

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



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

VILLAGE OF WARWICK

INCORPORATED 1867

Village of Warwick Village Board Meeting – September 20, 2021

Pursuant to Chapter 417 of the Laws of 2021 permitting local governments to hold meetings remotely and take such actions authorized by law without allowing the public to be physically present at the meeting due to safety concerns related to the delta variant of COVID-19, the Village of Warwick Village Board meetings will be conducted virtually through Zoom Videoconference until further notice or until the expiration of the law on January 15, 2022.

To View the Meeting:

YOUTUBE LIVE - The public may view the meeting live on the Village of Warwick, NY YouTube channel: <https://www.youtube.com/channel/UCK7D7KGbZF6nYfbcWGH6-VA>

VILLAGE'S WEBSITE – The public may view the meeting a day or so after its completion by going to the village's website: www.villageofwarwick.org

To Comment - During Privilege of the Floor Only:

VIA EMAIL OR MAIL - Comments may be sent to the Village Board prior to the Village Board Meeting via email to: clerk@villageofwarwick.org or via mail: Village of Warwick, Attn: Village Clerk, P.O. Box 369, Warwick, NY 10990. Please indicate in your correspondence that you wish to have your comments read during privilege of the floor. Please limit your comments to **three (3) minutes**.

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
SEPTEMBER 20, 2021
AGENDA**

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

1. Introduction by Mayor Newhard.
2. Acceptance of Reports - August 2021: Clerk's Office & Tax Collection Summary, Justice, Building, Planning Board & ZBA.

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

Trustee Cheney ___ Trustee Lindberg ___ Trustee Bachman ___
Trustee McManus ___ Mayor Newhard ___

3. Acceptance of Minutes: September 8, 2021.

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

Trustee Cheney ___ Trustee Lindberg ___ Trustee Bachman ___
Trustee McManus ___ Mayor Newhard ___

4. Authorization to Pay all Approved and Audited Claims in the amount of \$_____.

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

Trustee Cheney ___ Trustee Lindberg ___ Trustee Bachman ___
Trustee McManus ___ Mayor Newhard ___

5. Police Report.

Discussion

1. Village of Warwick Halloween Parade & Costume Contest.

Privilege of the Floor

VIA EMAIL OR MAIL - Comments may be sent to the Village Board prior to the Village Board Meeting via email to: clerk@villageofwarwick.org or via mail: Village of Warwick, Attn: Village Clerk, P.O. Box 369, Warwick, NY 10990. Please indicate in your correspondence that you wish to have your comments read during privilege of the floor. Please limit your comments to **three (3) minutes**.

Motions

Trustee Cheney's Motions

1. **MOTION** to approve payment #6 in the amount of \$19,540.32 to TAM Enterprises, Inc. for the Vertical Spiral Screen Project at the Orchard Street Pump Station for work done to install a new generator, as per the recommendation of Village Engineer, David Getz. Funds are appropriated in budget code G.8120.4950 in the FY 2021-22 budget.

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

Trustee Cheney ___ Trustee Lindberg ___ Trustee Bachman ___

Trustee McManus ___ Mayor Newhard ___

2. **MOTION** to return the Planning Board escrow balance of \$1,407.50 to 104 Main Street, LLC for a lot line change application. All invoices have been paid as per the email from Village Engineer, Dave Getz and Planning Board Attorney, Robert Dickover.

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

Trustee Cheney ___ Trustee Lindberg ___ Trustee Bachman ___

Trustee McManus ___ Mayor Newhard ___

3. **MOTION** to return the Planning Board escrow balance of \$225.00 to Eric Ryle for a lot line change application for 17 Elizabeth Street. All invoices have been paid as per the email from Village Engineer, Dave Getz and Planning Board Attorney, Robert Dickover.

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

Trustee Cheney ___ Trustee Lindberg ___ Trustee Bachman ___

Trustee McManus ___ Mayor Newhard ___

Trustee Lindberg's Motions:

4. **MOTION** to approve the budget modification and transfer request as per the Village Treasurer's memo dated September 16, 2021.

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

Trustee Cheney ___ Trustee Lindberg ___ Trustee Bachman ___

Trustee McManus ___ Mayor Newhard ___

5. **MOTION** to grant permission to the Excelsior Hose Company to hold a coin toss on Sunday, October 10, 2021, from 10:00 a.m. to 3:00 p.m. on Route 94/Oakland Ave. near the entrance to the Village. Proof of proper insurance has been received.

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

Trustee Cheney ___ Trustee Lindberg ___ Trustee Bachman ___

Trustee McManus ___ Mayor Newhard ___

6. **RESOLUTION INTRODUCING AND SETTING A PUBLIC HEARING ON PROPOSED LOCAL LAW TO AMEND VILLAGE CODE CHAPTER 135, "VEHICLES AND TRAFFIC", TO ADD TRAFFIC SAFETY REGULATIONS AND TRAFFIC CONTROL DEVICES**

WHEREAS, the Village Board of the Village of Warwick has a local law before it entitled: "A local law to amend Village Code Chapter 135, 'Vehicles and Traffic' to add traffic safety regulations and traffic control devices "; and

WHEREAS, in order to enact the said local law it is necessary to introduce it and hold a public hearing upon it,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the movant of this resolution does hereby introduce the above proposed local law, and
2. That a public hearing on the proposed local law be set for October 18, 2021 at 7:30 o'clock p.m. and that due notice of the same is directed to be given by publication and posting.

_____ 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 _____

Reports

Trustee Cheney's Report: Liaison to Planning & Zoning, Town of Warwick, Public Works Daily Operations, Engineering and Infrastructure, Water and Wastewater Operations, Green Health, St. Anthony's Community Hospital and Bon Secour, Orange County Department of Health.

Trustee McManus' Report: Liaison to Albert Wisner Library, Warwick Valley Schools, Town of Warwick Police Department, Ethics, Cablevision, Alteva (WVT), Issues of Emergency and Homeland Security, WYDO and Warwick Valley Community Center, Youth Leadership Academy, Warwick Valley Prevention Coalition. Building Practices/Alternative Energy Options, Citizens Awareness Panel/Jones Chemical, Orange County Planning, Veterans, Comprehensive Master Plan.

Trustee Lindberg's Report: Liaison to Office of the Treasurer, Parks & Recreation, Community Health & Fitness, Government Efficiency, Weekender Bus & Transportation Issues, Traffic and Parking, Liaison to Warwick Fire Department, Safety Committee, Crosswalk & Pedestrian Issues, Policy Development, Employee Training – Workplace Violence/Sexual Harassment.

Trustee Bachman's Report: Liaison to Merchants, Chamber of Commerce, Tourism, Arts & Culture, Historical Society, Public Interface and Outreach, Senior Citizens, Issues of Public

Final Comments from the Floor

Final Comments from the Board

Executive Session, if applicable

Adjournment



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

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

www.EngineeringPropertiesPC.com

September 14, 2021

**VILLAGE OF WARWICK BOARD OF TRUSTEES
77 MAIN STREET
WARWICK, NY 10990**

ATT: MAYOR MICHAEL NEWHARD

Re: Vertical Spiral Screen for the Orchard Street Pump Station
Application for Payment #6
W.O. #1800.61

Dear Mayor Newhard and Trustees:

We have reviewed Application for Payment #6, dated 9/1/21, from TAM Enterprises, Inc., for the vertical spiral screen at the Orchard Street pump station. We recommend approval of the requested payment of \$19,540.32. The payment covers work done to install the new generator.

The balance amount to finish the project, including retainage, will be \$193,419.38.

We have enclosed a signed copy of the payment application form.

Sincerely,
Engineering & Surveying Properties, P.C.

David A. Getz, P.E.

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

TO Owner: Village of Warwick

PROJECT: Orchard Street Pump Station - Vertical Screen

APPLICATION NO.: 76

FROM Contractor:

TAM Enterprises, Inc.
114 Hartley Road
Goshen, NY 10824

PERIOD ENDING:

8/30/2021

CONTRACT FOR:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the contract. Continuation Sheet is attached.

1. ORIGINAL CONTRACT SUM	\$375,000.00
2. Net change by Change Orders	\$0.00
3. CONTRACT SUM TO-DATE	\$375,000.00
4. TOTAL COMPLETED & STORED TO DATE	\$191,137.50
5. RETAINAGE	
a. 5 % of Completed Work	\$9,556.88
b. 0 % of Stored Materials	\$0.00
TOTAL RETAINAGE (Lines 5a and 5b)	\$9,556.88
6. TOTAL EARNED LESS RETAINAGE	\$181,580.63
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$162,040.31
8. CURRENT PAYMENT DUE	\$19,540.32
9. BALANCE TO FINISH, INCLUDING RETAINAGE	\$183,419.38

The undersigned Contractor certifies that to the best of the Contractor's knowledge, the information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for work for which previous Certificates of Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By:  Date: 9/1/21

State of New York County of Orange

Subscribed and sworn before me this 1 day of September 2021

Notary Public: Brian W. Cutler

My Commission Expires: 6-30-22 No. 01CU6307111

Qualified in Orange County

My Commission Expires June 30, 2022

ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: \$ 19,540.32

By:  Date: 9/2/21

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DELETIONS
Total Changes Approved in Previous Months by Owner		
TOTALS		
NET CHANGES by Change Order		

CONTINUATION SHEET

AIA DOCUMENT G703A

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AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing CONTRACTOR'S signed Certification is attached.

APPLICATION NO.:

In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

PROJECT NO.:

PROJECT:

ITEM NO.	DESCRIPTION OF WORK B	SCHEDULED VALUE C	WORK COMPLETED		STORED MATERIALS F	TOTAL COMPLETED AND STORED TO DATE G(D+E+F)	%	BALANCE TO FINISH H(C-G)	RETAINAGE
			Previous Applications D	This Application E					
1	Bonds and Insurance	\$9,500.00	\$9,500.00	\$0.00	\$0.00	\$9,500.00	100.0%	\$0.00	\$475.00
2	Mobilization	\$18,275.00	\$4,568.75	\$4,568.75	\$0.00	\$9,137.50	50.0%	\$9,137.50	\$456.88
3	Demolition and prep.	\$28,000.00	\$7,000.00	\$0.00	\$0.00	\$7,000.00	25.0%	\$21,000.00	\$350.00
4	New Generator Pad	\$18,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$18,000.00	\$0.00
5	Concrete Channel modifications	\$12,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$12,000.00	\$0.00
6	Steel Beams, hatches and FRP grating -material	\$13,000.00	\$13,000.00	\$0.00	\$0.00	\$13,000.00	100.0%	\$0.00	\$650.00
7	Steel beam, Hatches and FRP grating - Labor	\$33,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$33,000.00	\$0.00
8	Flood Door - Material	\$20,000.00	\$20,000.00	\$0.00	\$0.00	\$20,000.00	100.0%	\$0.00	\$1,000.00
9	Flood door - Labor	\$3,500.00	\$3,500.00	\$0.00	\$0.00	\$3,500.00	100.0%	\$0.00	\$175.00
10	Vertical screen - Material	\$77,000.00	\$77,000.00	\$0.00	\$0.00	\$77,000.00	100.0%	\$0.00	\$3,850.00
11	Vertical Screen - Labor	\$18,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$18,000.00	\$0.00
12	New Generator - Material	\$35,000.00	\$35,000.00	\$0.00	\$0.00	\$35,000.00	100.0%	\$0.00	\$1,750.00
13	New Generator - Labor	\$8,500.00	\$0.00	\$8,500.00	\$0.00	\$8,500.00	100.0%	\$0.00	\$425.00
14	Furnish and install Roofing	\$17,500.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$17,500.00	\$0.00
15	Masonry Modifications	\$10,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	10.0%	\$9,000.00	\$50.00
16	New door - Materials	\$11,500.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$11,500.00	\$0.00
17	New door - Labor	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$10,000.00	\$0.00
18	Electrical Modifications	\$20,000.00	\$0.00	\$5,000.00	\$0.00	\$5,000.00	25.0%	\$15,000.00	\$250.00
19	Furnish and install Chain Link Fence	\$7,500.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$7,500.00	\$0.00
20	Gas line modifications	\$2,500.00	\$0.00	\$2,500.00	\$0.00	\$2,500.00	100.0%	\$0.00	\$125.00
21	Punch list - Close out	\$2,225.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$2,225.00	\$0.00
	SUBTOTAL OR TOTAL	\$375,000.00	\$170,568.75	\$20,568.75	\$0.00	\$191,137.50		\$183,862.50	\$9,556.88

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VILLAGE OF WARWICK
INCORPORATED 1867

Building and Planning Department

Escrow Release Request for Balance of Funds

September 14, 2021

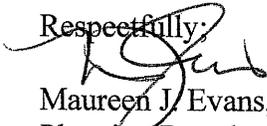
Requested Payee – 104 Main St., LLC
P.O. Box 458
Escrow Acct.

Re: Lot Line Change

Total Balance **-\$1,407.50**

According to Sec. 64-3 of the Village of Warwick Local Law E: In the event that an applicant shall withdraw his application at any stage of the proceedings or when the application review and approval process has been completed, the balance of funds in the applicant's account after all current outstanding fees are paid shall be either remitted to the applicant with 60 days of final action by the board or, if so directed by the applicant shall remain on deposit as the applicant's initial payment toward post-approval inspection requirements (if required).

Respectfully:


Maureen J. Evans,
Planning Board secretary

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VILLAGE OF WARWICK
INCORPORATED 1867

Building and Planning Department

Escrow Release Request for Balance of Funds

September 14, 2021

Requested Payee – Eric Ryle
17 Elizabeth St.
Escrow Acct.

Re: Lot Line Change

Total Balance -**\$225.00**

According to Sec. 64-3 of the Village of Warwick Local Law E: In the event that an applicant shall withdraw his application at any stage of the proceedings or when the application review and approval process has been completed, the balance of funds in the applicant's account after all current outstanding fees are paid shall be either remitted to the applicant with 60 days of final action by the board or, if so directed by the applicant shall remain on deposit as the applicant's initial payment toward post-approval inspection requirements (if required).

Respectfully;


Maureen J. Evans,
Planning Board secretary

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VILLAGE OF WARWICK
 INCORPORATED 1867

Budget Modification Request

For Board of Trustees Approval - Meeting on 9/20/21

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

GENERAL FUND

FROM Account Code	Account Description	Budget Approp. Balance	Transfer Request	Reason	TO Account Code	Account Description	Budget Approp. Balance	Transfer Amount
A5110.1000	Streets - Personal Service	482,424.72	609.80	to cover the unexpected cost of a new AC unit for upstairs at Village Hall	A5010.1200	DPW - WORKERS COMP SALARY	0.00	609.80
TOTAL			609.80		TOTAL			609.80

Respectfully submitted,

Sadie Becker
 Village Treasurer

Backup Documentation: Expenditure detail report

Report Date: 9/16/21

Excelsior Hose Co. No. 1

Captain Ryan Reilly – rmreilly@gmail.com
1st Lt. Austin Courtney – austincourtney634@gmail.com
2nd Lt.
Safety Officer Andy Schork - schorka@yahoo.com



President Chris Gardner – cmgardner634@gmail.com
V. President Charles Kittner – kitt@warwick.net
Secretary Mary Augustyni - maugustyni@wvcsd.org
Treasurer George Opper – oppers@warwick.net

Mayor Michael J. Newhard
77 Main Street
Warwick, NY 10990

September 13, 2021

Dear Mayor Newhard and the Village Board:

Due to the Homecoming Parade, the Excelsior Hose Company #1 is requesting permission to hold a coin toss on October 10, 2021 on Route 94 near the entrance to the Village. The hours for the one day event would be 10:00am – 3:00pm. We have previously held the coin toss there.

I have gotten in touch with Sanford Insurance and they will bring the certificate of insurance to Village Hall.

Thank you for your approval of this matter.

Sincerely,

Mary Augustyni
Secretary
Excelsior Hose Co.

RECEIVED

SEP 13 2021

**VILLAGE OF WARWICK
VILLAGE CLERKS OFFICE**

VILLAGE OF WARWICK
LOCAL LAW NO. __ OF THE YEAR 2021

A local law to amend Village Code Chapter 135, “Vehicles and Traffic” to add traffic safety regulations and traffic control devices.

Section 1. Purpose:

The purpose of this local law is to promote the public health, safety and welfare by amending Village Code Chapter 135, “Vehicles and Traffic” to add traffic safety regulations and traffic control devices.

Section 2. Amendment Of Village Code:

Village Code Chapter 135, “Vehicles and Traffic”, is hereby amended as follows:

(A.) Article VIII, “Parking, Standing and Stopping”, Section 135-18, “Parking prohibited at all times in certain locations”, is hereby amended as follows under the existing header:

		Name of Street	Side	Location
(i.)	Delete:	Spring Street	West	From the intersection of West Street for a distance of 100 feet
(ii.)	Delete:	Spring Street	South	From the intersection of Spring Street and McEwen Street for a distance of 12 feet
(iii.)	Add:	Spring Street	West	From West Street to McEwen Street

(B.) Article VIII, “Parking, Standing and Stopping”, Section 135-19.1, “Loading and unloading zones established”, is hereby amended as follows:

(i.) In subsection “A”, the following entries are deleted except for the existing header:

	Name of Street	Side	Location
	First Street	North	From a distance starting at a point 76.3 feet from the intersection of South Street on the westerly side and running a distance of 83 feet therefrom

(ii.) In subsection “A”, the following entries are added under the existing header:

Name of Street	Side	Location
First Street	North	From a distance starting at a point 59 feet from the intersection of South Street on the westerly side and running a distance of 60.5 feet therefrom

(C.) Article VIII, “Parking, Standing and Stopping”, Section 135-19.3, “parking for handicapped; penalties for offenses”, is hereby amended as follows:

(i.) In subsection “A”, the following entries are deleted except for the existing header:

Name of Street	Side	Location
Chase Parking Lot	South	From a point 61 feet east of South Street to a point 81 feet thereof
Park Avenue	West	From a point 202 feet south of the curblines of Burt Street to a point 238 feet thereof

(ii.) In subsection “A”, the following entries are added under the existing header:

Name of Street	Side	Location
Chase Parking Lot	South	From a point 61 feet east of South Street to a point 71 feet thereof
Chase Parking Lot	South	From a point 33 feet east of South Street and 41 feet northeast of Caboose, to a point 31 feet east therefrom
Park Avenue	West	From a point 340 feet south of the curblines of Burt Street to a point 378 feet thereof

(D.) Article IX, “Parking Meters”, Section 135-22, “Parking meter zones established”, is hereby amended as follows:

(i.) The following entries are deleted except for the existing header:

Name of Street	Side	Location	Parking Time Limit (hours)	Hours of Meter Operation
First Street	North	From Oakland Avenue to a point 60 feet east thereof and from a point 71 feet east of Oakland Avenue to a point 124 feet east thereof	8:00 a.m. to 6:00 p.m. except Sundays and holidays	2
First Street	North	Beginning at a distance of 20 feet from the intersection of South Street and running westerly 57 feet therefrom	8:00 a.m. to 6:00 p.m. except Sundays and holidays	2
First Street	North	Beginning at a distance of 159 feet from the intersection of South Street and running west 244 feet therefrom	8:00 a.m. to 6:00 p.m. except Sundays and holidays	2

(ii.) The following shall be added below the existing header:

Name of Street	Side	Location	Parking Time Limit (hours)	Hours of Meter Operation
First Street	North	Beginning at a distance of 14 feet from the intersection of Oakland Avenue and running easterly 270 feet therefrom	8:00 a.m. to 6:00 p.m. except Sundays and holidays	2
First Street	North	Beginning at a distance of 14 feet from the intersection of South Street and running westerly 45 feet therefrom	8:00 a.m. to 6:00 p.m. except Sundays and holidays	2

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
SEPTEMBER 20, 2021
ADDENDUM**

7. **MOTION** to appoint Drake Loeb, LLC as counsel for the Village of Warwick Village Board and Planning Board in the Article 78 Proceeding brought by Raymond Maher and others against the Village of Warwick Board of Trustees, Village of Warwick Planning Board, and Village View Estates LLC.

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

Trustee Cheney ____ Trustee Lindberg ____ Trustee Bachman ____

Trustee McManus ____ Mayor Newhard ____