

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
SEPTEMBER 19, 2022**

9365

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, September 19, 2022, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Mayor, Michael J. Newhard, Trustees: Barry Cheney, Carly Foster, and Thomas McKnight. Trustee William Lindberg arrived at approximately 8:05 p.m. Also, present was Village Clerk, Raina Abramson, Village Attorney, Stephen Gaba, and DPW Supervisor, Mike Moser. Others present: Warwick Police Chief John Rader, John Knowles, and Meghan Carlson.

The Mayor called the meeting to order and led in the Pledge of Allegiance.

Mayor Newhard asked everyone to remain standing for a moment of silence in memory of two Warwickians that recently passed, the wife of former Mayor, Anthony Portelli, Lorraine Portelli, and Charlie Niemann who gave 60 years of service to the volunteer firemen.

The Village Clerk held the roll call.

Acceptance of Reports

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney and carried for the Acceptance of Reports – July 2022 Building Department & August 2022 Clerk's Office, Tax Collection, Justice Department, Building Department, Planning and Zoning, and Department of Public Works.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$229,577.50.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Police Report

No report at this time.

Announcement

1. Composting Food Scraps – Warwick residents can drop off their food scraps at the Food Scrap Drop-Off Site at the Warwick Valley Farmers' Market every Sunday at the market between the hours of 10 a.m. and 2 p.m., September 4th through November 20th. For more information, please visit <https://www.orangecountygov.com/1485/Composting-Food-Scraps-Yard-Waste>

Trustee McKnight read the announcement from Orange County.

Correspondence

1. Letter from Raymond and Lugene Maher regarding the draft Village of Warwick Comprehensive Master Plan and the Village's Cluster Code.

Privilege of the Floor

Please limit your comments to **three (3)** minutes. If reading a document, please submit a copy to the Clerk. Please note all remarks must be addressed to the Board as a body and not to individual Board members. Please state your name clearly before speaking. These rules are taken from the Handbook for Village Officials – New York State Conference of Mayors and Municipal Officials.

No comments were made.

Motions

**RESOLUTION SETTING A PUBLIC HEARING ON THE
VILLAGE OF WARWICK DRAFT COMPREHENSIVE PLAN**

WHEREAS, the Village Board, with the assistance of the Comprehensive Plan Committee, has prepared a draft Comprehensive Plan update, and

WHEREAS, this is an action subject to the provisions of the New York State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, the Village Board has caused an Environmental Assessment Form ("EAF") to be prepared,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board is the sole Involved Agency and, as such, assumes Lead Agency status and determines that the proposed adoption of the updated Comprehensive Plan constitutes a Type I Action under SEQRA; and
2. That a public hearing on the updated Comprehensive Plan is hereby set for October 17, 2022 at 7:30 o'clock p.m. and that due notice of the same is directed to be given by publication and posting; and
3. That a copy of the updated Comprehensive Plan shall be placed on file in the Office of the Village Clerk and posted on the Village website for public review; and
4. That the updated Comprehensive Plan shall be referred to the Village Planning Board for review and comment; and
5. That the updated Comprehensive Plan shall be forwarded to the Orange County Planning Department pursuant to General Municipal Law §239-m.

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

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

Barry Cheney, Trustee, voting	<u>Aye</u>
Carly Foster, Trustee, voting	<u>Aye</u>
Thomas McKnight, Trustee, voting	<u>Aye</u>
William Lindberg, Trustee, voting	<u>Absent</u>
Michael Newhard, Mayor, voting	<u>Aye</u>

Vacation Carryover – Mike Moser

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried to grant permission to DPW Supervisor, Mike Moser, to carry over 1 additional vacation day. A previous request to carry over 5 vacation days was approved on August 15, 2022.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Vacation Carryover – Peter Pascoe

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried to grant permission to Village of Warwick Employee, Peter Pascoe, to carry over 5 vacation days.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Budget Modification

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight and carried to approve the FY 2022-23 budget modification and transfer request as per the Village Treasurer's letter dated September 14, 2022.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Facility Use Request – Stanley-Deming Park, Applefest Eve & Applefest Carnival, Warwick Community Center

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney and carried to grant permission to the Warwick Valley Community Center to hold the following activities in Stanley Deming Park on the east side of the creek as per their letter dated September 13, 2022: Applefest

Eve Kiddie Carnival on Friday, September 30, 2022 from 6 p.m. to 9 p.m.; Saturday, October 1, 2022 from 2 p.m. to 10 p.m. and on Applefest Sunday, October 2, 2022 from 9 a.m. to 5 p.m., including pony rides by Winslow Therapeutic Riding Center, subject to the following restrictions: only ride and concession equipment can remain in the park; there will be no campers or RV's overnight except for liability purposes and to prevent damage to the equipment; one carnival employee only is permitted to stay overnight in the company trailer in Stanley Deming Park; no ride equipment may enter or be removed from the park without the Village of Warwick Department of Public Works Supervisor or his designee present; the equipment cannot enter the park prior to 9 a.m. the Wednesday prior to the event and must be removed by 3 p.m. the Tuesday following the event; if the carnival company needs to come in to set up earlier than Wednesday prior, they will need the permission of the DPW Supervisor; assembly or breakdown and removal of the equipment may occur only between the hours of 8 a.m. and 8 p.m. Completed park permit and security deposit have been received. Approval is contingent upon the Village of Warwick's insurance carrier's confirmation that proper insurance is in place.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Discussion

Trustee Cheney stated that illegal parking can be an issue at that location so the Village needs to come up with ideas that would prevent people from parking illegally in those areas. Trustee Cheney said that he will look to DPW Supervisor, Mike Moser, and Mayor Newhard and anyone else who would like to provide their input as to how this might be accomplished. Trustee Cheney said that during Too Good To Toss people parked illegally and blocked half the road making it difficult for vehicles to move.

Trustee Foster asked for clarification as to where the issue was occurring. Trustee Cheney stated that most of it is happening between the last parking spot as you head east past the basketball court. Trustee Cheney said that there are a number of places where you can pull off and it seems that once three people do it, more people do and then the tail end of vehicles are across one lane of traffic.

Mayor Newhard confirmed that there are 'no parking' signs there.

Trustee Foster asked if a stake with a neon thread would work. Trustee Cheney stated that it would be a possibility or for the Village to place horses there.

Mayor Newhard agreed that it must be coordinated.

Trustee Cheney asked to also have the Community Center reach out to the school district to make sure that they have an agreement to use their parking lot.

Facility Use Request – Stanley-Deming Park, Applefest Weekend Events, Warwick Community Center

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight and carried to grant permission to the Warwick Valley Community Center to hold the following events in Stanley-Deming Park on Applefest weekend on the west side of the creek: Friday, September 30, 2022, from 7 p.m. to 10 p.m. by the pavilion, an outdoor movie night; Saturday, October 1, 2022 from 1 p.m. – 5 p.m. by the pavilion and gazebo, pottery demonstrations, yoga, martial arts, small performances by Acting Out Playhouse and more, including music beginning at 5:30 p.m. and ending by 9:30 p.m. by DJ Steven Regan and local bands (no loud music). Completed park permit, security deposit and proper insurance have been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

RESOLUTION DISPENSING THE RESIDENCY REQUIREMENT FOR VILLAGE ELECTION INSPECTORS

WHEREAS, pursuant to the terms and provisions of Public Officers Law §3, village election inspectors must reside within the village which they have been appointed to serve; and

WHEREAS, pursuant to the terms and provisions of Village Law § 3-300(2)(a) a village board of trustees may, by resolution, waive the residency requirement for village election inspectors and appoint to such positions any individual who resides within the county in which the village is situated; and

WHEREAS, the Village of Warwick will be conducting an election in March of 2023; and

WHEREAS, the Village Board wishes to waive the residency requirement for village election inspectors in the March of 2023 election and in future elections;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That, pursuant to Village Law § 3-300(2)(a), the Village Board hereby waives the residency requirement for village election inspectors imposed by Public Officers Law §3, and authorizes appointment of any resident of Orange County to serve as an election inspector in the Village of Warwick for the election in the March of 2023 and in future elections; and

2. That a certified copy of this resolution shall be provided to the Orange County Board of Elections; and

3. That the Mayor is authorized to execute any documents necessary to carry out the provisions of this resolution.

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

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

Barry Cheney, Trustee, voting Aye

Carly Foster, Trustee, voting Aye

Thomas McKnight, Trustee, voting Aye

William Lindberg, Trustee, voting Absent

Michael Newhard, Mayor, voting Aye

NYS Local Retirement System Standard Workday Resolution – Carly Foster

A **MOTION** was made by Trustee McKnight, seconded by Trustee Cheney and carried to approve the New York State Local Retirement System Standard Workday and Reporting Resolution for Village of Warwick Trustee, Carly Foster, with a Record of Activities of 8.7 average days worked per month.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Taxicab License – Warwick Taxi, LLC – John Knowles

A **MOTION** was made by Trustee Foster, seconded by Trustee Foster and carried to issue a Village of Warwick Taxicab License to John Knowles, owner of Warwick Taxi, LLC through May 31, 2023, per Village Code Chapter 126. Proof of NYS Department of Motor Vehicles driver's license, New York State livery registration, and Village of Warwick background check and license fees have been received. Warwick Police Department background check has been completed and approved.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

**RESOLUTION CREATING THE VILLAGE OF WARWICK
CLIMATE SMART COMMUNITIES TASK FORCE**

WHEREAS, on July 2, 2019, the Village of Warwick resolved to adopt the Climate Smart Communities pledge;

WHEREAS, on July 2, 2019, the Village of Warwick resolved to establish energy benchmark requirements for certain municipal buildings;

WHEREAS, the Village of Warwick intends to further assess how climate change will affect the Village of Warwick and its residents; take further steps to reduce the Village's contributions to climate change; acquire funding for such projects that address climate change;

WHEREAS, the Village of Warwick considers that the New York State Climate Smart Communities initiative is a valuable framework to help the Village increase environmental sustainability and lead the community by example; the Village of Warwick wishes to obtain certification under the Climate Smart Communities Program.

WHEREAS, establishing a Climate Smart Communities Task Force is a mandated action in the Climate Smart Communities certification program;

WHEREAS, the Climate Smart Communities Task Force is the leadership body responsible for documenting and submitting climate related actions taken by the Village of Warwick to the New York State Climate Smart Communities program, and to advise Village

officials on additional actions the Village of Warwick may take to further its environmental sustainability progress;

WHEREAS, the Climate Smart Communities Task Force will consist of community members and municipal representatives, who will meet at least twice per year and maintain meeting minutes and attendance records for each meeting;

THEREFORE BE IT RESOLVED, the Village of Warwick Board of Trustees establishes a Climate Smart Community Task Force with the initial members as: (1) Village of Warwick Trustee, Carly Foster, (2) Village of Warwick Planning Board Chairman, Jesse Gallo, (3) Sustainable Warwick and Greenbelt Preservation Society, Christina Thomas, (4) Village of Warwick Resident, Dr. Richard Von Stein, and (5) the named CSC Coordinator.

BE IT FURTHER RESOLVED, that the Village of Warwick appoints Village of Warwick Trustee, Tom McKnight, as the Climate Smart Communities Coordinator;

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

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

Barry Cheney, Trustee, voting Aye

Carly Foster, Trustee, voting Aye

Thomas McKnight, Trustee, voting Aye

William Lindberg, Trustee, voting Absent

Michael Newhard, Mayor, voting Aye

Discussion

Mayor Newhard congratulated and thanked Trustee McKnight on the amount of work he did in a very short window and first initiative as Trustee.

Trustee Foster and Trustee Cheney also thanked Trustee McKnight.

Purchase of 2022 Morbark Eger Beaver 1415 Brush Chipper

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried to authorize the purchase of a 2022 Morbark Eger Beaver 1415 Brush Chipper from A. Montano Company, Inc. at a cost of \$61,230.81 per the recommendation of DPW Supervisor Michael Moser. Purchase is made through a competitively awarded contract by Sourcewell, a service cooperative legally established in Minnesota. Funds are appropriated in budget code A.5110.2350.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Reports

Trustee Cheney's Report:

Trustee Cheney stated that the Village, through its consultant, Barton & Loguidice, submitted a WIIA application to New York State. Trustee Cheney explained that the application covers two projects, the main storage tank at the reservoir that needs to be replaced and the treatment system for Well #3. The total price of those projects is \$4.277 million dollars and the maximum grant award is 60%. Trustee Cheney said that the Village is very hopeful that it will be selected this time and receive the maximum. Trustee Cheney also thanked Trustee Foster and said she was very much involved in helping with the application and providing some excellent input.

Trustee Foster's Report:

Trustee Foster announced the Orange County, New York 2022 Senior Games with an opening ceremony on September 21st, 9 a.m. to 2 p.m. at the day camp area of the Thomas Bull Memorial Park, located at 211 New York 416, Montgomery, New York. There will be music, Zumba, drop-in games, a one mile walk, and lunch is also provided. There will also be nature hikes and a scavenger hunt on September 22nd from 9 a.m. to 2 p.m., with a rain date of September 27th, located at the Bellvale Bruderhof Community on 359 Gibson Hill Road, Chester, New York 10918. There will be cookies, coffee and lunch provided to hikes to choose from and a fun scavenger hunt. There will be a one time fee of \$15 and registration form to attend the Senior Games. That fee gives you access to all senior game events throughout the year. For more information and to register, contact Kathy Barnett at 845-615-3713 or KBarnet@orangecountygov.com.

Trustee Foster explained that she and Mayor Newhard attended the NYCOM conference last week, which was her first attendance. Trustee Foster said that she learned a lot as a new Trustee and attended sessions related to funding for local government and learned a lot about things that are coming down the pike as well as debt issuance processes and bonding, a lot about new energy opportunities, which she feels the Board will probably discuss in future board meetings, public water and sewer system operations, regulations around traffic safety, which is something Trustee Foster stated that is really important to her.

Trustee Foster also said that she learned a lot about policies and procedures that are required and recommended for managing the city and local government. Trustee Foster stated that she confirmed with Village Clerk, Raina Abramson, that the Village has the required policies and procedures in place, which is excellent and that it was good to read all of them.

Trustee Foster said that she had a really good session listening to the General Counsel, Wade Beltramo, and also got an update on what's happening in Albany. Trustee Foster said that overall, she thinks it was an extremely good use of time and energy and that she'll be happy to share her notes.

Mayor Newhard said that this particular session is focused on newly Elected and Clerk's and Treasurer's, which is wonderful in that you get to really understand the responsibilities that they have to a municipality and the enormity of their job.

Trustee Foster said that there was a lot of emphasis on how running a local government is not like running a business.

Trustee Lindberg's Report: Absent

Trustee McKnight's Report:

Trustee McKnight said that the Albert Wisner Public Library is going through a strategic planning process and similar to how the Village did the Comprehensive Plan, there is an element of community outreach. Trustee McKnight explained that the library will be reaching out to their patrons, which includes anyone within the Warwick School District, over the next few weeks with surveys trying to get input. Trustee McKnight urges anyone who is listening or reading this to please respond to the survey because he feels the library is a great asset to the community and that the library relies on the community feedback.

Trustee McKnight stated that the library will be closed for Applefest, October 2, 2022, and that the following week, the highly regarded Children's Book Festival will be taking place on October 8, 2022, from 11:00 a.m. to 4:00 p.m. in Stanley Deming Park. Trustee McKnight said that every time he's been to the Book Festival, it's been a great turnout.

Trustee McKnight added that there will be a fall art show at the library from October 17 – December 30, 2022, and that right now the application process for that event is open.

Trustee McKnight stated that the Village still has an opening for an Alternate Member to the Zoning Board and clarified that the Zoning Board does not meet every month, but only when there is an item on the agenda, so although not a large time commitment, it's a very important position to what the Zoning Board does.

Mayor Newhard's Report:

Mayor Newhard stated that the Village is in the midst of the NY Forward Grant application process through the New York Department of State as part of the DRI, Downtown Revitalization Initiative, that the State created about five or six years ago. Mayor Newhard said that the DRI had a grand prize of \$10 million dollars per municipality, which is not easy to get since it is very competitive and geared to and focused on larger municipalities, small cities, throughout New York State and many of them have taken advantage of it and have seen transformational projects that have made a great difference in local economy and also in terms of placemaking, truly have taken some very depressed cities and really made them shine and really changed them in terms of their direction. Mayor Newhard said that when it went into place the New York Council of Mayors started lobbying for a secondary tier because it was clear that DRI was really focused on larger municipalities. Mayor Newhard stated that finally this year, the Department of State did create that second tier which is focused on smaller, rural, historic, walkable communities which sounds like Warwick. So, for the past twenty-five days, the Village has been trying to get the grant package together, which is very intense. Mayor Newhard said that the grant applications will be reviewed regionally in the Mid-Hudson. The grant award is \$5 million dollars, and it can be divided between two municipalities at \$2.5 million dollars if the Board of Directors from the Regional Economic Development Council makes that decision.

Mayor Newhard said that he is excited and that it's been a collaborative work. Mayor Newhard explained that Trustee Foster, Trustee Cheney, and Trustee McKnight have all had some input into this process. Mayor Newhard said that he thinks that a lot of people on the surface might say that Warwick is a shining example of downtown and downtown revitalization, it's already happened here, but the reality is post-Covid things have changed dramatically with more visitors per square inch than ever before, and those visitors come with needs and also challenges. Mayor Newhard explained that that is the type of thing the Village is really understanding and looking at because it's also about moving on to the next level and to be able to embrace new businesses, new entrepreneurs and this type of grant will really give the Village the capabilities of doing that.

Trustee Foster added that some of the key themes of the grant are also serving the needs of the residents that are here now and what they need from the downtown. Trustee Foster said that residents may have seen her and the Mayor out last weekend confirming that they were on the

right track with the initiatives and the goals because they've gathered a lot of input over the course of the last eighteen months through the Comprehensive Planning process about what people want to see from the downtown. Trustee Foster said there were a lot of themes of walkability, having a welcoming place, making downtown a place that all of our needs can be met in the same location, with a greater diversity of stores and how the Village creates a framework and environment that enables that to happen such as bump outs to increase pedestrian safety, a lot of things such as that.

Trustee McKnight said that they've done a great job and that it was a lot of hard work.

Mayor Newhard said that Trustee McKnight brings in the whole idea of Climate Smart Community which is critical to in terms of whatever the Village does as we move forward and it should be colored with that because it makes such a difference in any kind of redevelopment.

Trustee Cheney said that he thinks the Village is on the right path and will keep his fingers crossed that it comes through.

Trustee Foster said if it doesn't work out this year, the Village will go after it again next year.

Mayor Newhard said that the one thing that is important and why the Village decided to move forward with this application was because after a year and a half of public outreach for the Comprehensive Master Plan the Village had a body of vision and thoughts and ideas from the people that live here and that was golden because that is really where in essence it should come from. Mayor Newhard said that that is what excited them because they've already done a lot of leg work and created a direct line of people's true understanding of what they want or what they dream that the Village could be and that was the most important part that they saw in writing the application.

Final Comments from the Floor – No comments were made.

Final Comments from the Board – No comments were made.

Executive Session

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

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Absent

Trustee McKnight Aye Mayor Newhard Aye

Mayor Newhard stated that when the Village Board returns from Executive Session, they will close the meeting and there will be no further business done.

In Executive Session. Present: Mayor Michael Newhard, Trustees: Barry Cheney, Carly Foster, William Lindberg, Thomas McKnight, and Village Attorney, Stephen Gaba.

Adjournment

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight and carried to exit Executive Session, resume the regular Village Board meeting and adjourn at approximately 9:00 p.m.

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Aye

Trustee McKnight Aye Mayor Newhard Aye

Village Clerk, Raina M. Abramson