

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

9254

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, May 2, 2022, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY via Zoom Videoconference. Present was: Mayor, Michael J. Newhard, Trustees: Barry Cheney, Carly Foster, and Tom McKnight. Also, present was Deputy Village Clerk, Jennifer Mante.

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

Mayor Newhard stated that tonight the meeting is beginning with a public hearing and asked the Deputy Clerk to read the public notice.

LEGAL NOTICE OF PUBLIC HEARING

Please take notice that the Village Board of the Village of Warwick does hereby set a public hearing on the 2nd 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.

Mayor Newhard: Just for the Board to know we've looked at a number of projects, this year's project, of course as you know, is the rehabilitation or repair of the sidewalks on South Street from Second to Third Street. It's a rather major undertaking because of the topography of that sidewalk. A suggestion came from two of the Trustees about discontinuing that work so that we start making a very clear path, since it's close to the park and those sidewalks are in relatively rough condition. It's a straight path and it doesn't have the technical issues that the sidewalk that we're doing this year has, that is, I think, where we're going to take it. I've walked it with Mike Moser and Dave Getz. We have a survey of that area so we're going to write the grants up so that we can try to get as far as we can go is the idea. Maybe matching it with our funds we can get

more bang for our buck. Also, the plan was to start at Galloway as opposed to Third Street because there is just a dirt path from Lawrence Avenue to Galloway and that would be the best place for a sidewalk at this point. That would make the greatest improvement. That's the idea that's in place now and that we're working towards. So, if you want some input this is the moment.

Trustee McKnight: Can we talk again about the timing of which, so there's the work that we have...or the grant that we have for between Third and Second Street.

Mayor Newhard: Yes.

Trustee McKnight: And that's to take place this calendar year.

Mayor Newhard: That's correct.

Trustee McKnight: And there's the Community Block Grant.

Mayor Newhard: That's right.

Trustee McKnight: Is that to take place next year or is there some flexibility to....

Mayor Newhard: No, next year. Because we won't receive approval from the County, it has to be vetted through the County, through the office of Community Development, then it goes to the Executive Department, goes through Steve Newhouse, and eventually comes back to us. We don't hear about this until really the fall.

Trustee McKnight: So, it's a continual, not continual effort in terms of workdays one after the other, but just continue on the same path?

Mayor Newhard: That's right.

Trustee McKnight: So that it will be separated by conceivably months apart.

Mayor Newhard: Yes, exactly. Thank you for clarifying that. I meant going in the same trajectory, but not at the same time. Some of the sidewalk seems salvageable, but some of it is in pretty rough shape. That's a matter of consideration what we have to figure out. We also talked about not only just sidewalks but also amenities that could be added such as benches along the way and maybe that's a possibility too.

Trustee McKnight: Are there any permissions that we need to get from the landowners?

Mayor Newhard: Not usually. Usually, it's pretty straight forward because it's their sidewalk, basically, and to eliminate anything that is potentially a hazard, I think they look at it as a plus.

Trustee McKnight: OK. There was a March date for, I think, we sent someone to an information session for the County for what was it?

Mayor Newhard: Right, yes.

Trustee McKnight: I can't find the exact date, this is, we owe them, basically, a detailed response by June, sometime, is that right?

Trustee Foster: June 24th.

Trustee McKnight: June 24th, OK. Are we able to say as much as we can get on this road?

Mayor Newhard: No, we will give them details, they'll be a cost per foot. It's interesting and maybe you'd like to participate in what happens because their committee does a site visit and they walk it and they are making a determination on, you know, does this do what we say it's going to do. Does it eliminate any barriers for handicapped people? So that's what they're looking at and I think that's just another part of what happens in the process. We've been very successful with this program at this point, using handicap accessibility as the corner stone of what we're trying to do.

Trustee McKnight: Got it.

Mayor Newhard: Anyone else?

Trustee McKnight: I'm good.

Mayor Newhard: Can I get a motion to close the public hearing?

Close Public Hearing on the Proposed Application for the Orange County Community Development Block Grant Program for FY 2022-23

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight, and carried to close the Public Hearing on the Proposed Application for the Orange County Community Development Block Grant Program for FY 2022-23.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Absent

Trustee McKnight Aye Mayor Newhard Aye

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight, and carried for the authorization to Pay all Approved and Audited Claims in the amount of \$156,928.92

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

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Absent

Trustee McKnight Aye Mayor Newhard Aye

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.

Mayor Newhard said that he believed there was only one item on the punch list and commented how remarkable that was. Trustee Cheney said that it was good to see a short punch list and contributed the success to TAM Enterprises, the Village Engineer, and Mike Moser. Mayor Newhard agreed.

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.

Mayor Newhard wanted to table the discussion until Trustee Bachman and Village Clerk, Raina Abramson, could be present.

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.

No comments were made.

Reestablishing Lead Agency Status – Village View

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster, and carried 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: **APPROVED**

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Absent

Trustee McKnight Aye Mayor Newhard Aye

**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.

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

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

Barry Cheney, Trustee, voting Aye
Carly Foster, Trustee, voting Aye
Thomas McKnight, Trustee, voting Aye
Corey Bachman, Trustee, voting Absent
Michael Newhard, Mayor, voting Aye

Discussion

Mayor Newhard noted that how the stream that goes through the Village is connected to the Hudson River, and how he thought it would be informative to the public to have a sign with facts and history about the stream.

Advertise - Summer Office Intern

A **MOTION** was made by Trustee McKnight, seconded by Trustee Cheney, and carried 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: **APPROVED**

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Absent
Trustee McKnight Aye Mayor Newhard Aye

Facility Use Request – Veterans Memorial Park Pavilion, Warwick Fire Department Picnic

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried 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: **APPROVED**

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Absent

Trustee McKnight Aye Mayor Newhard Aye

Facility Use Request – Railroad Green, Boy Scout Troop 38 Plant Sale

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried 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 Aye Trustee Foster Aye Trustee Bachman Absent

Trustee McKnight Aye Mayor Newhard Aye

Facility Use Request – Stanley-Deming Park, Park Avenue Elementary Third-Grade Picnic

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried 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: **APPROVED**

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Absent

Trustee McKnight Aye Mayor Newhard Aye

Budget Modification

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried 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: **APPROVED**

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Absent

Trustee McKnight Aye Mayor Newhard Aye

Discussion

Trustee McKnight wanted clarification that the amounts were the same they were just being transferred from one account code to another. Trustee Cheney included that it could be into multiple accounts as well and confirmed that Trustee McKnight was correct.

2022 Village of Warwick Summer Concert Series

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried 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: **APPROVED**

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Absent

Trustee McKnight Aye Mayor Newhard Aye

Discussion

Mayor Newhard clarified that the majority of concerts were going to take place at Railroad Green. Trustee Foster wanted to know if people asked for the concerts to go back to Railroad Green. Mayor Newhard said that they did. Trustee Foster thought that Stanley-Deming had more room and was more kid-friendly. Mayor Newhard agreed but explained that Village Green was closer to the activities downtown and how people enjoyed the proximity to the restaurants. Mayor Newhard said that both places were great venues. Trustee Foster agreed that it would be nice to have a mix of both places.

Warwick Merchants Guild – Pickers Paradise Annual Sidewalk Sale

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried 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: **APPROVED**

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Absent

Trustee McKnight Aye Mayor Newhard Aye

Discussion

Trustee McKnight wanted clarification as to who would close the road. Mayor Newhard responded that the merchants would use the sawhorses to close off the road due to the event occurring on a Saturday/Sunday. Trustee McKnight asked if there was a particular person in charge and if they would be the ones to close the road. Mayor Newhard said that yes there was and that they and some of the volunteers for the event would be the ones to move the sawhorses. Trustee McKnight wanted confirmation that the road would not be left closed after the event is over. Mayor Newhard assured that it would not. Trust McKnight confirmed with Mayor Newhard that the Village would not have DPW move the sawhorses.

Warwick Merchants Guild – Pickers Paradise Annual Sidewalk Sale – Closure of Parking Spaces

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried 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: **APPROVED**

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Absent

Trustee McKnight Aye Mayor Newhard Aye

Discussion

Trustee McKnight confirmed with Mayor Newhard that the parking enforcement officer was working during the timeframe.

Warwick Merchants Guild – Pickers Paradise Annual Sidewalk Sale – Closure of Parking Spaces

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried 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: **APPROVED**

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Absent

Trustee McKnight Aye Mayor Newhard Aye

Warwick Merchants Guild – Pickers Paradise Annual Sidewalk Sale – Road Closure

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried 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: **APPROVED**

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Absent

Trustee McKnight Aye Mayor Newhard Aye

Vendor Agreement for the New York State Low Income Household Water Assistance Program

A **MOTION** was made by Trustee McKnight, seconded by Trustee Cheney, and carried 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: **APPROVED**

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Absent

Trustee McKnight Aye Mayor Newhard Aye

Discussion

Mayor Newhard wanted it known how important the legislation was and how it helped people, especially post COVID. Mayor Newhard explained how penalties were not applied for a period of time, but how some people still got behind on their bills and was

glad the Village could have this agreement to help out. Mayor Newhard wanted to recognize the Water Department and the Clerk's Office for the monumental amount of work that was done in order to make the agreements possible. Trustee McKnight explained that the idea is that the State OTDA would pay the Village directly as so the Village was not out the funds. Mayor Newhard said that to some degree yes, and that what the Village had done was create a long-term payment plan, and how the resident was paying it over a period of time and without penalties.

Village of Warwick FY 2022 – 2023 Tax Relevys & Errors & Omissions

A **MOTION** was made by Trustee McKnight, seconded by Trustee Cheney, and carried 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: **APPROVED**

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Absent

Trustee McKnight Aye Mayor Newhard Aye

Final Comments from the Board

Mayor Newhard discussed the intent to hire Karen Arent, a Landscape Architect, to work on the review of the Memorial Park comprehensive master plan and how a nice conversation had taken place with Ms. Arent.

Trustee Foster announced that the date for the listening session for Memorial Park would be Sunday, May 22, 2022, from 10:00 a.m. to 12:00 p.m. Trustee Foster explained the objective of the listening session and how residents would be able to provide written and verbal suggestions and how that feedback would go directly toward the formation of the master plan committee as well as the master plan itself.

Mayor Newhard said that the Village would send a letter to the editor and have a press release to get the word out about the listening session. Mayor Newhard added that a meeting had occurred with some Wawayanda kayakers and how the kayakers were looking for a docking sight somewhere in Memorial Park.

Trustee Cheney gave an update on the progress for the Bank Street Bridge and how it was expected to be completed and would be opened before Memorial Day weekend. Mayor Newhard

confirmed with Trustee Cheney that the bridge would not be open for the Duck Derby. Trustee McKnight wanted to know how much paving of the road would be done going toward South Street. Trustee Cheney believed that from Main Street to the bridge would be done in its entirety but was unsure how much paving would be done going towards South Street, and how paving would take place to where it would be an appropriate place to stop. Mayor Newhard was under the impression that most of it would be repaved. Trustee McKnight suggested that it might be worth asking if they could pave from Main Street from where the bridge starts to South Street as one continuous swath, that it was maybe an extra seventy-five feet. Trustee Cheney said that it would require milling. Mayor Newhard said that he would think that the top portion would be milled, so the milling equipment would already be there. Mayor Newhard said he would have a conversation with them. Trustee McKnight asked if there would be an opportunity to discuss with them to do the whole road and explained that it was a short road and would look choppy if only half of it was done. Trustee Cheney said that he would have to look and see the condition of the rest of the road because that would play a role in whether it was needed, Trustee Cheney did not think they would be willing to do anything that wasn't really needed. Mayor Newhard said that there was some disturbance to the road due to the utility work that was done on South Street leading into Bank Street. Trustee Cheney explained that was the responsibility of Orange and Rockland, as it was a gas main project that Orange & Rockland replaced and how he had spoken with the DPW supervisor and asked him to reach out to Orange & Rockland to get them to fix the spot where the gas line was replaced.

Executive Session

A **MOTION** was made by Trustee McKnight, seconded by Trustee Cheney, and carried to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation and to seek the confidential advice of counsel.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Absent

Trustee McKnight Aye Mayor Newhard Aye

Adjournment of Executive Session

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

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

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Aye

Trustee McKnight Aye Mayor Newhard Aye

Adjournment

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

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

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Aye

Trustee McKnight Aye Mayor Newhard Aye

Jennifer Mante, Deputy Village Clerk