explain:</i> _____	Yes ___ No <u>X</u>

**SPECIAL REQUESTS:**
**CHECK YES OR NO**

<b>Road Closure</b> <i>List road(s):</i> <u>Railroad Avenue</u> <u>Sunday 8am-4pm</u> <i>Closed between the hours of</i> <u>8am</u> <i>and</i> <u>4pm - Saturday</u> <i>Number of 'No Parking' meter bags requested, if applicable:</i> <u>0</u>	Yes <u>✓</u> No ___
<b>Use of Village-owned tables and chairs</b> <i>Veterans Memorial Park Pavilion Only. No. of Tables</i> ___ <i>No. of Chairs</i> ___	Yes ___ No <u>X</u>
<b>Use of Electricity</b>	Yes ___ No <u>X</u>
<b>Use of Memorial Park Football/Over 35 Field Lights</b> <i>Additional fee required for use of field lights.</i>	Yes ___ No <u>X</u>
<b>Use of Memorial Park Pavilion Lights</b>	Yes ___ No <u>X</u>

<b>Use of Village of Warwick Restrooms</b> <i>Memorial Park and Stanley Deming Park only.</i>	Yes _____ No <u>X</u>
<b>Other</b> <i>Please explain:</i> _____	Yes _____ No <u>X</u>

**SECTION 5: FEES/SECURITY DEPOSIT**

*Fees and Security Deposit are Due Upon Application / Checks payable to: The Village of Warwick*

\$200 Security Deposit - *(Must be a Separate Payment)*

Memorial Park Football/Over 35 Field Lights (circle one) - \$10 per day or \$300 per season

**TOTAL FEES:** \$ 200 (excluding security deposit)

**SECTION 6: INDEMNITY & HOLD HARMLESS**

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the Village of Warwick for the use and care of the facilities. He/she, on behalf of Warwick Merchants guild (Name of Organization) does hereby covenant and agree to defend, indemnify and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of Village's property, facilities and/or services by Warwick Merchants guild (Name Organization).

Corriale Durato  
 Printed Name of Applicant/Responsible Party

[Signature]  
 Signature of Applicant/Responsible Party

4/27/22  
 Date

**Clerk Use Only:** Security Deposit Check # 3953 Certificate of Insurance  Host Liquor Liability NA  
 Fees Received NA Park Map(s) NA Police Dept. Approval (if applicable) NA

Permit Holder. Applicants are urged to bring extra plastic garbage bags to facilitate cleanup.

17. Any organization with youths under 18 years old requires the presence of adequate adult supervision at all times.
18. Supervision and parking are the responsibility of the applicant organization/individual.
19. Permits may be revoked at any time.
20. All posted rules must be adhered to.
21. No field or building alterations (lining of fields, erecting goal posts or structures, etc.) are allowed without prior approval.
22. The emergency telephone number for police is 911 or 986-5000; fire and ambulance 911.
23. Prior to the start of the event, an announcement should be made to your group regarding emergency evacuation procedures, for example pointing out posted procedures, direction for exiting, procedures for emergency helicopter landing, etc. Need pamphlet to hand out to applicants.
24. In the event of an accident, please notify the Village Clerk at (845) 986-2031 before the end of the next business day.
25. The Village of Warwick does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

**INDEMNITY & HOLD HARMLESS**

**FACILITY USER** does hereby covenant and agree to defend, indemnify, and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of the Village of Warwick property, facilities and/or services.

I have read and understand the Facilities Use Requirements:

Corrine Turato  
Printed Name of Applicant/Responsible Party

  
Signature of Applicant/Responsible Party

Date 04/27/2022

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
MAY 2, 2022  
ADDENDUM NO. 1**

13. **MOTION** to enter into a vendor agreement for the New York State Low Income Household Water Assistance Program with the New York State Office of Temporary and Disability Assistance and authorize the Mayor to sign the same.

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

Trustee Cheney \_\_\_ Trustee Foster \_\_\_ Trustee Bachman \_\_\_

Trustee McKnight \_\_\_ Mayor Newhard \_\_\_

14. **MOTION** to relevy on the Village of Warwick 2022-23 tax bills unpaid water and sewer fees, building inspector/code enforcement department fees, and alarm fines to properties listed on the attached document, including Errors and Omissions – RPTL 520 Prorated Taxes, as per the Village Assessor, with a total relevy amount of \$ 8,851.10.

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

Trustee Cheney \_\_\_ Trustee Foster \_\_\_ Trustee Bachman \_\_\_

Trustee McKnight \_\_\_ Mayor Newhard \_\_\_



## Office of Temporary and Disability Assistance

KATHY HOCHUL  
Governor

BARBARA C. GUINN  
Executive Deputy Commissioner

November 05, 2021

Dear New York State Drinking Water and/or Wastewater Supplier:

This is to provide you with information and a Vendor Agreement for the New York State Low Income Household Water Assistance Program (LIHWAP). Please review all enclosed materials carefully.

LIHWAP was established through the Consolidated Appropriations Act, 2021 and the American Rescue Plan Act, 2021. New York State will use these funds to assist low income households, particularly those with the lowest incomes, that pay a high proportion of household income for drinking water and wastewater services. Benefits will be issued directly to drinking water and wastewater providers to restore or prevent loss of drinking water or wastewater services. The Office of Temporary and Disability Assistance (OTDA) will operationalize LIHWAP benefits in two phases. Phase one funding and outreach will target households with arrears for unpaid charges for drinking water and/or wastewater services. In phase two, OTDA will reevaluate available funding and if feasible, focus on establishing a benefit to assist eligible households with current drinking water and/or wastewater bills. This is a New York State administered program that will start on December 1, 2021 and end on September 30, 2023, or when funding is exhausted, whichever occurs first.

Vendor Agreement:

- A signed Vendor Agreement and completed Substitute Form W9/AC 3237-S (Rev. 1/17) are required in order to participate in and receive LIHWAP payments. The signed agreement will apply to all customers in your service territory within New York State. Vendor Agreements and program participation will be managed centrally by OTDA through the LIHWAP Bureau.
- Please review all documents carefully before signing.
- You may not make any changes to the Vendor Agreement, please contact us if you have any questions at: [NYSLIHWAP.vendor@otda.ny.gov](mailto:NYSLIHWAP.vendor@otda.ny.gov).

Vendor Payment and Remittance Information:

- Payments will be made directly to vendors via Electronic Funds Transfer issued through the NYS Office of the Comptroller (OSC).
- The OSC State Vendor Resource Page is available at: <https://www.osc.state.ny.us/state-vendors>. This resource page provides information and guidance to vendors on their payments and how to view those payments through the self-service vendor portal.
- Vendors who need assistance in enrolling in the online Vendor Self Service application: <http://www.sfs.ny.gov>, should contact the Statewide Financial System (SFS) Help Desk at either (855) 233-8363 or [helpdesk@sfs.ny.gov](mailto:helpdesk@sfs.ny.gov).

Please return the signed Vendor Agreement and completed Substitute Form W9/AC 3237-S (Rev. 1/17) forms as soon as possible to:

**New York State OTDA  
LIHWAP Bureau  
PO BOX 1789  
Albany, NY 12201**

**Phone: (518) 473-0332**

**Fax: (518) 486-1259**

**Email: [NYSLIHWAP.vendor@otda.ny.gov](mailto:NYSLIHWAP.vendor@otda.ny.gov)**

Your company's name will not be added to the NYS LIHWAP vendor list until a signed agreement and a completed Substitute Form W9/AC 3237-S (Rev. 1/17) is on file.

We look forward to continuing to work with your company and staff as we assist LIHWAP eligible households in meeting their drinking water and/or wastewater needs. Please contact the NYS LIHWAP Bureau staff at (518) 473-0332 with any questions or concerns.

Sincerely,

*/s/ AB/ 11-05-2021*

Andrew Bryk  
HEAP/LIHWAP Bureau Chief  
Employment and Income Support Programs

Attachments (3):

LIHWAP Vendor Agreement  
Attachment 1 - OTDA Security and Confidentiality Terms  
Substitute Form W9/AC 3237-S (Rev. 1/17)

New York State

# Low Income Household Water Assistance Program

## Do you need help paying for overdue water and wastewater bills?

The Low Income Household Water Assistance Program (LIHWAP) can help.

LIHWAP is a drinking water and wastewater emergency assistance program funded through new federal resources. Benefits are based on the amount of unpaid water and wastewater bills owed by applicants. This assistance is targeted at low income households and income guidelines will mirror that of the Home Energy Assistance Program.

LIHWAP benefits are based on the actual amount of drinking water and/or wastewater arrears, up to a maximum of \$2,500 per drinking water or wastewater provider, or \$5,000 if drinking water and wastewater services are combined, per household. Benefits are paid directly to the household's drinking water and/or wastewater vendor(s).

Eligibility and benefits are based on:

- income,
- household size,
- household includes a U.S. citizen, U.S. national, or qualified alien, and
- amount owed to drinking water and/or wastewater provider(s).

Primary applicants must provide:

- Proof of identity
- Proof of residence
- Documentation of earned and unearned income
- A drinking water, wastewater, or combined drinking water and wastewater bill listing their permanent and primary residence
- A valid Social Security Number (SSN)
  - SSNs of additional household members will be requested

For more information, visit <https://otda.ny.gov/LIHWAP>





## **NEW YORK STATE LOW INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM VENDOR AGREEMENT**

This Agreement (“Agreement”) shall govern the purchase of water services from the Water Service Provider (Vendor) on behalf of households eligible for the Low Income Household Water Assistance Program (LIHWAP). Federal funds awarded under LIHWAP shall be used as part of an overall emergency effort to prevent, prepare for, and respond to the COVID-19 pandemic, with the public health focus of ensuring that low income households have access to drinking water and wastewater services. The funds will be used to cover and/or reduce arrearages, rates and fees associated with reconnection or prevention of disconnection of services. If funding is available, the New York State Office of Temporary and Disability Assistance (NYS OTDA) will evaluate providing bill assistance to eligible households to reduce the household’s cost for drinking water and wastewater services. This Agreement is a contract between NYS OTDA and the Vendor for the provision of direct vendor payments to assist low income households with drinking water and wastewater reconnection and ongoing services.

The parties acknowledge that this Agreement and the services provided by the Vendor are governed by and subject to federal laws and regulations in addition to issued federal and State guidance in relation to the Low Income Household Water Assistance Program.

In order to receive LIHWAP payments on behalf of eligible households, the Vendor agrees and assures to NYS OTDA to abide by the below listed provisions contained in this agreement. Drinking water and/or wastewater service benefits paid directly to Vendors will be issued through the NYS Office of the State Comptroller (NYS OSC).

1. Households receiving assistance from LIHWAP shall not be treated adversely on the basis of receipt of such assistance under applicable provision of the LIHWAP Supplemental Terms and Conditions 11h under Federal LIHWAP Assistance Listing No. 93.568(B) (with modifications based on P.L. 116-260).
2. Vendors will not discriminate, either in the costs of goods supplied or the services provided, against the household on whose behalf LIHWAP payments are made.
3. The Vendor understands that payment and satisfaction of any claims under LIHWAP will be made by NYS OTDA, through the NYS OSC. The Vendor further understands that they must comply with all applicable requirements of the Consolidated Appropriations Act of 2021 (CAA) and the American Rescue Plan Act of 2021 (ARPA), as well as all applicable policy determinations and directives of the NYS OTDA. The Vendor may be prosecuted under applicable federal and/or State law for false claims, statements or documents or concealment of material fact.
4. The Vendor agrees to accept all LIHWAP benefits authorized on behalf of residential customers and without imposing any conditions precedent. “Residential customer” is defined in accordance with Title 16 of the New York Compilation of Codes, Rules and Regulations, Part 14.2(b)(18).
5. The Vendor agrees to continue, establish or reestablish service for LIHWAP authorized residential customers and maintain such service for such LIHWAP authorized residential customer for ninety (90) calendar days after receipt of each LIHWAP benefit authorized and received on behalf of residential customers.

6. The Vendor agrees that arrears are charges for which payment has not been made more than 20 calendar days after payment was due. A payment is considered to be made on the date when it is received by the Vendor or one of its authorized agents. Payment is due whenever specified by a Vendor on its bill, as long as the date is not before the bill is hand-delivered to the customer, or less than three (3) calendar days after the bill is mailed.
7. Vendors may not transfer or cash-out LIHWAP benefits to recipients. Unexpended funds due to account closing and/or incorrect payments and funds that are unable to be credited to a recipient's account must be returned to NYS OTDA no later than thirty (30) business days after discovery, or September 30<sup>th</sup> of the current program year, whichever comes first, or upon request by NYS OTDA. A LIHWAP Vendor Refund Form must accompany all refunds. The vendor must contact NYS OTDA for a copy of this form at: [NYSLIHWAP.vendor@otda.ny.gov](mailto:NYSLIHWAP.vendor@otda.ny.gov).
8. The Vendor cannot apply LIHWAP payments to commercial accounts for non-residential services. LIHWAP payments must only be applied to LIHWAP authorized residential customer accounts.
9. The Vendor shall maintain an accounting system and supporting fiscal records adequate to audit for a period of not less than three program years (current year plus three years) and will otherwise verify the proper disbursement of LIHWAP funds. The Vendor shall allow NYS OTDA representatives access to all books and records relating to LIHWAP households for the purpose of compliance verification with this Agreement.
10. The Vendor shall permit and cooperate with federal and/or State audits and/or investigations undertaken in accordance with the CAA, and ARPA, and also any State and/or county investigations undertaken to ensure program integrity.
11. The Vendor shall treat all information relative to LIHWAP and, in particular, information relating to recipients, as confidential information, and shall not use any information so obtained in any manner except as necessary to the proper discharge of their obligation and the securement of their rights hereunder. The Vendor further agrees to protect all confidential information in accordance with all applicable federal and State laws, rules and regulations. The Vendor further agrees to abide, at a minimum, by the requirements set forth in Attachment 1, the OTDA Security and Confidentiality Terms.
12. The Vendor agrees to continue or restore service for the minimum time periods outlined in this agreement when notified by NYS OTDA that a LIHWAP benefit will be issued on behalf of an eligible household and vendor acknowledges acceptance of LIHWAP benefits. The time period begins from the date of the earliest notification by NYS OTDA.
13. The Vendor agrees to clearly identify the amount of LIHWAP payment(s) received in a manner which identifies the payment as received from LIHWAP on household statements, receipts, or accounts.
14. The Vendor understands that failure to cooperate with any Federal, State, or local investigation, audit, or program review may result in the immediate disqualification from participation in LIHWAP.
15. The Vendor agrees to take corrective action in the time frame specified by NYS OTDA if violations of this Agreement are discovered. Corrective action may include, but is not limited to, providing detailed documentation of changes made and detailed plans for future changes that will bring the Vendor into compliance. The vendor understands that failure to implement corrective actions may result in the immediate disqualification from participation in LIHWAP.
16. This Agreement shall remain in effect unless superseded by another Agreement or terminated by either party. A written agreement must be submitted thirty (30) business days in advance of the effective date to replace, modify or terminate the agreement.

17. Vendor agrees that any modification to this agreement must be reviewed and agreed to by NYS OTDA. Vendor agreement modification must be made in writing and submitted to NYS OTDA through [NYSLIHWAP.vendor@otda.ny.gov](mailto:NYSLIHWAP.vendor@otda.ny.gov).

Check here to hereby declare to the New York State Office of Temporary and Disability Assistance (NYS OTDA) that you, the vendor or vendor's representative, have the authority to bind such vendor, that you have read and understand the above, and that it is your intention to sign and submit this Vendor Agreement on behalf of the vendor to NYS OTDA, and further agree that the vendor will comply with and abide by the Vendor Agreement while participating as a Vendor in the New York State Low Income Household Water Assistance Program.

Vendor or Vendor's Representative name \_\_\_\_\_

Vendor or Vendor's Representative signature \_\_\_\_\_

Vendor Business Name \_\_\_\_\_

Address \_\_\_\_\_

Vendor TIN \_\_\_\_\_

Vendor Type:

\_\_\_\_\_ Drinking Water

\_\_\_\_\_ Wastewater

\_\_\_\_\_ Combined Drinking Water/Wastewater

Primary Contact \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

FAX \_\_\_\_\_

Secondary Contact \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

FAX \_\_\_\_\_

# OTDA SECURITY AND CONFIDENTIALITY TERMS

Last Updated: June 2021

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**The Security and Confidentiality Terms set forth in this Appendix B-1 are made part of the Agreement between OTDA and the Contractor.**

**1. DEFINITIONS**

For purposes of this Appendix B-1 the following terms shall have the following meanings:

**“Protected Information”** means data or information to which the Contractor is given access which OTDA creates, receives, or maintains, which is, pursuant to federal and/or state laws, rules, regulations, policies or agreements, deemed confidential, personal, private and/or sensitive. Such data or information may be present or stored in any form or medium and includes, but is not limited to:

- a. Data or information obtained from sources outside of OTDA;
- b. Data or information maintained in and/or obtained from OTDA-owned applications, systems, networks and/or databases;
- c. Data or information identifying an individual, particularly where such disclosure could result in an unwarranted invasion of personal privacy;
- d. Computer codes or other electronic or non-electronic data or information, the disclosure of which could jeopardize the compliance stature, security or confidentiality of OTDA’s information technology solutions, applications, systems, networks or data;
- e. Any other material designated by OTDA as being “Confidential,” “Personal,” “Private,” or otherwise “Sensitive.”

**“Authorized Persons”** means the Contractor’s employees, subcontractors or other agents who are authorized and have a business justification to access Protected Information to enable Contractor to perform the services pursuant to the Agreement.

**“Information Security Incident”** means any allegation or suspicion held by or brought to the attention of an OTDA employee or Authorized Persons involving inappropriate or unauthorized access to, or disclosure of, Protected Information.

**“Information Security Breach”** means the unauthorized access by a non-Authorized Person of Protected Information as defined in New York State Information and Security Breach Notification Act and the SHIELD Act (General Business Law Sections 899-aa and 899-bb; State Technology Law Section 208).

**“OTDA Contact”** means the person or persons designated in writing by OTDA to receive Information security incident or Information security breach notifications.

**“Continental United States (CONUS)”** – the 48 contiguous States and the District of Columbia

**“Follow the Sun”** – Follow-the-sun is a type of global workflow in which tasks are passed around daily between work sites that are many time zones apart. All helpdesk, online, and support services which access any Data must be performed from within CONUS. At no time will any Follow the Sun support be allowed to access Data directly, or indirectly, from outside CONUS.

**2. DATA TO BE DISCLOSED**

While a listing of specific data elements and/or information required to effectuate the Agreement may be more specifically set out in the solicitation, the obligations set out apply not only to such data elements and/or information but to all Protected Information, as defined herein.

**3. PURPOSE OF DATA**

Contractor represents that it is requesting and/or providing Protected Information solely for purposes specified in this solicitation. OTDA will release Protected Information to Contractor exclusively for this purpose. Contractor shall use the Protected Information only for the authorized purposes specified in this Agreement.

**4. OWNERSHIP OF DATA**

Contractor agrees that OTDA shall be deemed the “owner” of Protected Information disclosed by OTDA to Contractor under this Agreement including for purposes of complying with the requirements of General Business Law Sections 899-aa and 899-bb.

**5. DATA EXCHANGE DETAILS**

Prior to OTDA’s sharing of any data pursuant to this Agreement, Contractor and OTDA shall work together to provide and establish a secure, encrypted (both in transit and at rest) method of data exchange for any transfer of such data which shall, at a minimum, comport with the standards set and required by the [New York State Chief Information Security Office](#) (NYS CISO) and, where required, any additional heightened compliance obligations applicable to and necessitated by the data involved in any such exchange. The NYS CISO’s office shall, as OTDA deems appropriate, be provided with details of such proposed method of exchange for review and approval. The Parties agree that they will work together to create and keep current a Technical Service Description, to be made part of this Agreement, which sets forth the details of the Protected Information which OTDA shall furnish to Contractor, including, at a minimum, the frequency of the disclosure, timing, technical details of the method of data exchange (including all relevant details), and the format of any response as between the Parties.

**6. DATA PROTECTION**

Safeguarding of Protected Information shall be an integral part of the business requirements and activities of the Contractor to ensure there is no inappropriate or unauthorized use or exposure of Protected Information at any time. Contractor shall safeguard the confidentiality, integrity, and availability of Protected Information and comply with the following conditions:

- a. Implement and maintain appropriate administrative, technical and organizational security measures to safeguard against unauthorized access, disclosure, or theft of Protected Information. Such security measures shall comply with industry best practices and shall, at a minimum, comply with those requirements set forth by the [NYS CISO](#), and must comply with all applicable state and federal law, rules, regulations, and policies.
- b. All Protected Information shall be encrypted at rest and in transit, in accord with, at a minimum, the standard set forth by the [NYS CISO](#), all applicable state and federal law, rules, regulations and policies and, as appropriate, industry best practices.
- c. At no time shall any Protected Information be copied, disclosed or retained by the Contractor for any purpose other than performing the services under this Agreement.
- d. Contractor and Authorized Persons shall not disseminate, use, or permit the dissemination or use of Protected Information in any manner not described in this Agreement without express prior written consent from OTDA.
- e. Host all Protected Information and maintain and implement procedures to logically segregate and secure Protected Information from Contractor's data and data belonging to the Contractor's other customers, including other governmental entities.
- f. All data center(s) used to perform the services under the resulting Contract must, at a minimum, meet or exceed Tier 3 standards for redundancy and resilience, which can be found at the Uptime Institute website.
- g. The contractor must carefully, thoroughly, and thoughtfully vet all software solutions and hardware used to verify that they are compliant with the requirements set forth by the [NYS CISO](#) and fulfill the compliance obligations for the protection of OTDA's Protected Information. This vetting process shall also extend to all software solutions and hardware used by Authorized Persons.

## **7. DATA SECURITY**

Contractor shall immediately disclose its non-proprietary security processes and technical limitations to OTDA such that adequate protection for Protected Information is attained. At a minimum Contractor represents and warrants that the security requirements and processes shall comport with the security standards and protocols set by the [NYS CISO](#). In addition, the Contractor shall also comply with any state and/or federal laws, rules, regulations and/or policies that are applicable to the data being exchanged under this Agreement, including any heightened compliance obligations. The system and procedure that the Contractor will maintain for handling, storage, use, and destruction of Protected Information governed by this

agreement will be sufficient to allow OTDA and/or their designee(s) to audit compliance with this Agreement.

## **8. DATA LOCATION**

Contractor shall provide its services to OTDA and OTDA's end users solely from data centers physically located within the continental United States (CONUS), meaning the 48 contiguous States and the District of Columbia. Storage of Protected Information at rest shall be located solely in data centers in the United States. The Contractor shall not store, access, maintain, or process Protected Information on a mobile or portable device. The Contractor will store and maintain Protected Information in a place and manner that is physically secure from unauthorized access (e.g., locked cabinets or storage room) and will store and process electronic Protected Information in such a way that it will be secure from unauthorized access by any means.

## **9. CONTRACT AND DATA CENTER AUDIT**

The Contractor shall allow OTDA and any other authorized government agency to audit the Contractor's compliance with the security procedures set forth in this section. Contractor shall perform an independent audit of its data centers which contain Protected Information at least annually, and provide OTDA a copy of such audit report. Any non-critical deficiencies identified in the audit report or where the Contractor is found to be noncompliant with Agreement safeguards must be remedied, within 90 days of the issue date of the audit report with proof of remediation provided to OTDA. Critical deficiencies must be immediately remedied within a timeframe that OTDA approves. The completion of these requirements is at the Contractor's expense with no additional cost to OTDA.

The contractor will maintain a formal policy and procedures for the handling, storage, use, and destruction of Protected Information governed by this Agreement which must be sufficient to allow OTDA and/or their designee(s) to audit compliance with this Agreement.

The contractor will permit OTDA, or their agent, to enter upon Contractor's premises at reasonable times to inspect and review their safeguards and procedures for protecting the confidentiality, privacy, security, and compliance of the Protected Information. The contractor will also cooperate with OTDA, or their agent, in connection with any request for access to staff, information, or material related to an OTDA confidentiality, privacy, security, or compliance review, audit, or monitoring visit.

The contractor will provide, at Contractor's expense, an independent third-party audit of all data center(s) used to perform the services under the resulting Contract showing no deficiencies. Thereafter on an annual basis, at the contractor's expense, a full version of the audit report will be provided to

the State, within 30 days of the anniversary date of the Agreement. A Service Organization Control (SOC) 2 Type 2 audit report or approved equivalent sets the minimum level of a third-party audit.

## **10. ACCESS**

The contractor will limit access to Protected Information to Authorized Persons who have a legitimate business justification for access to such data for the purposes described in this Agreement.

For Protected Information with heightened compliance requirements, including but not limited to Unemployment Insurance Benefit information, Federal Parent Locator Services information, Federal Tax information, and Social Security Association information, Contractor will provide a listing of such Authorized Persons to OTDA at intervals determined by OTDA. The contractor will ensure that this list is kept current with any additions, changes, or removal of Authorized Persons needing access.

Access to Protected Information by Authorized Persons shall be closely monitored by Contractor and shall be removed in the event such access is no longer justified by a legitimate business need or where the person separates from service. Such removal must be immediate but in no event later than the close of business on the date of the triggering event.

Notice of all such changes will be sent to:

### **OTDA General Counsel**

40 North Pearl Street, 16C  
Albany, New York 12243  
(518) 474-9502  
otda.GC.Notifications@otda.ny.gov

The contractor may not assign or subcontract the Agreement, its obligation or interest hereunder, without the express, written consent of OTDA. Any assignment or subcontract made without such consent will be null and void and will constitute grounds for immediate termination of the Agreement by OTDA.

Contractor expressly represents and agrees that it will not re-disclose Protected Information provided by OTDA under this Agreement to third parties, including contractors or subcontractors, without the prior, written approval from OTDA. Authorized Persons shall not disseminate, use, or permit the dissemination or use of Protected Information in any manner not provided for in this agreement without the express prior, written consent from OTDA.

The contractor will undertake precautions to limit access to disclosed Protected Information to Authorized Persons only. The contractor will adopt safeguards and procedures to limit dissemination only to authorized individuals with a legitimate business need/purpose related to the purpose of this project as set out in this Agreement.

## **11. TRAINING**

The Contractor will ensure that all Authorized Persons who have access to any Protected Information for authorized purposes set forth in this Agreement have been instructed in a manner approved by OTDA regarding the confidential nature of the Protected Information, the safeguards required to protect such data, and the sanctions in applicable state, federal, and local laws, rules, regulations and/or policies for unauthorized disclosure of Protected Information. Contractor will annually sign an acknowledgement that all Authorized Persons with access to Protected Information have been instructed in a manner approved by and as set out above. Contractor will provide this acknowledgement upon request to OTDA and prior to the disclosure of any Protected Information hereunder and annually, as required, to continue the disclosure of Protected Information hereunder.

## **12. CONFIDENTIALITY AGREEMENTS**

Contractor shall require Authorized Persons to sign a confidentiality and non-disclosure agreement provided by OTDA in relation to access to Protected Information. Such signed agreements must be obtained prior to Authorized Persons commencing work. Contractor shall maintain such agreements for the duration of the audit period as set out in this Agreement and for the duration of any state, federal, and local laws, rules, regulations and policies applicable to the Protected Information being exchanged under this Agreement, whichever is longer, and shall provide them to OTDA upon request.

## **13. BACKGROUND INVESTIGATION AND FINGERPRINTING**

Contractor shall have a written personnel security policy that ensures a background investigation is completed for any individual who will need access to perform his/her job duties to Protected Information with heightened compliance obligations. The policy will identify the process, steps, and timeframes for determining whether an employee may be granted access to such Protected Information. The results of the background check will be reviewed by the Contractor to determine whether the applicant is suitable for access to such Protected Information. Suitability is defined as having verified citizenship or residency and no prior criminal offense or offenses where the nature of the offense creates a risk of misuse of such Protected Information as defined within this Agreement. Written background investigation policies and procedures must be provided to OTDA for review and approval. Policies and procedures, as well as a sample of completed background investigations, must be available for inspection upon request by OTDA or its agents.

## **14. NOTIFICATION OF LEGAL REQUESTS**

The Contractor shall immediately inform OTDA in writing upon receipt of any legal, investigatory, or other mode or method of demand (including but not limited to FOIL or FOIA requests, electronic discovery, litigation holds, and discovery searches) for access to Protected Information that is not otherwise authorized under this Agreement and shall take and vigorously pursue all necessary legal action to prevent any disclosure including, but not limited to, moving to quash subpoenas issued for such information. The Contractor will keep OTDA's General Counsel fully and timely notified of all developments related to such legal actions and their response thereto, and provide appropriate, robust legal assistance as may be required, as requested by OTDA. The notification shall be directed to:

**OTDA General Counsel**  
40 North Pearl Street 16 C  
Albany, NY 12243  
(518) 474-9502  
otda.GC.Notifications@otda.ny.gov

#### **15. REPORT OR PUBLICATION**

Contractor will ensure that any study, report, publication, or other disclosure for which Protected Information shared by OTDA is the basis and which is permitted under this Agreement is limited to the reporting of aggregate, de-identified data, which means it will not contain any information that might lead to the identification of a private person or entity. OTDA shall have the right to review and approve any such study, report, publication, or other disclosure prior to disclosure or publication.

#### **16. RETURN/DESTRUCTION OF PROTECTED INFORMATION**

In the event of termination or expiration of the Agreement, Contractor shall immediately implement an orderly return of all Protected Information, whether in digital or any other form, in a mutually agreeable format at a time agreed to by the parties and/or at the direction of OTDA. Thereafter, the Contractor shall, unless otherwise advised in writing by OTDA, immediately destroy and/or sanitize, as appropriate to the medium, such data and any extracts, copies, or backups of same thoroughly and irretrievably. The method for the sanitization of data shall, at a minimum, comport with the standards set by the [NYS CISO](#) for the sanitization of data. Contractor shall thereafter certify in writing and provide proof that these actions have been completed within 30 days of termination or expiration of this Agreement or within seven days of the request of an agent, employee or officer of OTDA, at the discretion of OTDA. The Contractor will not make, retain, copy, duplicate, or otherwise use any copies of Protected Information after completion of the purpose for which the data disclosed is served without prior written permission from OTDA.

#### **17. DATA RETENTION**

Notwithstanding any other obligation under this Agreement, Contractor agrees that it will preserve the Protected Information in a manner that complies with all applicable federal, state and local laws, rules, regulations, and policies for the purposes of ensuring applicable data records retention obligations are met.

#### **18. COMPLIANCE WITH INFORMATION SECURITY BREACH NOTIFICATION ACT AND OTHER LAWS**

Contractor represents and warrants that its collection, access, use, storage, disposal and disclosure of Protected Information does and will comply with all applicable federal, state and local privacy, confidentiality, security, data protection and compliance laws, rules, regulations, policies, and directives. Contractor warrants that it will comply with the applicable New York State Information and Security Breach Notification Act and the SHIELD Act (General Business Law Sections 899-aa and 899-bb; State Technology Law Section 208). The contractor ensures that it and all Authorized Persons will be in compliance with the aforementioned state, federal, and local laws, rules, regulations, policies, and directives.

#### **19. VULNERABILITY SCANNING**

The contractor must perform appropriate and required environment vulnerability scanning in accordance with Industry best practices and standards. The contractor must address all high and medium vulnerabilities found during scanning in a reasonable timeframe as agreed upon with OTDA.

OTDA, through ITS, will have the option to perform application scanning and web server scanning, as needed. The contractor must address all high and medium vulnerabilities found during scanning in a reasonable timeframe as agreed upon with OTDA.

When software vulnerabilities are revealed and addressed by a vendor patch, the Contractor will obtain the patch from the applicable vendor and categorize the urgency of application as either "critical" or "non-critical" in nature. The determination of the critical versus non-critical nature of patches is solely at the reasonable discretion of OTDA in consultation with ITS and Contractor. The contractor will apply all critical security patches, hotfixes, or service packs as they are tested and determined safe for installation after consultation with OTDA and ITS.

#### **20. INFORMATION SECURITY INCIDENT AND INFORMATION SECURITY BREACH**

If the Contractor or any Authorized Person becomes aware of or has knowledge of either any potential Information Security Incident (Security Incident) or Information Security Breach (Security Breach), then the Contractor shall within 30 minutes

of becoming aware or having knowledge of any potential Security Incident or Security Breach, notify the OTDA contact listed below of the Security Incident or Security Breach via the email address noted, and OTDA will direct what further action is necessary for response to the same. At such time, Contractor shall provide OTDA with the name and contact information for an employee of Contractor who shall serve as Contractor's primary security contact and shall be available to assist OTDA 24 hours a day, seven days per week, in keeping OTDA fully and timely notified of all developments relating to any such potential or actual Security Incident or Security Breach utilizing the following contact information:

**OTDA General Counsel**  
40 North Pearl Street 16 C  
Albany, NY 12243  
(518) 474-9502  
otda.GC.Notifications@otda.ny.gov

Should an Information Security Incident or Security Breach occur, immediately following the requisite notification to OTDA, Contractor shall 1) promptly investigate and utilize best efforts and IT industry best practices to determine the cause(s) of same and devise a proposed resolution and report the cause(s) and suggested remedies to OTDA; (2) promptly implement necessary remedial measures as OTDA deems necessary; (3) document responsive actions taken, including any post-incident review of events and actions taken to make changes in business practices to prevent similar instances in the future; 4) provide reports within the timeframes as requested by OTDA; 5) promptly notify OTDA of the steps taken to prevent similar instances in the future ; and 6) take any other action as may be directed by OTDA.

#### Notification and Assistance to Affected Persons.

Contractor shall be responsible for:

- a. Promptly notifying individuals whose Protected Information was compromised by an Information Security Breach ("Affected Persons") or, as OTDA deems appropriate, an Information Security Incident. The contractor is to first seek consultation and receive authorization from OTDA prior to issuing such notifications. OTDA shall approve the content of and the method by which such notifications must be provided (e.g., regular mail, e-mail, and/or website posting);
- b. If requested by OTDA and/or required by law, provide credit monitoring services, identity theft consultation and restoration, identity theft insurance, public records monitoring, toll free number and call center, payday loan monitoring, and any other services deemed reasonably necessary by OTDA to Affected Persons for a minimum of one year or longer, as determined by OTDA, (together referred to as "Affected Persons Assistance");
- c. Costs. The Contractor shall bear all costs associated with providing Affected Persons Assistance. OTDA may reduce any Contractor invoice by an amount attributable to the

Contractor's failure to satisfactorily provide Affected Persons Assistance.

## **21. BUSINESS CONTINUITY AND DISASTER RECOVERY**

The Disaster Recovery system shall be accessible by all users 24 hours a day, seven days a week, 365 days a year and available 99.982% of the time (uptime) per month and must not be rendered inoperable for any longer period for the purposes of maintenance, upgrades or hardware additions. OTDA will work with the Contractor to provide a listing of all essential functions related to the Agreement that must be sustained and maintained for the duration of the agreement. The Contractor shall have no less than one redundant data centers separated by at least 100 miles and on separate network fiber and separate power grids.

Contractor shall failover application to alternate hardware to perform planned maintenance, patches, code revisions, etc. to one instance, thoroughly test, then switch back to the upgraded instance before repeating the planned maintenance, patch, code revision, etc. on the second instance.

The contractor will provide OTDA with a business continuity and disaster recovery plan. This plan will include detailed precautions to minimize the effects of any disaster or interruption of service so that OTDA can rapidly continue to operate and resume mission-critical functions. OTDA will work with the Contractor to provide an analysis of business processes and continuity needs. The contractor will provide technical support staff with the skills required to interface with OTDA's application, network, hardware, and software during planning and preparation for disaster recovery and business continuity testing and/or during any declaration of an actual disaster. Minimum recovery time objective (RTO) and recovery point objective (RPO) will be determined by OTDA.

## **22. SUSPENSION/TERMINATION**

OTDA agrees to provide Protected Information pursuant to this Agreement subject to the representations and agreements by the Contractor contained in this document. OTDA will suspend the Agreement and the further disclosure of any Protected Information hereunder if: (i) Contractor fails to comply with any provision of this Agreement or (ii) OTDA General Counsel believes in good faith that the Contractor has violated its obligations to maintain the confidentiality, privacy, security and/or compliance status of such data or limit properly limit dissemination of such data. Such suspension will continue until corrective action, approved by OTDA, has been taken. In the absence of prompt and satisfactory corrective action, OTDA may, at its sole discretion, terminate the Agreement. Upon termination, the Contractor must immediately return all Protected Information obtained by the Contractor or Authorized Persons under the Agreement pursuant to the terms and conditions of the Return/Destruction of Protected Information section within this Agreement.

### **23. GENERAL TERMS**

In addition to suspension or termination of the Agreement as provided herein, OTDA reserves the right to undertake, without limitation, any other action under the Agreement, or state or federal law, rule, or regulation, to enforce the Agreement and secure satisfactory corrective action and/or return and/or destruction of the Protected Information furnished hereunder, including seeking damages, penalties, and restitution from Contractor or its affiliates as permitted under law.

The Contractor's and Authorized Person's confidentiality and related assurances and obligations hereunder shall survive the termination or expiration of the Agreement.

### **24. ASSIGNMENT OR SUBCONTRACTING**

The Contractor may not assign or subcontract the obligations or interests outlined in this Section of this Agreement, without the express, prior written consent of OTDA. Any assignment or subcontract made without such consent will be null and void and shall constitute grounds for immediate termination of the Agreement by OTDA.

### **25. CLOUD COMPUTING PROVISIONS**

All privacy, confidentiality, security and compliance requirements set out in this Agreement shall apply to any cloud computing solution proposed for use by the Contractor to accomplish any obligation under this Agreement.

**Village of Warwick  
RPTL 520 Prorated Taxes for the 2022 Levy**

<u>S/B/L</u>	<u>Relevy Code</u>	<u>Amount</u>	<u>Type</u>	<u>Name</u>
201-3-37	OT001	77.84	War Vet	Cash
203-1-10	OT001	80.87	Combat Vet	Feliciano
210-15-18	OT001	115.54	War Vet	Cohen
211-11-9	OT001	38.71	Aged	Cabrera Erraez
211-11-15	OT001	80.87	Combat Vet	Cirillo
213-4-8	OT001	273.94	Combat & Disab Vet	Orlowski
214-1-1	OT001	42.46	War Vet-1	Bendykowski
214-1-1	OT001	42.46	War Vet-2	Bendykowski
214-10-10	OT001	136.00	Combat Vet	Shea
217-8-6	OT001	34.00	Combat Vet	Rumpf
218-1-89.2	OT001	1,161.27	Tax Sale	Dumonte
221-1-3	OT001	136.00	Combat Vet	Heilmann
221-1-25.22	OT001	84.92	War Vet	Baker
223-1-1.-103	OT001	106.30	War Vet	Grill/Atkins
231-1-8	OT001	70.76	War Vet	Hirsch
232-9-1.-7	OT001	48.52	War Vet	Ginkel

**VILLAGE OF WARWICK TAX RELEVIES 2022-23**

<u>S/B/L</u>	<u>Relevy Code</u>	<u>Amount</u>	<u>Type</u>	<u>Name</u>
201-3-39	BR001	329.73	Debri Cleanup	Haesche
205-1-19	AL001	35.00	Unpaid Alarm Fine	Mobile Mart
207-3-12	AL001	75.00	Unpaid Alarm Fine	104 Main St. LLC
207-5-23	AL001	500.00	Unpaid Alarm Fine	CVS
207-2-12.2	AL001	85.00	Unpaid Alarm Fine	Key Bank
204-1-2.12	AL001	185.00	Unpaid Alarm Fine	Mt. Alverno
207-1-3.-1	AL001	45.00	Unpaid Alarm Fine	St. Anthony Community Hospital
207-5-35	AL001	85.00	Unpaid Alarm Fine	Fratellos
213-1-10	AL001	10.00	Unpaid Alarm Fine	Warwick Vally Country Club
211-1-4	AL001	10.00	Unpaid Alarm Fine	Iriniri Design
210-6-10	WR001	55.44	Unpaid Water	Eight West, LLC
210-6-10	SR001	52.76	Unpaid Sewer	Eight West, LLC
206-3-10	WR001	349.34	Unpaid Water	Thorson
206-3-10	SR001	308.36	Unpaid Sewer	Thorson
210-3-4	WR001	225.59	Unpaid Water	Jackson
210-3-4	SR001	217.38	Unpaid Sewer	Jackson
210-14-5	WR001	596.35	Unpaid Water	Bowman
210-14-5	SR001	539.88	Unpaid Sewer	Bowman
219-1-55	WR001	155.32	Unpaid Water	Medora
219-1-55	SR001	199.63	Unpaid Sewer	Medora
219-1-42	WR001	1,234.45	Unpaid Water	Mattera
219-1-42	SR001	1,026.41	Unpaid Sewer	Mattera

Errors/Omissions - RPTL 520

Prorated Taxes	2,530.46
Building Repair Relevy	329.73
Alarm Relevy	1,030.00
Water Relevy	2,616.49
Sewer Relevy	2,344.42
<b>Total Relevy &amp; RPTL 520:</b>	<b>8,851.10</b>

- OT001 - Errors/Omissions
- AL001 - Alarm Relevy
- WR001 - Water Relevy
- SR001 - Sewer Relevy
- BR001 - Building Repair
- PL001 - Planning and Zoning

\*All w/s relevies were sent via certified mail a 30-day relevy/DPA Agreement for unpaid 2021 balances over \$100

## **RPTL 520 Prorated Taxes for the 2022 Levy**

201-3-37	Cash	War Vet	77.84
203-1-10	Feliciano	Combat Vet	80.87
210-15-18	Cohen	War Vet	115.54
* 211-11-9	Cabrera Erraez	Aged	38.71
211-11-15	Cirillo	Combat Vet	80.87
213-4-8	Orlowski	Combat & Disab Vet	273.94
214-1-1	Bendykowski	War Vet-1	42.46
214-1-1	Bendykowski	War Vet-2	42.46
214-10-10	Shea	Combat Vet	136.00
* 217-8-6	Rumpf	Combat Vet	34.00
218-1-89.2	Dumonte	Tax Sale	1161.27
221-1-3	Heilmann	Combat Vet	136.00
221-1-25.22	Baker	War Vet	84.92
223-1-1.-103	Grill/Atkins	War Vet	106.30
231-1-8	Hirsch	War Vet	70.76
232-9-1.-7	Ginkel	War Vet	48.52
			<b>2530.46</b>

\* Added since preliminary list 3/22/22

77 Main Street  
Post Office Box 369  
Warwick, New York



(845) 986-2031  
Ext. 107

FAX: (845) 986-6884

[mayor@villageofwarwick.org](mailto:mayor@villageofwarwick.org)

[clerk@villageofwarwick.org](mailto:clerk@villageofwarwick.org)

## VILLAGE OF WARWICK

INCORPORATED 1867

### Village of Warwick Code Enforcement Office Order to Remedy / Notice of Violation

**Defendant:** William A Haesche

**Complainant:** Village of Warwick

**Location of Complaint:** 75 Maple Ave

**Tax Map Number:** 201-3-39

**Date of Complaint:** 06/02/2021

**Complaint Number:** C-2021-0005-1

**TAKE NOTICE**, there exists a violation at the location described above, in that the above-named individual(s), company, or corporation did allow the following offense:

**Hedges along Maple Ave overgrown and obstructing view of oncoming traffic exiting Locust St onto Maple Ave. Hedges along Locust St overgrown and protruding into street.**

**102-4-Notice to remove; effect of failure to comply.**

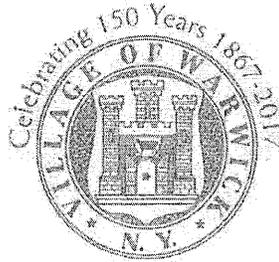
*Hedges along Locust St overgrown and protruding into street. The notice shall require the owner to remove, from the land owned by the owner, rubbish, brush, grass, weeds, debris, inoperative or abandoned vehicles and machinery and equipment or parts thereof on such land within 10 days from the date of service thereof. Said notice shall further provide that, in the event of said owner's failure to so remove, the village, upon such default, shall cause such rubbish, brush, grass, weeds, debris, inoperative or abandoned vehicles and machinery and equipment or parts thereof to be removed, and the total expense of such removal shall be assessed by the Board of Trustees on real property upon which such rubbish, grass, weeds, debris, inoperative or abandoned vehicles and machinery and equipment or parts thereof was found, and the expense so assessed shall constitute a lien and charge upon the real property upon which it is levied until paid or otherwise satisfied and discharged. The lien shall be collected in the same manner and at the same time as other village charges are collected*

**NOTICE:** Full compliance with this order to remedy is required by which is thirty (30) days after the date of this order. If the person or entity served with this order to remedy fails to comply in full with this order to remedy within the thirty (30) day period, that person or entity will be subject to a fine of not more than \$1,000 per day of violation imprisonment not exceeding one year, or both.

**Boris Rudzinski**

Village of Warwick Code Enforcement Officer

77 Main Street  
Post Office Box 369 Warwick,  
New York 10990  
www.villageofwarwick.org



(845) 986-2031 Ext.107

Fax (845) 986-6884

mayor@villageofwarwick.org

clerk@villageofwarwick.org

## VILLAGE OF WARWICK

INCORPORATED 1867

# COMPLAINT INFORMATION SHEET

To: **William A Haesche**  
**75 Maple Ave, SBL: 201-3-39**  
**Warwick, NY, 10990**  
Date of Inspection: **06/02/2021**

Case Number: **C-2021-0005**

Date of This Notice: **06/02/2021**

A violation of the Village of Warwick code has been found at the address of: **75 Maple Ave**  
The law requires that the property owner/tenant maintain the property in compliance with the Village of Warwick Code of Ordinance and the Law of the State of New York

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**Complaint:** High Grass/Weeds

**Description:**

Hedges along Maple Ave overgrown and obstructing view of oncoming traffic exiting Locust St onto Maple Ave.  
Hedges along Locust St overgrown and protruding into street.

**Observations:**

Hedges overgrown on Maple Ave obstructing view of oncoming traffic and on Locust St protruding into roadway, photos taken for file.

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**To Resolve:**

Immediately cut back hedges/growth along Maple Ave to prevent sight obstruction exiting Locust St to Maple Ave. Also cut back hedges on Locust St side so they do not protrude into roadway.

**Boris Rudzinski**

Village of Warwick Code Enforcement Official

Work Order #: 1982

Work Order Date: 06/21/21

Work Description: 75 Maple Ave. Cleanup Debris. Code Violation Dated 6/4/21

Department:

Problem Code:

Requestor/Contact : Building Inspector

Address:

Phone:

Status: 002: Closed

Date Completed: 06/21/2021

Purchase Order:

**Employees**

<b>Name</b>	<b>Hours</b>	<b>Cost</b>
Chris Kane	3.00	\$63.00
Jason Makuch	3.00	\$108.18
Michael Finnelli	3.00	\$59.55
Tony Rivera	3.00	\$99.00

Employee Cost: \$329.73  
 Equipment Cost: \$0.00  
 Material Cost: \$0.00  
 Inventory Cost: \$0.00  
 Purchase Order Cost: \$0.00

**Total Cost: \$329.73**

Signature:

Date:

**VILLAGE OF WARWICK TAX RELEVIES 2022-23 - WATER & SEWER ACCOUNTS**

<u>S/B/L</u>	<u>Relevy Code</u>	<u>Amount</u>	<u>Type</u>	<u>Name</u>
210-6-10	WR001	55.44	Unpaid Water	Eight West, LLC
210-6-10	SR001	52.76	Unpaid Sewer	Eight West, LLC
206-3-10	WR001	349.34	Unpaid Water	Thorson
206-3-10	SR001	308.36	Unpaid Sewer	Thorson
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219-1-55	SR001	199.63	Unpaid Sewer	Medora
219-1-42	WR001	1,234.45	Unpaid Water	Mattera
219-1-42	SR001	1,026.41	Unpaid Sewer	Mattera

**TOTAL W/S RELEVY:**

**4,960.91**

## ALARM FINE RELEVY REPORT FOR FY 2022-23 TAXES

False Alarm Date	Name/Owner	Blotter Number	LOCATION	Call #	Amount Due	Date of Notice	Tax Roll
12/17/2020	Mobile Mart	WP-009147	3 Colonial Ave	2	\$10.00	1/4/2021	205-1-19
2/3/2021	Mobile Mart	WP-001345-21	3 Colonial Ave	3	\$25.00	3/10/2021	205-1-10
10/30/2021	104 MAIN ST LLC	WP-013554-21	104 MAIN ST	3	\$25.00	12/21/2021	207-3-12
12/13/2021	104 MAIN ST LLC	WP-015371-21	104 MAIN ST	4	\$50.00	1/6/2022	207-3-12
8/21/2020	CVS	WP-009147-20	59 Main St	4	\$50.00	9/16/2020	207-5-23
2/26/2022	CVS	WP-002630-22	59 Main St	10	\$200.00	3/7/2022	207-5-23
3/2/2022	CVS	WP-002771-22	59 Main St	11	\$250.00	4/12/2022	207-5-23
1/11/2022	Key Bank	WP-000468-22	5 Maple Ave	2	\$10.00	2/17/2022	207-2-12.2
1/26/2022	Key Bank	WP-001233-22	5 Maple Ave	3	\$25.00	2/17/2022	207-2-12.2
1/28/2022	Key Bank	WP-001297-22	5 Maple Ave	4	\$50.00	2/17/2022	207-2-12.2
12/22/2020	Mt Alverno	WP-014496-20	20 Grand St	2	\$10.00	1/4/2021	204-1-2.12
11/2/2021	Mt Alverno	WP-013680-21	20 Grand St	3	\$25.00	12/22/2022	201-1-2.12
11/26/2021	Mt Alverno	WP-014749-21	20 Grand St	4	\$50.00	12/22/2022	201-1-2.12
2/24/2022	Mt Alverno	WP-002553-22	20 Grand St	5	\$100.00	3/7/2022	201-1-2.12
12/21/2020	SACH	WP-014445-20	15 Maple Ave	2	\$10.00	1/4/2021	207-1-3.-1
10/6/2021	SACH	WP-012402-21	15 Maple Ave	2	\$10.00	12/21/2021	207-1-3.-1
12/19/2021	SACH	WP-015654-21	15 Maple Ave	3	\$25.00	1/6/2021	207-1-3.-1
12/24/2020	Fratellos	WP-014611-20	22 Spring Street	2	\$10.00	1/4/2021	207-5-35
12/29/2020	Fratellos	WP-014861-20	22 Spring Street	3	\$25.00	1/4/2021	207-5-35
1/18/2021	Fratellos	WP-000754-21	22 Spring Street	4	\$50.00	2/8/2021	207-5-35
2/2/2021	Warwick Valley Country Club - Pro Shop	WP-001333-21	42 Oakland Ave	2	\$10.00	3/10/2021	213-1-10
2/19/2021	Iriniri Design	WP-001968-21	20 Main St	2	\$10.00	3/10/2021	211-1-4