

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
NOVEMBER 3, 2021
WORK SESSION**

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

Discussion

1. Amendments to Village Code Chapters 39, 90, and A150 regarding Village Parks and Facility Use Permits.

Adjournment

Chapter 39

Assemblies, Public

Village Owned Property

[**HISTORY: Adopted by the Board of Trustees of the Village of Warwick during codification; see Ch. 1, General Provisions, Article II. Amendments noted where applicable.**]

GENERAL REFERENCES

Amusements and exhibitions — See Ch. 34.

Fire prevention — See Ch. 68.

Garbage, rubbish and refuse — See Ch. 75.

Littering — See Ch. 83.

Park rules and regulations — See Ch. 90.

Peace and good order — See Ch. 93.

Facility use permits – See Ch. A150

§ 39-1 Purpose; statutory authority; scope.

The Board of Trustees, in order to promote proper government and ensure the proper protection, order, conduct, safety, health, welfare and well-being of persons and property within the Village of Warwick, Orange County, New York, finds that it is in the public interest to enact this chapter pursuant to the provisions of Section 4-412 of the Village Law of the State of New York. This chapter shall regulate the assembly of persons where such assembly exceeds 200 persons on property owned by the Village of Warwick including but not limited to buildings, parkland, park facilities, parking lots, and streets.

§ 39-2 Definitions.

Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meaning herein indicated. Words used in the present tense include the future, the singular number includes the plural and the masculine shall include the feminine:

ASSEMBLY

The gathering or collecting or congregating of persons on property owned by the Village of Warwick including but not limited to buildings, parkland, park facilities, parking lots, and streets, with or without the levy of an admission fee, for a common purpose, such as, but not limited to, sports events, circuses, carnivals, festivals, music festivals or religious observances.

BUILDING

A structure wholly or partially enclosed with exterior walls and a roof, of permanent or temporary nature, affording shelter to persons, animals or property.

PERSON

Any individual, firm, company, association, society, corporation or group.

SHALL is mandatory, and MAY is permissive

STRUCTURE

A combination of materials to form a construction that is safe and stable and includes, among other things, stadiums, stages, prop forms, radio towers, sheds, storage bins, tents, billboards, space signs, bleachers, ramps and seats.

§ 39-3 Permit required; application; required information, facilities and surety.

- A. No person shall use, allow, let or permit to be used property owned by the Village of Warwick for the assembly of persons in excess of 200 persons, nor shall any person use, allow, let or permit to be used property owned by the Village of Warwick for any part or portion of such assembly of persons which total assembly in the aggregate is in excess of 200 persons, unless upon written permit authorizing such use and assembly issued by the Board of Trustees through the Village Clerk.
- B. Application for such permit shall be by verified petition on forms to be furnished by the Village, addressed to the Board of Trustees and filed with the Village Clerk at least 90 days prior to the date upon which such use and assembly shall occur. The Board of Trustees shall act upon the complete application within 30 days after its submission. Such application shall include the following information:
1. A statement of the name and residence address of the applicant; if the applicant is a corporation, the name of the corporation and the names and addresses of its directors and officers; the applicant must reside within the Town of Warwick, who shall be authorized to and shall agree to a verified statement to accept notices or summonses issued with respect to the application or the conduct of the assembly or use in any manner involving it arising out of the application, construction or application of this chapter.
 2. A statement containing the expected maximum number of persons intended to use the property at one time and collectively; the expected number of automobiles and vehicles intended to use the property at one time and collectively; and the purpose of the assembly and use, including the nature of the activity to be carried on and the admission fee to be charged, if any.
 3. A detailed map showing the location of the event including any structures to be erected for the purpose of the assembly.
 4. A plan drawn to scale showing the layout of any parking area for motor vehicles, including disability parking spots and the means of egress from and ingress to such parking area.
 5. A statement containing the type, number and location of any sound amplifier or loudspeaker or sound truck, or other similar sound equipment.
 6. A statement specifying whether food or beverage is intended to be prepared, served or distributed. If food or beverages are intended to be prepared, sold or distributed, a statement specifying the method

of preparation and distribution of such food or beverage such as food trucks or open grills and the method of disposing of garbage, trash, rubbish or any other refuse arising therefrom. If food or beverage is to be prepared, sold, and distributed, a plan or drawing to scale must be attached to the application showing the buildings or other structures from which the food or beverages shall be prepared, sold or distributed.

7. A statement specifying that the Warwick Police Department, Warwick Fire Department, and Warwick EMS have been notified of the event, including any recommendations from the aforesaid Departments.
 8. A statement specifying whether any outdoor lights or signs are to be utilized, and, if so, a map showing the number, location, size, type of such lights and signs.
 9. A statement specifying whether any camping or housing facilities are to be available, and, if so, a plan drawn to scale showing the intended number and location of the same.
 10. A statement specifying the contemplated duration of assembly and use.
 11. If the assembly and use are to continue from one day into another, a statement specifying the camping or housing facilities available or to be made available on the premises.
- C. No permit shall be issued unless it is clearly shown that all of the following are provided for and approved in writing by the Orange County Health Department and the Board of Trustees of the Village of Warwick:
1. 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.
 2. Toilet facilities adequate for the capacity of the assembly or use. Portable toilet facilities shall be located as to be conveniently available and must be adequately maintained.
 3. Adequate facilities and arrangements for safe, clean disposal of solid waste, garbage and trash.
 4. Adequate off-street and off-road facilities for the contemplated number of people attending the assembly or use. Parking space shall be provided for at least one car for every four persons in attendance.
- D. No permit shall be issued unless the applicant shall furnish the Village with a comprehensive liability insurance policy insuring the Village against liability for damage to persons or property with limits of not less than \$500,000/\$1,000,000 bodily injury or death, and limits of not less than \$500,000 for property damage, sufficient to save the Village harmless from any liability or cause of action which might arise by reason of the granting of the permit, and not cancellable without 10 days' prior written notice to the Village. The applicant shall further provide a security deposit of \$500 with the Village to ensure the removal of trash and other waste material as hereinafter provided, which deposit shall be returned to the applicant within 30 days from the date of termination of the assembly after deduction

therefrom of all expenses caused by the applicant's not complying to remove said trash and other waste material.

- E. Within 48 hours from the date of the termination of the assembly, trash, paper, garbage and other waste material shall be completely removed from the premises in a safe, clean and sanitary manner.
- G. Any permit issued may be revoked by the Board of Trustees through the Village Clerk if at any time it should be determined that the applicant has failed to provide the facilities as specified in the application, or that the setting up of the facilities provided for in the application cannot be reasonably accomplished within the time or date set for the assembly or use.

§ 39-4 Application fee.

Each application shall be accompanied by a fee at the time of its submission as set forth in Chapter **63**, Fees. The fee shall compensate the Village for its examination and processing of such application and shall not be refundable in whole or in part.

§ 39-5 Enforcement; penalties for offenses.

- A. Any person who shall use, allow, let or permit to be used Village of Warwick owned property for the assembly of persons in the excess of 200, or shall use, allow, let or permit to be used Village of Warwick owned property for any part or portion of such assembly, which total assembly in the aggregate is in excess of 200 persons, or any person who shall cause the gathering, collecting or congregating of persons in excess of 200 on Village of Warwick owned property without first obtaining a written permit, in accordance with the provisions of this chapter, shall be deemed to have violated this chapter and committed a misdemeanor against the chapter and shall be liable for the penalties provided. Any person who commits or permits any act in violation of any provision of this chapter shall be deemed to have violated this chapter and committed a misdemeanor against the chapter and shall be liable for the penalties provided.
- B. For each violation of the provisions of this chapter, the person violating the same shall be subject to a fine of not more than \$1,000 nor less than \$100, or imprisonment not to exceed one year, or to both such fine and imprisonment.
- C. In addition to the above-provided penalties, the Board of Trustees may maintain an action or proceeding in the name of the Village in a court of competent jurisdiction to compel compliance with this chapter or to restrain by injunction the violation of such chapter.

Chapter 90

Park Rules and Regulations

GENERAL REFERENCES

Amusements and exhibitions — See Ch. **34**.

Assemblies, Public – Village Owned Property – See Ch. **39**.

Fire prevention — See Ch. **68**.

Garbage, rubbish and refuse — See Ch. **75**.

Littering — See Ch. **83**.

Peace and good order — See Ch. **93**.

Facility use permits – See Ch. **A150**

Section 1. PURPOSES

1. The purpose of this chapter and the rules and regulations authorized hereunder is to harmonize, organize, clarify, and collect all laws relating to the governance of the use of the parks and facilities in the Village of Warwick so that they may endure and be used and enjoyed in peace and safety by the citizens of and visitors to the Village of Warwick in perpetuity.

Section 2. DEFINITIONS

1. As used herein the terms “Park(s)” and “Park Facilities” shall mean all lands and facilities under the jurisdiction, supervision, and control of the Village of Warwick, including but not limited to park lands, ball fields, playgrounds, basketball courts, skatepark, water courses, historic sites, nature preserves, and all other recreation facilities; and shall also include buildings, structures, parking areas, and all other Village of Warwick owned property.
2. “User(s)” shall hereinafter refer to all persons entering upon and/or using the Parks and/or Park Facilities for any purpose, other than to carry out their duties and responsibilities as agenda or employees of the Village of Warwick, o be interpreted herein in the singular or plural as the sense shall require.

Section 3. GENERAL USE

1. The parks and Park Facilities are for the peaceful use and safe enjoyment of citizens and residents of the Village of Warwick and visitors to the Village of Warwick. Use of the Parks and

Park Facilities shall conform to this Chapter of the Code of the Village of Warwick and to all rules and regulations promulgated thereunder.

2. The Parks and Park Facilities, except as may be excluded or limited by the Village of Warwick DPW Supervisor, shall be open for public use on such days, at such times according to the below schedule or as the Village of Warwick DPW Supervisor may determine or designate. Such schedule shall be subjected to such temporary or permanent amendment or variation as the DPW Supervisor may determine.

- a. **Stanley Deming Park**

- No person shall enter into, remain or be found in Stanley Deming Park in the Village of Warwick between the hours of 9:00 p.m. and 6:00 a.m., without a special permit issued by the Village.

- b. **Railroad Green**

- No person shall enter onto, remain, or be found on Railroad Green located at the intersection of Main Street and Railroad Avenue during the hours of 11:00 p.m. and 6: a.m. without a special permit issued by the Village.

- c. **Memorial Park**

- No person shall enter into, remain or be found in Memorial Park in the Village of Warwick on foot or by vehicle between the hours of 9:00 p.m. and 6:00 a.m. without a special permit issued by the Village.

- d. **Memorial Park- Robert Newhard, Sr. Skate Park;**

- No person shall enter into, remain or be found in the Robert Newhard, Sr. Skate Park in Memorial Park in the Village of Warwick between the hours of 9:00 p.m. and 6:00 a.m. without a special permit issued by the Village.

- e. **Lewis Woodlands**

- No person shall enter onto, remain or be found on Lewis Woodlands Park between dusk and dawn without a special permit issued by the Village.

- f. **Hallowed Ground**

- No person shall enter onto, remain or be found on Hallowed Ground Park between dusk and dawn without a special permit issued by the Village.

3. The Parks and Park facilities shall not be used other than during such times as the Village of Warwick DPW Supervisor shall have determined or designated. Exceptions for special uses at times not specified for use by the general public shall require a special permit issued by the Village of Warwick. Groups, clubs, businesses, or other organizations wishing to use the Parks or Park Facilities for an event must first secure in writing a special permit issued by the Village.

4. The Parks or any portion or portions thereof and Park Facilities or any part thereof may be closed or rendered unavailable for access or use, for such interval of time as may be deemed appropriate or necessary, by the Village of Warwick DPW Supervisor, Mayor, or Village Board of Trustees. Such closing may be accompanied by the posting of notices and/or signs to such effect upon the affected property and/or facilities, and otherwise may best give notice of same to the public.
5. The Village Board of Trustees is authorized to adopt a schedule of fees, which shall be charged for the use of Park or Park Facilities and/or equipment. The Village Board is authorized to require the posting of security, in the form of cash or check, and insurance as a condition of the use of the Parks or Park Facilities and/or equipment. Should any damage be done to the premises for which the cost to repair shall be in excess of said sum, then either the individual making application for said permit or the group which he represents or on whose behalf he signs, or both, may be held legally responsible for said excess.
6. It will be the responsibility of the organized leagues to mark fields and to install necessary equipment for that league or any other items necessary for the operation of that league.
7. Use of the Parks and Park Facilities shall be at the sole and complete risk of the User. The Village of Warwick assumes no responsibility and is not liable for any injury, damage, or losses to any persons or property arising from the use of the Parks and/or Park Facilities.
8. Entering upon and using the Parks and/or Park Facilities shall constitute an agreement by the User to hold the Village of Warwick harmless from all claims from injury, damage or loss to any persons or property arising from the use of the Park and/or Park Facilities. Injury, damage or loss of property of the Village of Warwick, including the Parks and/or park facilities, resulting from the use of the Parks and/or Park Facilities, shall be the responsibility of the User, who shall be liable to the Village of Warwick for the actual cost or value of such injury, damage or loss; in addition to such other claims and sanctions as may be allowed or imposed by law.
9. All Federal, State, and local laws, rules, regulations and ordinances which apply or shall hereinafter apply in and for the Village of Warwick shall apply in and for the Village of Warwick Parks and Park Facilities, including insofar as same require prior notice of actions, claims, suits, and other proceedings; and in all other form and for such other purposes as are or may be provided therein.

Section 4. CONDUCT AND PROHIBITIONS

1. The Village of Warwick, DPW Supervisor, and any individual who may be designated in writing by the Village Board of Trustees and who shall be, in any event, an official of the Village of Warwick, shall have the authority to monitor compliance and seek enforcement of the provisions of this chapter and any rules and regulations promulgated hereunder.

- 2.** The Village of Warwick Board of Trustees, Mayor, or DPW Supervisor shall have the authority to promulgate rules and regulations regarding the use of the Parks or Park Facilities. A current copy of all such rules and regulations shall be maintained on file in the Clerk's Office and on the Village's website.
- 3.** As set forth in Chapter **39**, Assemblies, Public - Village Owned Property, assemblies of persons in Parks, Park Facilities, and/or Village owned property where such assembly exceeds 200 people requires a Facility Use Permit that is available in the Clerk's Office and on the Village's website.
- 4.** All dogs must be leashed while in Parks, Park Facilities, and/or on Village owned property.
- 5.** All persons are prohibited from doing any of the following in or upon any Park or any Park Facilities:
 - a.** Entering, remaining upon, and/or using the Parks and/or Park Facilities at any other time other than as scheduled or made available for use by the Village authority.
 - b.** Failing to obey all signs, signals, speed limit signs and other directions and instructions from the Village of Warwick or other lawful authorities in or on Park Property and Park Facilities.
 - c.** Carry or have in possession while in any Village Park any glass containers, bottles, or breakable glass products.
 - d.** Making or causing loud noise and/or music in or on Park property and Park Facilities in such manner as disturbs or interferes with other users; or in any fashion impairing the ability of any person to quietly enjoy and use the same.
 - e.** Possessing and/or using explosives, fireworks, rockets, dangerous chemical and/or devices or substances in or on the Parks and Park facilities, unless specifically approved by the Village Board of Trustees.
 - f.** Littering, dumping, disposing or otherwise placing household trash, solid or liquid waste or debris in or on the Park property or Park Facilities except in appropriate receptacles provided therefor. No person shall use Park receptacles for household waste, construction and demolition debris or waste, medical waste, radioactive waste, chemical waste or other waste material which is generated or originated anywhere except on or from Park's property.
 - g.** Acting, behaving, and/or using language in a disorderly, disturbing, indecent or obscene manner; or harassing, annoying, disturbing or interfering with other persons using the Parks and/or Park Facilities.
 - h.** Possessing, using, selling or conveying to another person alcohol or substances containing alcohol except as hereinafter provided; or illegal chemicals, compounds or

drugs; being in or upon or using the Parks or Park facilities while intoxicated or under the influence of alcohol or drugs or while abilities are impaired by same.

- i. Smoking, tobacco use, electronic cigarettes and vapor products shall be banned in all public parks and all property within 24 feet of a public park, except for private property, the sidewalks immediately adjoining any parks, any pedestrian route through any park, public parking lots and any other Village-sponsored outdoor gathering of people.
- j. Carrying or possessing any kind of weapons in or on Park property or Park Facilities, including but not limited to firearms, bows, slingshots, air or spring guns; or firing or discharging firearms or weapons on, from, into or across Park property and/or Park Facilities.
- k. Secreting, storing, burying, abandoning, or otherwise emplacing privately owned or abandoned materials, items or property in or upon Park property and/or Park facilities.
- l. Illegal activities of any kind are prohibited.
- m. Taking upon or intentionally or negligently allowing upon Park property or Park facilities any unleashed, unconfined, or otherwise uncontrolled animal, or any animal under any circumstances which poses a danger or threat to the health and safety of any person or to any person's right and opportunity to quietly use and enjoy the Parks or Park Facilities.
- n. Parking any vehicle, trailer or other human or animal conveyance or apparatus anywhere other than in designated parking areas, or contrary to the instructions of lawful authority. Parking overnight in or on any Park parking facility or area is prohibited. Parking areas are for use by vehicles or persons using the Parks or other Park Facilities. Parking areas shall not be used by person not using the Parks or Park Facilities.
- o. Obstructing, impairing, burdening, damaging, altering or destroying the Parks, Park Facilities and property; disturbing, destroying, injuring, damaging or removing any property within the Parks, including, but not limited to, vegetation, wildlife, signs, equipment or facilities except as unavoidably impacted by normal minimal wear and tear resulting from authorized use of the Park or Park Facilities; erecting, displaying or affixing unauthorized signs, placards, bills or notices for any purpose whatsoever.
- p. Selling, vending, or conducting or soliciting private business, commerce, or commercial transactions or for-profit activities on Park property or Park Facilities or Village owned land using same in pursuit thereof; using or renting for private profit or charging a private fee for the use of the Parks or Park facilities by any individual or group or entity, corporate or otherwise, for any purpose whatsoever.

- q. Starting or maintaining a fire or open flame; operating a portable stove, grill or any other device for heating, cooking, or preparation of food without a special permit issued by the Village.

Section 5. ALCOHOLIC BEVERAGES

1. The use of alcohol is not permitted in any Village Park or Park Facilities without a special permit issued by the Village.
2. To obtain permission to allow alcohol as part of an event the following conditions must be met:
 - a. Approval of alcohol will only be issued to a bona fide group, club or business which has secured a special permit from the Village for use of the Park or Park Facilities for their event.
 - b. At the time of the request, applicants must submit a Certificate of Liquor Legal Liability Insurance Coverage. The certificate must name the Village of Warwick as an additional insured. Coverage must be in the amount of \$1,000,000 per occurrence/ \$2,000,000 aggregate.

Section 6. MEMORIAL PARK- ROBERT NEWHARD, SR. SKATE PARK REGULATIONS

All Users of The Robert Newhard, Sr. Skate Park must adhere to and be in compliance with all rules and regulations pertaining to this chapter including;

- I. General Rules- Robert Newhard, Sr. Skate Park
 - a. Children under 10 must be accompanied by an adult.
 - b. Pets are not allowed in the skatepark.
 - c. Motorized equipment is not permitted within the skatepark.
- II. Protective equipment required:
 - a. Helmets are required for those under 14.
 - b. Elbow, knee pads, and wrist guards are strongly recommended.
- III. Skateboards may not:
 - a. Ride, operate or use any device other than roller blades, skateboards, scooters, or BMX bikes.
 - b. Ride or operate devices unless that person is wearing an approved helmet and proper safety equipment, in good repair, at all times during use.
 - c. Place or utilize additional obstacles or other materials (including but not limited to ramps or jumps).
 - d. Ride, operate, or use roller blades or a skateboard before or after the posted hours of operation.
 - e. Fail to obey any rule or regulation posted on or near the skate park.

Section 7. SPEED LIMIT IN MEMORIAL PARK

Fifteen miles per hour is hereby established as the maximum speed at which vehicles may proceed on or along roadways in Memorial Park.

Section 8. PENALTIES FOR OFFENSES

Any person who violates any of the sections of Chapter **90** shall, for a first violation thereof, be liable for a civil penalty of not less than \$250 or more than \$400; for a second violation, both of which were committed within a period of 12 months, be liable for a civil penalty of not less than \$500 nor more than \$1,000; and for a third or subsequent violation, all of which were omitted within a period of 12 months, be liable for a civil penalty of not less than \$1,000 nor more than \$2,000. The continuation of an offense against the provision of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

Chapter A150

Facility Use Permits

GENERAL REFERENCES

Amusements and exhibitions – See Ch. **34**.

Assemblies, Public – Village Owned Property – See Ch. **39**.

Garbage, rubbish, and refuse — See Ch. **75**.

Littering — See Ch. **83**.

Park rules and regulations — See Ch. **90**.

Peace and good order — See Ch. **93**.

§ A150-1 Purpose.

Facility Use Permits are required for any public assembly exceeding 200 people on Village Owned Parks, Village Owned Park Facilities, or Village Owned Land **and** for public assemblies less than 200 people seeking exclusive use of Parks, Park Facilities, or Village Owned Land.

1. Application for exclusive use of Village Owned Parks, Village Owned Park Facilities, or Village Owned Land for gatherings of less than 200 people should be made to the Village Clerk in writing using the Village of Warwick ‘Facility Use Request Form’ available in the Clerk’s Office and on the village’s website.
2. As set forth in Chapter **39**, Assemblies, Public - Village Owned Property, the assemblies of persons in Parks, Park Facilities, and/or Village owned property where such assembly exceeds 200 people requires a ‘Facility Use Permit Application for Gatherings Greater Than 200 People’ that is available in the Clerk’s Office and on the village’s website.
3. Approval of requests will be at the discretion of the Village of Warwick Board of Trustees.

§ A150-2 Fees; waivers.

1. A fee as set forth in Chapter **63**, Fees, shall be charged for use of the buildings or parkland or park facilities or Village owned property under certain circumstances as noted:
 - a. A fee will be charged for the use of the football/Over 35 field lights in Veterans Memorial Park.

- b. A security deposit shall be made to the Village Clerk by all applicants to assure the cleanup of the buildings or parkland or park facilities or Village owned property and grounds after such use. Said deposit shall be refunded within 30 days, as confirmed by the Department of Public Works or the Police Department. Should any damage be done to the premises for which the cost to repair shall be in excess of said sum, then either the individual making application for said permit or the group which he represents or on whose behalf he signs, or both, may be held legally responsible for said excess.
 - c. An application fee will be charged for the submission of a 'Facility Use Permit Application for Gatherings Greater Than 200 People' for assemblies of persons in Parks, Park Facilities, and/or Village owned property where such assembly exceeds 200 people. The fee shall compensate the Village of its examination and processing of each application and shall not be refundable in whole or in part.
- 2. All required fees and security deposit shall be paid to the Village Clerk upon application.
 - 3. The Village Board of Trustees, at its discretion, has the authority to waive facility use fees and/or security deposit fees.

§ A150-3 Insurance requirements.

Gatherings less than 200 people -

The applicant must post a certificate of insurance upon application that us in accordance with the insurance requirement as listed on the Facility Use Request application, including but not limited to naming the Village of Warwick as an additional insured, with a combined single-limit liability of not less than \$1,000,000. Said certificate of insurance shall be issued by an insurance company licensed to do business in the State of New York and shall be so worded to provide that said insurance is primary over all other valid and collectible insurance available to the Village and shall state that there shall be no exclusion from liability for injury to participants.

Gatherings greater than 200 people -

No permit shall be issued unless the applicant shall furnish the Village with a comprehensive liability insurance policy insuring the Village against liability for damage to persons or property with limits of not less than \$500,000/\$1,000,000 bodily injury or death, and limits of not less than \$500,000 for property damage, sufficient to save the Village harmless from any liability or cause of action which might arise by reason of the granting of the permit, and not cancellable without 10 days' prior written notice to the Village.

§ A150-4 Requirements for person signing application.

The Facility Use Request application shall be signed by a person of responsibility representing the organization, and the person must reside in the Town of Warwick.

§ A150-5 Time limit for submission of application.

Gatherings less than 200 people -

All facility Use Request applications for the use of Parks, park Facilities, or Village of Warwick owned property for assemblies of persons where such assembly is less than 200 people must be submitted to the Village Clerk at least 10 days prior to the desired Village Board meeting for which the application will go before the Village Board for approval.

Gatherings greater than 200 people -

All facility Use Request applications for the use of Parks, park Facilities, or Village of Warwick owned property for assemblies of persons where such assembly exceeds 200 people must be submitted to the Village Clerk at least 90 days prior to the desired Village Board meeting for which the application will go before the Village Board for approval.

§ A150-6 Payment of fees and damages.

All fees and damages shall be paid to the Village Clerk.

§ A150-7 Responsibility for supervision and parking.

Supervision and parking are the responsibility of the organization making the request. Parking must be limited to designated parking lots only. Parking is prohibited in non-designated parking areas.

§ A150-6 Area of use limited to that stated on permit.

This permit entitles the holder to only that portion of the park or buildings or Village owned land as stated on the permit.

§ A150-7 Responsibility for cleanup.

All permittees must remove all garbage when leaving the park. The cleanup time in certain areas of the park used for horse shows, carnivals, et., may be extended.

§ A150-8 Enforcement; penalties for offenses.

- A. Any person who shall use, allow, let or permit to be used Village of Warwick owned property for the assembly of persons in the excess of 200, or shall use, allow, let or permit to be used Village of Warwick owned property for any part or portion of such assembly, which total assembly in the aggregate is in excess of 200 persons, or any person who shall cause the gathering, collecting or congregating of persons in excess of 200 on Village of Warwick owned property without first obtaining a written permit, in accordance with the

provisions of this chapter, shall be deemed to have violated this chapter and committed a misdemeanor against the chapter and shall be liable for the penalties provided. Any person who commits or permits any act in violation of any provision of this chapter shall be deemed to have violated this chapter and committed a misdemeanor against the chapter and shall be liable for the penalties provided.

- B. For each violation of the provisions of this chapter, the person violating the same shall be subject to a fine of not more than \$1,000 nor less than \$100, or imprisonment not to exceed one year, or to both such fine and imprisonment.
- C. In addition to the above-provided penalties, the Board of Trustees may maintain an action or proceeding in the name of the Village in a court of competent jurisdiction to compel compliance with this chapter or to restrain by injunction the violation of such chapter.



VILLAGE OF WARWICK

INCORPORATED 1867

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

ONLY USE THIS FORM IF YOUR EVENT WILL HAVE 200 PEOPLE OR LESS.
For gatherings greater than 200 people on Village owned property, please use form: FACILITY USE PERMIT APPLICATION FOR GATHERINGS GREATER THAN 200 PEOPLE.

Facility Use Requests must be approved by the Village Board of Trustees, ~~at a regularly scheduled Board meeting.~~ Village Board meetings typically take place on the 1st and 3rd Monday of each month. The Village of Warwick meeting dates can be found on our website: www.villageofwarwick.org

The following items must be received by the Village Clerk *at least 10 days prior to the desired Board meeting* for which they will go before the Village Board for approval/consideration:

- A detailed cover letter addressed to the Village Board of Trustees describing the nature of the event.
- If your event includes a parade, ~~marathon/road race~~, etc. please include in the letter to the Village Board a clear layout of the route that you intend to take **AND** a letter or email from the Warwick Police Department approving the intended route.
- If your event requires street closures and/or parking meters to be covered, you must detail the number of hours prior to the event you are requesting these accommodations and the number of parking meter bags you require. You will be responsible for obtaining the 'no parking' meter bags from the Village of Warwick and placing the bags on the meters and removing them at the approved times. You will also be responsible for returning the meter bags to the Village of Warwick within 48 hours of the completion of the event.
- For-profit activities are prohibited as per Chapter 90 of the Village Code.
- **Events that include mechanical rides, bouncy houses, such as carnivals**, must submit complete facility use requests & public assembly requests, including but not limited to contracts, agreements, and required certificates of insurance, to the Village Clerk **no less than 90 days prior to the event** to allow the Village's insurance carrier to review and approve the complete application, prior to Village Board approval.
- The facility use request form must be filled out in its entirety and both the facility use request form and the last page of the facility use requirement document must be signed by the person responsible for the event, who must also be a Town of Warwick resident.

- Required certificate of insurance (Acord 25) as outlined in the facility use requirements. Please see the attached example. They can be emailed directly to the Village Clerk at: clerk@villageofwarwick.org
- Enclose with your complete packet a \$200 security deposit check made out to the Village of Warwick. NOTE: If the grounds are restored to proper condition, the deposit will be refunded within 30 days following the conclusion of the event.

Should you have any questions please contact the Village Clerk's Office at (845) 986-2031 or via email: clerk@villageofwarwick.org.

77 Main Street
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www.villageofwarwick.org



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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: _____

Title of Event: _____

Purpose of Event: _____

SECTION 1: REQUESTED VILLAGE OWNED PROPERTY

- Railroad Green Stanley-Deming Park Lewis Woodlands
 Veterans Memorial Park Veterans Memorial Park Pavilion

Village of Warwick Parking Lots - check all that apply:

- South Street Lot First Street Lot Chase Lot (non-permit only)
 Spring Street Lot Wheeler & Spring St. Lot Upper CVS Lot Lower CVS Lot

Village of Warwick Streets: _____

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

SECTION 2: DATE AND TIME REQUESTED

Date(s) Requested: _____ Rain Date Requested: _____

Arrival Time: _____ Departure Time: _____

Event Start Time: _____ Event End Time: _____

SECTION 3: APPLICANT INFORMATION

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

**For-profit activities are prohibited.*

Applicant's Name/Responsible Party: _____

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

Mailing Address of Responsible Party: _____

Email Address: _____ Cell Phone: _____

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

Name of Organization (if Applicable): _____

Name of Organization's Director(s)/Officer(s): _____

Organization's Phone: _____ Email Address: _____

Mailing Address of Organization: _____

Physical Address of Organization: _____

SECTION 4: EVENT INFORMATION

Maximum Number of People Intended at the Event: _____

** If greater than 200 people, DO NOT complete this form. See instructions.*

Adults: _____ Under 18: _____

Expected Number of Vehicles Intended at the Event: _____

Please explain the parking plan for the event: _____

WILL YOUR EVENT INCLUDE: CHECK YES OR NO

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

Admission Fee to Be Charged <i>If yes, please list the admission fee: _____</i>	Yes _____ No _____
Alcohol <i>Host Liquor Liability Insurance is required.</i>	Yes _____ No _____
Food will be served or sold. <i>If yes, explain the method of food distribution and disposal of trash:</i> <hr/> <hr/> <p><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></p> <p><i>*Applicants must provide a drawing to scale showing where the food will be served/sold and where trash will be disposed.</i></p>	Yes _____ No _____
Rides: Mechanical Carnival Rides, Bounce House, Inflatable Slide, etc. <i>If yes, explain: _____</i> <i>Additional contract(s) and/or insurance is required.</i>	Yes _____ No _____
Portable Toilets. <i>Placement of portable toilets must be detailed on the map that is required with the application.</i>	Yes _____ No _____
Other <i>Please explain: _____</i>	Yes _____ No _____

SPECIAL REQUESTS:

CHECK YES OR NO

Road Closure <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 _____
Use of Village owned tables and chairs. <i>Veterans Memorial Park Pavilion Only. No. of Tables _____ No. of Chairs _____</i>	Yes _____ No _____
Use of Electricity.	Yes _____ No _____
Use of Memorial Park Football/Over 35 Field Lights <i>Additional fee required for use of field lights.</i>	Yes _____ No _____
Use of Memorial Park Pavilion Lights	Yes _____ No _____

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

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 _____ (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 _____ (Name Organization).

 Printed Name of Applicant/Responsible Party

 Signature of Applicant/Responsible Party

 Date

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

**Village of Warwick
Facility Use Requirements & Acknowledgement Form
For Gatherings of Less Than 200 People**

The use of all Village recreational and park facilities shall be subject to the approval and rules of the Village Board of Trustees administered by the Village Clerk or other Board designee.

1. Organizations or individuals wishing to use Village facilities shall first apply to the Village Clerk using the prescribed form. Such form shall then be forwarded to the Village Board of Trustees for ~~approval~~consideration. All forms, security deposit, fees, and insurance documents shall be submitted to the Village Clerk for inclusion on the Village Board Meeting Agenda *at least 10 days prior to the desired Board meeting* for which they will go before the Village Board for approval. Village Board meetings typically take place on the 1st and 3rd Monday of each month. The Village of Warwick meeting dates can be found on our website: www.villageofwarwick.org
2. Permits must be requested by a **Town of Warwick** resident. Said resident shall be responsible for the event, club, team or group to which this permit is issued.
3. Organizations/individuals shall indicate areas to be used during an event or season on the attached map.
4. A fee, as listed on the Village Schedule of Fees, will be charged for use of field lights.
5. A limited number of tables and chairs are available for use in the Memorial Park pavilion. Applicants are responsible for the set up and take down.
6. A security deposit of \$200.00 is required at the time the Facility Use Permit Application is submitted to the Village Clerk. If the grounds are restored to proper condition, the deposit will be refunded 30 days following the conclusion of the event. Should any damage be done to the premises for which the cost to repair shall be in excess of said ~~sum~~deposit, then either the individual making application for said permit or the group which ~~he~~they represents or on whose behalf ~~he~~they signs, or both, may be held legally responsible for said excess costs.
7. The Village Board of Trustees, at its discretion, has the authority to waive any facility use fee and/or security deposit.
8. All users must provide the following insurance. **Insurance certificates must accompany the Facilities Use Permit.**
 - I. Notwithstanding any terms, ~~conditions~~conditions, or provisions, in any other writing between the parties, the permittee hereby agrees to effectuate the naming of the Village as an additional insured on the permittee's insurance policies.
 - II. The policy naming the Village as an additional insured shall:

- Be an insurance policy from an A.M. Best rated "secure" or better insurer, licensed in New York State.
 - State that the organization's coverage shall be primary and noncontributory coverage for the Village, its Board, employees and volunteers.
 - The Village shall be listed as an additional insured by using endorsement CG 2026 or equivalent. A completed copy of the endorsement must be attached to the certificate of insurance.
 - At the Village's request, the organization shall provide a copy of the declaration page of the liability and umbrella policies with a list of endorsements and forms. If so requested, the organization will provide a copy of the policy endorsements and forms.
- III. The permittee agrees to indemnify the municipality for any applicable deductibles and self-insured retentions.
- IV. The insurance producer must indicate whether or not they are an agent for the companies providing the coverage.
- V. Required Insurance:

No less than the following:

Commercial General Liability Insurance

\$1,000,000 per occurrence/ \$2,000,000 aggregate, with coverage for athletic participants.

Excess Insurance:

\$_____ each Occurrence and Aggregate. Excess coverage shall be on a follow-form basis.

Host Liquor Liability – Required if Alcohol is to be Included at Event

***Insurance Liability Coverage must include Mechanical Rides / Bounce House / Inflatable Slides etc. – If Applicable**

- VI. User acknowledges that failure to obtain such insurance on behalf of the municipality constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the municipality. The user is to provide the municipality with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities. The failure of the Village to object to

the contents of the certificate or the absence of it shall not be deemed a waiver of any and all rights held by the Village.

- VII. The Village is a member/owner of the NY Municipal Insurance Reciprocal (NYMIR). The user further acknowledges that the procurement of such insurance as required herein is intended to benefit not only the Village but also NYMIR, as the Village's insurer.

Individuals – Required Insurance Homeowners Insurance:

- Section Two – Liability: \$100,000 limit of liability. Policy shall not exclude the off-premises activities of the insured.

***Host Liquor Liability – Required if Alcohol is to be Included at Event**

***Insurance Liability Coverage must include Mechanical Rides / Bounce House / Inflatable Slides etc. – If Applicable**

9. Alcohol is not permitted in any Village Park or Park Facilities, or Village owned property without a special permit issued by the Village Board of Trustees. Additional liability insurance (Host Liquor) is required if alcohol is part of your event.
10. All persons shall comply with the rules and regulations as set forth in Chapter 90 ‘Park Rules and Regulations’ of the Code of the Village Warwick. *See Exhibit A.*
11. Illegal drugs, smoking, tobacco use, cannabis, electronic cigarettes, and vapor products are not permitted.
12. Profanity, objectionable language, disorderly acts, excessive noise or illegal activities of any kind are prohibited, and those violating this prohibition will be removed from the premises and will be subject to prosecution.
13. In the event of a scheduling conflict, the Village of Warwick will arbitrate a resolution which shall be binding for all parties.
14. In the event of inclement weather, the Village Board or their designee has the final authority on whether facilities are usable.
15. Any damage to Village facilities shall be promptly repaired at the user’s expense. No exceptions. If Village personnel are not available, make sure all doors are locked and lights are turned out when leaving.
16. Organizations using the facilities must clean up from the park afterward. It is the responsibility of the permit holder to remove any garbage the event generates. The Village may assess a charge for garbage generated from events that is not removed by the

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. making the request.~~

~~18.~~

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:

Printed Name of Applicant/Responsible Party

Signature of Applicant/Responsible Party

Date_____



VILLAGE OF WARWICK

INCORPORATED 1867

Facility Use Request Instructions **For Gatherings Greater Than 200 People**

ONLY USE THIS FORM IF YOUR EVENT WILL HAVE GREATER THAN 200 PEOPLE.

Facility Use Requests must be approved by the Village Board of Trustees ~~at a regularly scheduled Board meeting~~. Village Board meetings typically take place on the 1st and 3rd Monday of each month. The Village of Warwick meeting dates can be found on our website: www.villageofwarwick.org

The following items must be received by the Village Clerk ***at least 90 days prior to the desired Board meeting*** for which they will go before the Village Board for ~~approval~~ consideration:

- A detailed map showing the location of the event including any structures to be erected for the purpose of the assembly.
- A plan drawn to scale showing the layout of any parking area for motor vehicles, including disability parking spots and the means of egress from and ingress to such parking area.
- A detailed cover letter addressed to the Village Board of Trustees describing the nature of the event, including:**
 - A statement specifying whether food or beverage is intended to be prepared, served or distributed. If food or beverages are intended to be prepared, sold or distributed, a statement specifying the method of preparation and distribution of such food or beverage such as food trucks or open grills and the method of disposing of garbage, trash, rubbish or any other refuse arising therefrom. If food or beverage is to be prepared, sold and distributed, a plan or drawing to scale must be attached to the application showing the buildings or other structures from which the food or beverages shall be prepared, sold or distributed.

****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.***

- A statement specifying that the Warwick Police Department, Warwick Fire Department, and Warwick EMS have been notified of the event, including any recommendations from the aforesaid Departments.
- A statement specifying whether any outdoor lights or signs are to be utilized, and, if so, a map showing the number, location, size, type of such lights and signs.

- A statement specifying whether any camping or housing facilities are to be available, and, if so, a plan drawn to scale showing the intended number and location of the same.
- A statement specifying the contemplated duration of assembly and use.
- If your event requires street closures and/or parking meters to be covered, you must detail the number of hours prior to the event you are requesting these accommodations and the number of parking meter bags you require. You will be responsible for obtaining the 'no parking' meter bags from the Village of Warwick and placing the bags on the meters and removing them at the approved times. You will also be responsible for returning the meter bags to the Village of Warwick within 48 hours of the completion of the event.
- If your event includes a parade, ~~marathon~~road race, etc. please include in the letter to the Village Board a clear layout of the route that you intend to take AND a letter or email from the Warwick Police Department approving the route.

Additional information:

- For-profit activities are prohibited as per Chapter 90 of the Village Code.
- **Events that include mechanical rides, bouncy houses, such as carnivals**, must submit complete facility use requests & public assembly requests, including but not limited to contracts, agreements, and required certificates of insurance, to the Village Clerk **no less than 90 days prior to the event** to allow the Village's insurance carrier to review and approve the complete application, prior to Village Board approval.
- The facility use request form must be filled out in its entirety and both the facility use request form and the last page of the facility use requirement document must be signed by the person responsible for the event, who must also be a Town of Warwick resident.
- Required certificate of insurance (Acord 25) as outlined in the facility use requirements for gatherings of greater than 200 people. Please see the attached example. They can be emailed directly to the Village Clerk at: clerk@villageofwarwick.org
- Enclose with your complete packet a \$200 application fee and if applicable, field light fee, made out to the Village of Warwick. A separate \$500 security deposit check made out to the Village of Warwick must also be included as a separate payment. NOTE: If the grounds are restored to proper condition, the deposit will be returned within 30 days following the conclusion of the event.

Should you have any questions please contact the Village Clerk's Office at (845) 986-2031 or via email: clerk@villageofwarwick.org.



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

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clerk@villageofwarwick.org

VILLAGE OF WARWICK INCORPORATED 1867

FACILITY USE PERMIT APPLICATION FOR GATHERINGS GREATER THAN 200 PEOPLE ON VILLAGE OWNED PROPERTY

Date Request Submitted: _____

Title of Event: _____

Purpose of Event: _____

SECTION 1: REQUESTED VILLAGE OWNED PROPERTY

- Railroad Green Stanley-Deming Park Lewis Woodlands
- Veterans Memorial Park Veterans Memorial Park Pavilion

Village of Warwick Parking Lots - check all that apply:

- South Street Lot First Street Lot Chase Lot (non-permit only)
- Spring Street Lot Wheeler & Spring St. Lot Upper CVS Lot Lower CVS Lot

Village of Warwick Streets: _____

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

SECTION 2: DATE AND TIME REQUESTED

Date(s) Requested: _____ Rain Date(s) Requested: _____

Arrival Time: _____ Departure Time: _____

Event Start Time: _____ Event End Time: _____

SECTION 3: APPLICANT INFORMATION

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

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

Mailing Address of Responsible Party: _____

Residential Address of Responsible Party: _____

Email Address: _____ Cell Phone: _____

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

Name of Organization (if Applicable): _____

Organization's Phone: _____ Email Address: _____

Name of Organization's Director(s)/Officer(s): _____

Mailing Address of Organization: _____

Physical Address of Organization: _____

SECTION 4: EVENT INFORMATION

Maximum Number of People Intended at the Event: _____

Adults: _____ Under 18: _____

Expected Number of Vehicles Intended at the Event: _____

Please explain the parking plan for the event: _____

WILL YOUR EVENT INCLUDE:

CHECK YES OR NO

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

Admission Fee to Be Charged If yes, please list the admission fee: _____	Yes _____ No _____
Alcohol Host Liquor Liability Insurance is required.	Yes _____ No _____
Food will be served or sold. 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 _____
Rides: Mechanical Carnival Rides, Bounce House, Inflatable Slide, etc. If yes, explain: _____ Additional contract(s) and/or insurance is required.	Yes _____ No _____
Portable Toilets. Placement of portable toilets must be detailed on the map that is required with the application.	Yes _____ No _____
Other Please explain: _____	Yes _____ No _____

SPECIAL REQUESTS:

CHECK YES OR NO

Road Closure List road(s): _____ Closed between the hours of _____ and _____ Number of 'No Parking' meter bags requested, if applicable: _____	Yes _____ No _____
Use of Village owned tables and chairs. Veterans Memorial Park Pavilion Only. No. of Tables _____ No. of Chairs _____	Yes _____ No _____
Use of Electricity.	Yes _____ No _____
Use of Memorial Park Football/Over 35 Field Lights Additional fee required for use of field lights.	Yes _____ No _____
Use of Memorial Park Pavilion Lights	Yes _____ No _____
Use of Village of Warwick Restrooms. Memorial Park and Stanley Deming Park only.	Yes _____ No _____

Other Please explain: _____	Yes ____ No ____
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SECTION 5: FEES/SECURITY DEPOSIT

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

- \$500 Application Fee
- Memorial Park Football/Over 35 Field Lights (circle one) - \$10 per day or \$300 per season
- \$500 Security Deposit (*Must be a Separate Payment*)

TOTAL FEE: \$_____ (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 _____(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 _____(Name Organization).

Additionally, I agree to accept notices or summonses issued with respect to the application or the conduct of the assembly or use in any manner involving it arising out of the application, construction or application of Chapter 39 ‘Assemblies, Public’ of the Village Code of the Village of Warwick.

Furthermore, I authorize the Village of Warwick or its lawful agents to go upon the property at any time for the purpose of inspecting the same, the facilities provided and the cleaning of the premises after the termination of the assembly.

Printed Name of Applicant/Responsible Party

Signature of Applicant/Responsible Party

Date

Clerk Use Only: Security Deposit Check #_____ Certificate of Insurance _____ Host Liquor Liability _____
Fees Received _____ Park Map(s)_____ Police Dept. Approval (if applicable) _____
***Certificates of Insurance Reviewed by NYMIR/Broker**_____

**Village of Warwick
Facility Use Requirements & Acknowledgement Form
For Gatherings Greater Than 200 People**

The use of all Village recreational and park facilities shall be subject to the approval and rules of the Village Board of Trustees administered by the Village Clerk or other Board designee.

1. Organizations or individuals wishing to use Village facilities shall first apply to the Village Clerk using the prescribed form. Such form shall then be forwarded to the Village Board of Trustees for ~~approval~~consideration. All forms, security deposit, fees, and insurance documents shall be submitted to the Village Clerk for inclusion on the Village Board Meeting Agenda *at least 90 days prior to the desired Board meeting* for which they will go before the Village Board for approval. Village Board meetings typically take place on the 1st and 3rd Monday of each month. The Village of Warwick meeting dates can be found on our website: www.villageofwarwick.org
2. Permits must be requested by a **Town of Warwick** resident. Said resident shall be responsible for the event, club, team or group to which this permit is issued.
3. Organizations/individuals shall indicate areas to be used during an event or season on the attached map.
4. A fee, as listed on the Village Schedule of Fees, will be charged for use of field lights.
5. A limited number of tables and chairs are available for use in the Memorial Park pavilion. Applicants are responsible for the set up and take down.
6. A security deposit of \$500.00 for gatherings of over 200 people is required at the time the application is submitted to the Village Clerk. If the grounds are restored to proper condition, the deposit will be refunded 30 days following the conclusion of the event. Should any damage be done to the premises for which the cost to repair shall be in excess of said ~~sum~~deposit, then either the individual making application for said permit or the group which ~~hethey~~ represents or on whose behalf ~~hethey~~ signs, or both, may be held legally responsible for said excess costs.
7. The Village Board of Trustees, at its discretion, has the authority to waive any facility use fees and/or security deposit.
8. All users must provide the following insurance. **Insurance certificates must accompany the Facilities Use Permit.**
 - I. Notwithstanding any terms, ~~conditions~~conditions, or provisions, in any other writing between the parties, the permittee hereby agrees to effectuate the naming of the Village as an additional insured on the permittee's insurance policies.
 - II. The policy naming the Village as an additional insured shall:

- Be an insurance policy from an A.M. Best rated "secure" or better insurer, licensed in New York State.
 - State that the organization's coverage shall be primary and noncontributory coverage for the Village, its Board, employees and volunteers.
 - The Village shall be listed as an additional insured by using endorsement CG 2026 or equivalent. A completed copy of the endorsement must be attached to the certificate of insurance.
 - At the Village's request, the organization shall provide a copy of the declaration page of the liability and umbrella policies with a list of endorsements and forms. If so requested, the organization will provide a copy of the policy endorsements and forms.
- III. The permittee agrees to indemnify the municipality for any applicable deductibles and self-insured retentions.
- IV. The insurance producer must indicate whether or not they are an agent for the companies providing the coverage.
- V. Required Insurance:

No less than the following:

- **Commercial General Liability Insurance**

\$1,000,000 per occurrence/ \$2,000,000 aggregate, with coverage for athletic participants.

Not less than \$500,000/\$1,000,000 bodily injury or death.

Limits of not less than \$500,000 for property damage.

Excess Insurance:

\$_____ each Occurrence and Aggregate. Excess coverage shall be on a follow-form basis.

Host Liquor Liability – Required if Alcohol is to be Included at Event

***Insurance Liability Coverage must include Mechanical Rides / Bounce House / Inflatable Slides etc. – If Applicable**

- VI. User acknowledges that failure to obtain such insurance on behalf of the municipality constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the municipality. The user is to provide the municipality with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities. The

failure of the Village to object to the contents of the certificate or the absence of it shall not be deemed a waiver of any and all rights held by the Village.

- VII. The Village is a member/owner of the NY Municipal Insurance Reciprocal (NYMIR). The user further acknowledges that the procurement of such insurance as required herein is intended to benefit not only the Village but also NYMIR, as the Village's insurer.
- VIII. Insurance is not cancelable without 10 days' prior written notice to the Village of Warwick.

Individuals - Required Insurance Homeowners Insurance:

- Section Two – Liability:
\$1,000,000 per occurrence/ \$2,000,000 aggregate, with coverage for athletic participants.
- Not less than \$500,000/\$1,000,000 bodily injury or death.
- Limits of not less than \$500,000 for property damage.
- Policy shall not exclude the off-premises activities of the insured.
- Insurance is not cancelable without 10 days' prior written notice to the Village of Warwick.

Host Liquor Liability – Required if Alcohol is to be Included at Event

***Insurance Liability Coverage must include Mechanical Rides / Bounce House / Inflatable Slides etc. – If Applicable**

9. Alcohol is not permitted in any Village Park or Park Facilities, or Village owned property without a special permit issued by the Village Board of Trustees. Additional liability insurance (Host Liquor) is required if alcohol is part of your event.
10. All persons shall comply with the rules and regulations as set forth in Chapter 90 'Park Rules and Regulations' of the Code of the Village Warwick. *See Exhibit A.*
11. All persons shall comply with the rules and regulations as set forth in Chapter 39 'Assemblies, Public – Village Owned Property' of the Code of the Village of Warwick. *See Exhibit B.*
12. Illegal drugs, smoking, tobacco use, cannabis, electronic cigarettes, and vapor products are not permitted.
13. Profanity, objectionable language, disorderly acts, excessive noise or illegal activities of any kind are prohibited, and those violating this prohibition will be removed from the premises and will be subject to prosecution.

14. In the event of a scheduling conflict, the Village of Warwick will arbitrate a resolution which shall be binding for all parties.
15. In the event of inclement weather, the Village Board or their designee has the final authority on whether facilities are usable.
16. Any damage to Village facilities shall be promptly repaired at the user's expense. No exceptions. If Village personnel are not available, make sure all doors are locked and lights are turned out when leaving.
17. Organizations using the facilities must clean up afterward. It is the responsibility of the permit holder to remove any garbage the event generates. The Village may assess a charge for garbage generated from events that is not removed by the Permit Holder. Applicants are urged to bring extra plastic garbage bags to facilitate cleanup.
18. Any organization with youths under 18 years old requires the presence of adequate adult supervision at all times.
- ~~19. Supervision and parking are the responsibility of the applicant organization/individual. making the request.~~
- 19.
20. Permits may be revoked at any time.
21. All posted rules must be adhered to.
22. No field or building alterations (lining of fields, erecting goal posts or structures, etc.) are allowed without prior approval.
23. The emergency telephone number for police is 911 or 986-5000; fire and ambulance 911.
24. 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.
25. In the event of an accident, please notify the Village Clerk at (845) 986-2031 before the end of the next business day.
26. 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:

Printed Name of Applicant/Responsible Party

Signature of Applicant/Responsible Party

Date



VILLAGE OF WARWICK
 INCORPORATED 1867

**Facility Use / Park Permits
 Proposed Amendments to Schedule of Fees**

	Use of buildings or park lands where admission is being charged	\$60.00 -	§ A150-3
Parks			
	Use of Memorial Park Field Lights	\$10/day or \$300/season	§ A150-2
	Cleanup Security deposit (refundable)	\$100.00	§ A150-3
	Facility Use Permit Security Deposit - Gatherings Less than 200 People	\$200	§ A150-2
	Facility Use Permit Security Deposit - Gatherings More than 200 People	\$500	§ A150-2
	Facility Use Permit Application Fee - Gatherings More than 200 People	\$500	§ A150-2
Assemblies, Public	Application	\$500.00	§ A150-2 § 39-4

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
NOVEMBER 3, 2021
ADDENDUM**

Proposed Action: Village of Warwick Water System Improvements

**RESOLUTION DECLARING THE INTENT OF THE VILLAGE OF WARWICK
VILLAGE BOARD TO ACT AS LEAD AGENCY**

WHEREAS, the Village of Warwick (Village) is proposing the Village of Warwick Water System Improvements (Project), located in the Village and Town of Warwick, Orange County, New York; and

WHEREAS, the Project has been classified as a “Type I Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

WHEREAS, it is the intent of the Village of Warwick Village Board to assume the role of “Lead Agency” for purposes of conducting a SEQRA/SERP assessment of the Project; and

WHEREAS, Part I of a Full Environmental Assessment Form (FEAF) has been completed, reviewed by the Village of Warwick Village Board, and will be circulated to all Interested and Involved Agencies for establishing the Village of Warwick Village Board as “Lead Agency” in accordance with 6 NYCRR Part 617.6(b).

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, that the Mayor of the Village of Warwick is authorized to sign Part I of the FEAF (page 13); and it is further

RESOLVED AND DETERMINED, that the Village of Warwick will send said Part I of the FEAF and associated site figures to the attached list of “Interested and Involved Agencies” under cover of a “Notice of Intent to Establish Lead Agency” letter for purposes of establishing Lead Agency status under the SEQRA/SERP; and it is further

RESOLVED, that the Village of Warwick Mayor and Village Board, together with the Village of Warwick Attorney and B&L, are hereby authorized to take all actions, serve all notices, and complete all documents in order to give full force and effect to this determination.

_____ presented the foregoing resolution which was seconded
by _____,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting _____

William Lindberg, Trustee, voting _____

George McManus, Trustee, voting _____

Corey Bachman, Trustee, voting _____

Michael Newhard, Mayor, voting _____

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 applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Village of Warwick Water System Improvements		
Project Location (describe, and attach a general location map): Village of Warwick, Orange County, New York		
Brief Description of Proposed Action (include purpose or need): The proposed project includes construction of two new water storage tank to replace the existing Reservoir Storage Tank. The Reservoir Tank is past its useful life and was determined to be in poor condition during a tank inspection completed in 2020. Additionally, a new water treatment plant with cartridge filters and UV disinfection is proposed for Well No. 3. In 2008, Well No. 3 was determined to be groundwater under the direct influence of surface water, requiring that it be taken offline. The well cannot be used until a proper treatment system is constructed to treat the water from Well No. 3. The proposed improvements are shown in Figures 1,2 and 3 attached.		
Name of Applicant/Sponsor: Village of Warwick C/O Mayor Michael J. Newhard		Telephone: 845-986-2031
		E-Mail: mayor@villageofwarwick.org
Address: 77 Main Street, PO Box 369		
City/PO: Warwick	State: NY	Zip Code: 10990
Project Contact (if not same as sponsor; give name and title/role): Jason A. Ballard, P.E.		Telephone: 518-218-1801
		E-Mail: jballard@bartonandloguidice.com
Address: 10 Airline Dr Suite 200		
City/PO: Albany	State: New York	Zip Code: 12205
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Village of Warwick (project sponsor)	Fall 2021
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSEFC (Funding) NYSDEC(Funding/Approval)	Fall 2021(funding) Fall 2022 (approval)
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
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

C.1. Planning and zoning actions.	
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"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
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 type="checkbox"/> Yes <input checked="" 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s):	
<u>Orange County Agricultural and Farmland Protection Plan</u>	

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?
Residential

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? _____

C.4. Existing community services.

a. In what school district is the project site located? Warwick Valley Central School District

b. What police or other public protection forces serve the project site?
Warwick Town Police Department, Orange County Sheriffs Office, NYS Police Troop F

c. Which fire protection and emergency medical services serve the project site?
Warwick Fire Department, Warwick EMS

d. What parks serve the project site?
Stanley Deming Park, Veterans Memorial Park, Warwick County Park, Wawayanda State Park (within 5 miles of project site)

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)? Other- municipal water system improvements

b. a. Total acreage of the site of the proposed action? 8.4 acres
 b. Total acreage to be physically disturbed? ~5 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 8.4 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)? % ~50 Units: square feet

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) _____
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: 7 months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase 1 (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	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures 3 (water treatment plant, 2 water tanks)
 ii. Dimensions (in feet) of largest proposed structure: 32 height; 58 width; and 58 length
 iii. Approximate extent of building space to be heated or cooled: 480 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: potable water storage tank
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify:
Three reservoirs that collect water from a 1.3 square mile watershed of the Mistucki Brook
 iii. If other than water, identify the type of impounded/contained liquids and their source.

 iv. Approximate size of the proposed impoundment. Volume: 1.2 million gallons; surface area: 0.06 acres
 v. Dimensions of the proposed dam or impounding structure: 32 feet height; 58 feet length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
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.

 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: _____

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): Trib to Wawayanda Creek (B/B), NYSDEC Mapped Wetlands (WR-32) USFWS NWI mapped Freshwater Emergent and Freshwater Forested Wetlands

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:
Construction at Well No. 3 will occur within NYSDEC and USFWS Mapped Wetlands; however, improvements will take place on previously disturbed land and impacts to surrounding wetlands are not expected to result.

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

iv. Will the 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: _____
 Temporarily disturbed wetlands or surface waters (if any) would be restored to their pre-construction grades and stabilized.

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: _____ 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: _____
- 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: _____
- _____
- Source(s) of supply for the district: _____

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), what is the 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: _____ 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): _____
Cartridge filter backwash

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

- Name of wastewater treatment plant to be used: _____
- 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

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

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 ~0.5 acres (impervious surface)
 _____ Square feet or 8.4 acres (parcel size)
 ii. Describe types of new point sources. No new point sources, additional sheet flow runoff from small net increase of impervious area. Ground disturbances during construction may result in temporary increases in stormwater runoff
 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 stormwater management structures, on site and off site waters

 • If to surface waters, identify receiving water bodies or wetlands: _____
Trib to Wawayanda Creek (B(B), NYSDEC Mapped Wetlands (WR-32), USFWS NWI Mapped Freshwater Pond

 • Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the 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)
Heavy equipment during construction
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
NA
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
NA

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 (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (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 truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

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: _____

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: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

Grid/local utility

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____ 7AM-5PM _____
- Saturday: _____ NA _____
- Sunday: _____ NA _____
- Holidays: _____ NA _____

ii. During Operations:

- Monday - Friday: _____ Continuous use of facility _____
- Saturday: _____ Continuous use of facility _____
- Sunday: _____ Continuous use of facility _____
- Holidays: _____ Continuous use of facility _____

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:
 Temporary increases above ambient noise levels may occur during construction. Construction will be limited to daytime, weekday work hours (7AM-5PM)

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: There will be some tree removal associated with construction of the new water tank. The nearest residence is 150 feet west of the water tank site. Once construction is complete, noise levels will return to pre-construction levels.

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:
 The proposed water treatment plant will have outdoor lighting. Lights would be approximately 10-15ft above grade and would aim downward. The nearest occupied structure is 530 feet from water treatment plant.

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

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 the 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 the 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:
 Undeveloped portions of the project sites are primarily forested land. The sites are surrounded by forested, residential and agricultural lands.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.6	1.1	+0.5
• Forested	6.5	5.5	-1
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0.3	0.3	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0.1	+0.1
• Other Describe: <u>Maintained Herbaceous Cover</u>	1	1.4	+0.4

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: _____

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: _____

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): 1303014
 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): _____

A spill occurred at a transformer on 6/19/2013, causing 2 gallons of transformer oil to be released to the soil. The record was closed on 6/24/2013.

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? _____ -7 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:

Canadaigua silt loam (well site)	_____	100 %
Mardin gravelly silt loam (tank site)	_____	100 %
	_____	%

d. What is the average depth to the water table on the project site? Average: 0 (well site) feet
1.5 (tank site)

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: 100 % of site (Tank Site)
 Poorly Drained 100 % of site (Well Site)

f. Approximate proportion of proposed action site with slopes: 0-10%: 100 % of site (Well Site)
 10-15%: 75 % of site (Tank Site)
 15% or greater: 25 % of site (Tank 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 Trib to Wawayanda Creek Classification B(B)
- Lakes or Ponds: Name USFWS NWI Mapped Freshwater Pond Classification Unclassified
- Wetlands: Name NYSDEC and USFWS NWI Mapped Wetlands Approximate Size 136.3
- Wetland No. (if regulated by DEC) WR-32

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: _____

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 15 Basin SSA

m. Identify the predominant wildlife species that occupy or use the project site:

White tailed deer	Eastern wild turkey	Striped skunk
Gray squirrel	multiple bird species	white footed mouse
eastern cotton tail		

n. Does the project site contain a designated significant natural community? Yes No
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? Yes No
If Yes:
i. Species and listing (endangered or threatened): _____
Federally listed: Indiana Bat (*Myotis sodalis*) Endangered, Northern long eared bat (*Myotis septentrionalis*) Threatened, bog turtle (*Clemmys muhlenberg*) Threatened, small whorled pogonia (*Isotria medeoloides*) Threatened /NYS listed: Davis' Sedge (*Carex davisi*) Threatened, Dwarf Bulrush (*Cyperus subsquarrosus*) Endangered, Fairy Wand (*Chamaelirium luteum*) Endangered, glaucous sedge (*Carex glaucoidea*) Threatened, Green Parrots Feather (*Myriophyllum pinnatum*) Endangered, purple milkweed (*Asclepias purpurascens*) Threatened, Sharp-tipped Blue eyed grass (*Sisyrinchium mucronatum*) Endangered

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? Yes No
If Yes:
i. Species and listing: _____
Whip-poor-will (*Antrostomus vociferus*) Special concern, Longtail salamander (*Eurycea longicauda*) Special concern

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

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? Yes No
If Yes, provide county plus district name/number: Orange County Agricultural District 1

b. Are agricultural lands consisting of highly productive soils present? Yes No
i. If Yes: acreage(s) on project site? -3
ii. Source(s) of soil rating(s): NRCS Web Soil Survey

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
If Yes:
i. Nature of the natural landmark: Biological Community 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? Yes No
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 the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State 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 type="checkbox"/> Yes <input checked="" 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): _____ ii. Basis for identification: _____
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>Stanley Deming Park, Veterans Memorial Park, Warwick County Park, Wawayanda State Park (within 5 miles of project site)</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>Town/County/State Park</u> iii. Distance between project and resource: _____ within 5 miles miles.
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 6NYCRR 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.

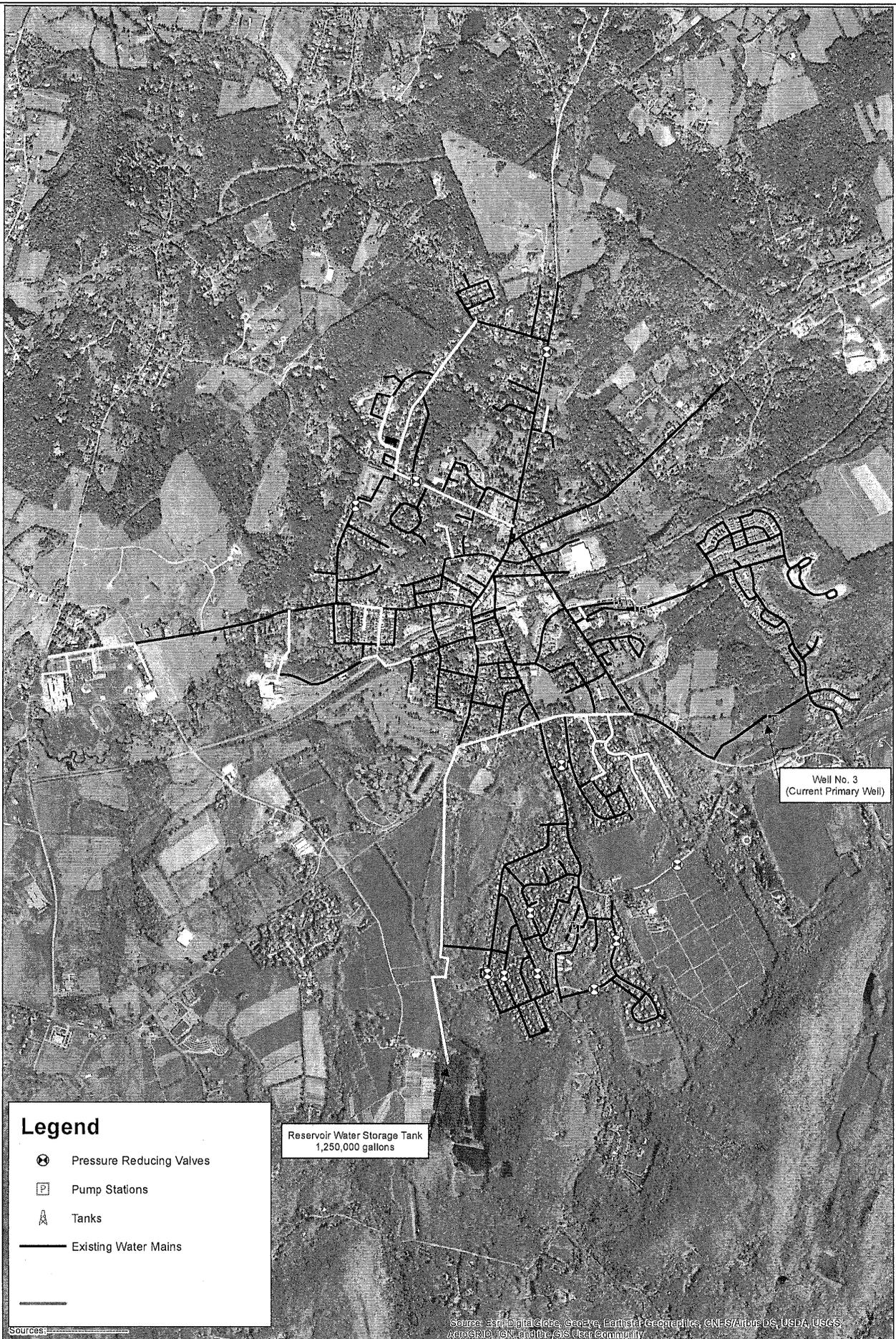
G. Verification

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

Applicant/Sponsor Name Michael J. Newhard Date _____

Signature _____ Title _____

PRINT FORM



Legend

- Pressure Reducing Valves
- Pump Stations
- Tanks
- Existing Water Mains

Reservoir Water Storage Tank
1,250,000 gallons

Well No. 3
(Current Primary Well)

Sources:

Sources: Esri Digital Globe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Reservoir Storage Tank

Location Plan

Legend

- Existing Water Storage Tank to be Replaced
- New Gravel Drive
- New Water Storage Tank

Ochs Ln

Existing Water Storage Tank to be Replaced



Well No. 3 Improvements

Location Plan

Legend

- Proposed Paved Area
- Proposed Water Treatment Plant Building
- Warwick - Existing Well No. 3

Warwick - Existing Well No. 3



60 ft