

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

9002

The regular meeting of the Board of Trustees of the Village of Warwick was held on Monday, September 20, 2021, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY via Zoom Videoconference. Present was: Deputy Mayor, Barry Cheney; Trustees: George McManus and William Lindberg. Mayor Michael Newhard and Trustee Corey Bachman were absent. Also, present was Deputy Village Clerk, Jennifer Mante, Village Attorney, Stephen Gaba, and DPW Supervisor, Michael Moser. 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 public was able view the meeting live by the public on the Village of Warwick, NY YouTube channel:

<https://www.youtube.com/channel/UCK7D7KGbZF6nYfbcWGH6-VA>

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

Acceptance of Reports

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried for the 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: **APPROVED**

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Absent

Trustee McManus Aye Mayor Newhard Absent

Acceptance of Minutes

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus, and carried Acceptance of Minutes: September 8, 2021.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Absent

Trustee McManus Aye Mayor Newhard Absent

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$139,830.38.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Absent

Trustee McManus Aye Mayor Newhard Absent

Police Report – No report at this time.

Discussion

1. Village of Warwick Halloween Parade & Costume Contest.

Deputy Mayor Cheney asked how the other board members felt about holding the event this year. Trustee Lindberg said he would like to see the event go through but recommended eliminating the costume judging part of it and do that part online like what was done last year. Trustee Lindberg explained that as soon as the parade starts everybody is 20 feet apart. Trustee Lindberg recommended going through with it with that one exception. Deputy Mayor Cheney confirmed with Trustee Lindberg that he recommended doing the costume contest online again. Trustee McManus said that he didn't have a problem with the parade going on or with Trustee Lindberg's recommendation. Trustee McManus wanted it known that the Lions club was not sponsoring any part of the event this year. Deputy Mayor Cheney said that it would be nice to try and hold the parade. Deputy Mayor Cheney suggested that it should be discussed with the police department to make sure they are okay with the event. Deputy Mayor Cheney said that hopefully the event can be held, and it will bring things back to some level of normalcy. Trustee Lindberg said he thinks Ron Introini, the recreation director, is also involved and will be at the October 4th meeting and that Ron could give more details.

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**.

No comments were made.

Vertical Spiral Screen, Orchard St. Pump Station – Payment #6, TAM Enterprises

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Absent

Trustee McManus Aye Mayor Newhard Absent

Return of Planning Board Escrow – 104 Main Street, LLC

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Absent

Trustee McManus Aye Mayor Newhard Absent

Return of Planning Board Escrow – 17 Elizabeth Street

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Absent

Trustee McManus Aye Mayor Newhard Absent

Budget Modification

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus, and carried 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: **APPROVED**

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Absent

Trustee McManus Aye Mayor Newhard Absent

Warwick Fire Department Coin Toss

A **MOTION** made by Trustee Lindberg, second by Trustee McManus, and carried 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: **APPROVED**

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Absent

Trustee McManus Aye Mayor Newhard Absent

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.

Trustee Lindberg presented the foregoing resolution which was seconded by Trustee McManus,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting	<u>Aye</u>
William Lindberg, Trustee, voting	<u>Aye</u>
George McManus, Trustee, voting	<u>Aye</u>
Corey Bachman, Trustee, voting	<u>Absent</u>
Michael Newhard, Mayor, voting	<u>Absent</u>

Discussion

Deputy Mayor Cheney stated that these proposed changes can be found on the Village website as part of the agenda for tonight's meeting if anyone is interested and wants to see them prior to the public hearing they can be found there. Deputy Mayor Cheney said that if anyone is unable to access the information online, they can call Village Hall and a copy will be provided.

Raymond Maher and Others vs. Village of Warwick Board of Trustees, Village of Warwick Planning Board, and Village View Estates LLC

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Absent

Trustee McManus Aye Mayor Newhard Absent

Reports

DPW Supervisor Michael Moser's Report:

Michael Moser stated that the DPW recently finished the 9/11 Monument. Mike Moser said the DWP also paved the open court, Robert Drive, Park Lane, and Memorial Park Drive. Mike Moser stated that the Bulk Pickup was finished today, he did notice a few late setouts that they will get to in the next few days and that the DPW is working on the path going around the arboretum. Michael Moser stated that the DPW will start working on the basics that were missed in the last couple months due to being tied up with all the projects. Trustee McManus asked Michael Moser what was going to be done about the items left behind from the Bulk Pickup, such as in Homestead Village where the dumpsters had been left out. Trustee McManus said he understands why the DPW didn't remove those items because it was materials that were not part of the Bulk Pick up, but now junk is sitting on village streets. Michael Moser answered by saying he will make arrangements to pick up all the items that they are responsible for. Trustee McManus said he doesn't think there is much left out there that they are responsible for. Michael Moser said that that is the issue, many places that are claiming they don't know who put the items out, that it is not just Homestead Village, it's other little developments or anything where there was a multi-family. Michael Moser added that air conditioners and televisions had been left out for pickup, which as per stated in the letter, DPW were not picking up due to cost. Michael Moser stated he will get with code enforcement, Boris Rudzinski at the end of the week to see who has what out and will start with violations. Michael Moser said it was sure to cause some backlash, but he has no other way of knowing who put what where. Michael Moser said he observed a complex on Cherry Street that had a growing pile that started well after DPW picked up the street. Michael Moser stated that he had been taking pictures and watching the pile grow, he said that he spoke to the people at the complex who told him they didn't know who dropped off the items or where they came from. Michael Moser said he had a similar issue at McEwen Street this year, but it was quickly nipped. Michael Moser said that DPW will get all of it and whoever is in violation will be taken to court and he will speak to Steven Gaba. Trustee McManus said there are a lot of paint cans. Michael Moser responded by saying that there are

paint cans throughout the village, and that a few spots have been put off because he wanted to get everything that was legitimately put out for pick up before DPW picked up items that would cost the Village more money to get rid of such as TVs, which are a hard commodity to get rid of. Trustee Lindberg also told Michael Moser additional speed bumps needed to be put into Memorial Park. Michael Moser responded by saying that it was part of his agenda for this week to do some painting, but there are a few things he had to work out and that SLOW signs were going to be put in on Memorial Park Drive as well as a lot of NO PARKING signs along the side of the road. Michael Moser said that he has photos from football games and practices where cars have been parking on the grass and by the DPW lane/fences. Michael Moser stated how he understands there are a lot of attendees for football, but that there are many parking spots that are not being used and they don't use the parking lot that was put together for them. Trustee Lindberg responded by saying he will send a note to football and asked Michael Moser for the pictures.

Stephen Gaba's Report:

Stephen Gaba said that the Village has been served with a new lawsuit and that he is sure everyone is familiar with the Village View matter and it will be handled.

Trustee McManus' Report: No report at this time.

Trustee Lindberg's Report: No report at this time.

Trustee Cheney's Report:

Deputy Mayor Cheney announced that Orange County is hosting a household hazardous waste collection event on Saturday, October 2nd, from 9 a.m. until 3 p.m. at the Orange County Transfer Station #1 Maintenance Garage located at 21 Training Center Lane in new Hampton NY, service entrance is on Route 17 across from the Mid-Hudson Psychiatric Center. Deputy Mayor Cheney added that the protocol for these events is one person per vehicle while remaining in your vehicle at all times with your windows rolled up and to show your license through the window for proof of residency. Deputy Mayor Cheney stated that items for disposal should be placed in the back of your vehicle and workers in personal protective equipment will remove the contents. Deputy Mayor Cheney said the acceptable items are as follows; oil based paints, stains and varnishes, paint thinners/strippers, preservatives, polishes, cleaners, swimming pool chemicals, pesticides, herbicides, insecticides, florescent bulbs, dry cleaner solvents, lighter fluids, septic tank degreasers, full or partially full aerosol cans, photo chemicals, chemistry sets, engine degreasers, carburetor cleaners, kerosene, gasoline, oil mixes, extinguishers, mercury thermostats, thermometers, pharmaceutical drugs, rechargeable NI-CD batteries, auto and tractor batteries, admission fluids, break fluids, motor oil, and anti-freeze. Deputy Mayor Cheney said that it is basically an opportunity for individuals to get rid of their household hazardous wastes.

Deputy Mayor Cheney said that he believes on Friday the day before this Saturday event businesses and farms and government agencies can bring their materials but that requires a preregistration. Deputy Mayor Cheney continued by listing items that are not part of the event such as; computers, VCRs, home appliances, tires, BBQ propane tanks, household batteries (they can be thrown in the trash), ammunition, fireworks, explosives (if you have them call the police department), medical sharps (take back to the hospital), lead and water based paints (there are instructions on what to do with those on the county website), please if you have any of those materials and you already put them out on the curb bring them back in and take them to this event.

Final Comments from the Floor – No comments were made.

Final Comments from the Board – No comments were made.

Adjournment

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried to adjourn the regular meeting at approximately 7:55 p.m.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Absent

Trustee McManus Aye Mayor Newhard Absent

Jennifer Mante, Deputy Clerk