

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
APRIL 20, 2026**

11,198

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, April 20, 2026, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Mayor, Michael J. Newhard. Trustees: Barry Cheney, Carly Foster, Thomas McKnight, and Mary Collura. Also, present was Village Clerk Raina Abramson and Village Attorney Isabelle Hayes. Absent was Benjamin Gailey. Others present, Raymond Maher and others.

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

Acceptance of Minutes

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster and carried for the Acceptance of Minutes: April 6, 2026

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Acceptance of Reports

A **MOTION** was made by Trustee McKnight, seconded by Trustee Collura and carried for the Acceptance of Reports – March 2026: Clerk’s Office, Treasurer’s Statement of Revenue and Expenditures, Justice Department, Planning Department, Department of Public Works and Building Department. All reports are on file in the Clerk’s Office.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee McKnight, seconded by Trustee Cheney and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$275,157.69

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

1. Police Report.

No report.

Correspondence

1. 30 Brady Road - Village of Warwick AHDRB recommendations.
2. Letter of resignation – Zoning Board of Appeals Member, Margaret Politoski

Mayor Newhard acknowledged receipt of a letter of resignation from Zoning Board of Appeals Member Margaret Politoski. He thanked her for her service to the community and noted that she is moving out of the area. He stated that her resignation leaves a vacancy on the Zoning Board of Appeals and that the Village will be publicizing the open position.

Discussion

1. Moratorium on Commercial Door to Door Solicitation

Mayor Newhard introduced a proposed moratorium on commercial door-to-door solicitation, which had been included as an addendum in the meeting packet. He explained that the discussion arose as a result of recent activity involving individuals going door-to-door soliciting homeowners to sell their properties, which he noted did not align with the original intent or spirit of the Village's solicitation regulations. He stated that the existing code, which was adopted in the 1970s, had not been updated and was due for review. Mayor Newhard also noted that other municipalities, including the Village of Greenwood Lake and the Village of Florida, had implemented or were in the process of implementing similar moratoriums. He then asked Village Attorney Isabelle Hayes whether she had reached out to those municipalities regarding their approaches.

Village Attorney Hayes stated that the Village of Florida had already adopted a local law in 2019 establishing a no-knock registry. She explained that, as a result, they are not pursuing a moratorium, as the issue had already been addressed.

Mayor Newhard noted that municipalities regularly share information with one another, which provides a strong foundation of resources to draw from. He stated that this

collaboration allows the Village to utilize existing information from other communities and develop its own approach efficiently.

Trustee Foster asked whether residents had reported feeling threatened by individuals going door-to-door to solicit the purchase of their homes.

Mayor Newhard confirmed that residents had reported feeling uncomfortable, describing the activity as an invasion of privacy. He noted that the Village had received numerous requests for a no-knock registry or similar policy. He then asked whether there are municipalities that prohibit peddling or solicitation entirely.

Village Attorney Hayes stated that she was not aware offhand of any municipalities that completely prohibit peddling or solicitation but could research the issue further. She noted that nearby municipalities, including the Town of Monroe and the Village of Monroe, have adopted no-knock registry policies. She explained that, based on what she has seen locally, municipalities typically maintain registries allowing residents to opt out of being contacted, rather than imposing a full prohibition.

Trustee Foster asked whether a no-knock policy would be all-inclusive, including religious door-to-door activity such as that conducted by Jehovah's Witnesses, or if it would apply only to commercial solicitation.

Village Attorney Hayes stated that the no-knock policy generally applies across the board, allowing residents to exercise their right not to be disturbed.

Trustee Foster noted that some residents may not mind certain types of door-to-door contact but would take exception to individuals soliciting the purchase of their homes.

Mayor Newhard stated that if a resident signs up for a no-knock registry, then no solicitation would be permitted at that residence.

Village Attorney Hayes stated that residents may post a "No Solicitation" sign but noted that selectively allowing certain types of solicitors while prohibiting others would not be feasible for various reasons.

Trustee McKnight asked what the consequences would be if a local law prohibiting solicitation were in place and an individual still went door-to-door attempting to purchase a home. He questioned what penalties would apply in such situations, noting that individuals may knock and then quickly leave.

Village Attorney Hayes stated that the Code includes a penalties section and noted that it would likely be amended as part of this process. She explained that if a resident has a

“No Solicitation” sign posted or is included on a no-knock registry, individuals applying for a solicitation permit would be provided with a list of those addresses. She stated that if a violation occurs, the resident could contact the Police, and the solicitor’s permit could be revoked or subject to other penalties.

Trustee Foster asked whether the individuals going door-to-door specifically to solicit the purchase of homes were operating with permits, and whether those who had been the subject of complaints had obtained the required permits.

It was stated that the individuals did have permits.

Trustee McKnight asked how many solicitation permits are typically issued each year, noting that individuals frequently seek permits for activities such as selling solar panels or soliciting homeowners.

Village Clerk Abramson noted that the Village receives permit requests for a variety of solicitation activities, including garbage collection services and an ice cream vendor each year. She added that such vendors are considered peddlers under the Code, which also includes categories such as food carts and similar mobile sales operations.

Mayor Newhard stated that the matter would need to be reviewed carefully. He indicated that, in the meantime, the Village should consider implementing a moratorium to allow time to evaluate and update the existing ordinance.

Trustee Foster asked what volume of complaints the Village had been receiving regarding this issue, noting that there appeared to be a high number of letters submitted.

Mayor Newhard stated that he had received complaints from the homeowners association at Warwick Grove, noting that they had continued to follow up seeking updates. He also reported receiving numerous requests from residents for the implementation of a no-knock registry or similar policy.

Trustee Collura asked how a no-knock registry would function in practice, including whether residents would receive a decal to place on their door indicating that they do not wish to be contacted.

Mayor Newhard indicated that he would expect a no-knock registry to include a decal or similar designation for participating residences.

Village Attorney Hayes explained that residents who sign up for the no-knock registry would be included on a list maintained by Village Clerk Abramson. She stated that individuals granted solicitation permits would be provided with that list and would be responsible for ensuring they do not contact those addresses.

Trustee Foster stated that the conditions of solicitation permits should be reviewed as part of this process. She asked whether the Village is legally permitted to prohibit certain types of solicitation and inquired about the boundaries and extent of the Village's authority when issuing permits and revising the local law.

Village Attorney Hayes asked for clarification as to whether Trustee Foster was referring to how the proposed changes would impact currently issued permits or speaking more generally about the Village's authority.

Trustee Foster clarified that she was referring to future considerations, asking what latitude the Village would have when reevaluating its law in terms of limiting different types of solicitation activities.

Village Attorney Hayes stated that the Village would need to proceed cautiously, particularly with respect to First Amendment considerations. She noted that while the Village's authority is fairly broad, care would be taken to ensure the language of any revisions is appropriate and does not violate constitutional rights.

Mayor Newhard asked whether certain types of solicitation, such as school fundraising or Girl Scout cookie sales, are exempt from permit requirements under the current Code.

Village Clerk Abramson stated that such groups have not typically applied for solicitation permits. She noted that requests from organizations like the Girl Scouts or Boy Scouts have generally been limited to setting up a table, such as at Railroad Green.

Mayor Newhard noted that organizations such as the Girl Scouts and Boy Scouts tend to set up tables rather than go door-to-door, citing safety considerations as a likely reason.

Village Clerk Abramson stated that the Village has received feedback from residents expressing safety concerns regarding door-to-door solicitation. She noted that even when residents expect a service visit, they often take precautions such as sharing identifying information about the individual, and that unanticipated contact can increase discomfort.

Mayor Newhard asked if there were any additional comments or thoughts from the Board.

Trustee McKnight asked for clarification regarding the proposed moratorium, confirming that it would be for a period of six months and intended to allow time for the Village to consider new legislation, including a no-knock policy. He also asked whether the moratorium would apply only to the issuance of new solicitation permits.

Trustee McKnight asked for clarification regarding the proposed moratorium, including its duration and scope.

Mayor Newhard responded that the intent was a six-month moratorium, during which time the Village would work on developing updated legislation, including a potential no-knock policy.

Trustee McKnight then asked whether the moratorium would apply only to the issuance of new solicitation permits.

Village Attorney Hayes stated that any existing permits would not be affected by the proposed moratorium.

Trustee Foster asked whether Village Attorney Hayes would be responsible for reviewing the issue and assembling recommendations, followed by working meetings, or whether a Trustee should take on a role in advancing the research.

Village Attorney Hayes stated that a draft local law had already begun, based on similar laws from other municipalities. She explained that the anticipated process would involve providing the draft to the Board for review, followed by its introduction, a public hearing, and then consideration of adoption.

Trustee Foster asked whether the only proposed change would be the implementation of a no-knock registry.

Village Attorney Hayes stated that, in addition to establishing a no-knock registry, the proposed revisions would also strengthen provisions related to door-to-door solicitation, including permit criteria and related regulations. She noted that the no-knock registry would be the primary component, along with additional updates to reinforce other sections of the chapter.

Trustee Foster asked for an example of the types of doorstep criteria that might be included in the revised local law.

Village Attorney Hayes stated that the proposed revisions would likely expand the scope of activities currently defined as solicitation under the existing Code.

Mayor Newhard stated that the current Code combines peddling and solicitation, noting that they are distinct activities and should be treated separately.

Trustee Foster asked whether the intent would be to separate peddling from solicitation, such as distinguishing between a peddler operating from a fixed location and an individual going door-to-door.

Village Attorney Hayes stated that the Code currently contains separate definitions for peddlers and solicitors, but noted that in practice the two have been treated as one. She indicated that the revisions would aim to clarify and properly distinguish between the two.

Mayor Newhard asked whether the proposed distinction between peddling and solicitation would result in two separate permit types.

Village Attorney Hayes stated that the current Code already provides separate sections for peddling and for solicitation and canvassing.

Village Clerk Abramson noted that the permit for Groovy Scoops is set to expire at the end of April. She also pointed out that the vendor typically provides ice cream for the Village's summer recreation program.

Village Attorney Hayes stated that the vendor would likely need to formally apply for a permit.

Trustee Foster noted that the vendor is not engaging in door-to-door activity.

Trustee Cheney suggested notifying the vendor so they can come in and obtain their license before the moratorium is enacted.

Village Attorney Hayes noted that the vendor could potentially claim a hardship but suggested simply reaching out to them to follow up.

Trustee Foster stated that a six-month moratorium would pose a hardship, noting that it encompasses their entire business season.

Trustee Cheney suggested adjusting the implementation date of the proposed moratorium to allow the vendor time to reapply for a permit.

Trustee McKnight asked about the urgency behind implementing the proposed moratorium.

Mayor Newhard explained that the urgency was due to the season, as individuals would soon begin applying for solicitation permits. He noted that there is uncertainty regarding

who may seek permits, and emphasized the need to move forward promptly in developing and updating the local law.

Trustee Foster noted that the current law specifically references individuals attempting to sell goods or services, but does not address those seeking to purchase property.

Village Attorney Hayes stated that the activity could also be considered solicitation of information, as individuals may be asking homeowners whether they are willing to sell their properties. She noted that they may not be directly offering to purchase the homes, but rather inquiring about potential interest, although it could involve both.

Trustee McKnight questioned how such interactions would be classified, asking whether simply providing a business card would constitute solicitation of information.

Trustee Foster noted that this was an issue to consider when updating the law, emphasizing the importance of ensuring the language is clear.

Trustee Cheney stated that the interactions have not been limited to simply providing a business card, noting that individuals have been asking more detailed and personal questions related to residents' homes.

Trustee Foster noted that the issue is not unique to the Village, adding that similar solicitations also occur through text messages and other means.

Trustee McKnight remarked that he continues to receive inquiries from individuals attempting to purchase his former home.

The Board established that the moratorium would take effect on Monday, April 27.

Public Comment - Agenda Items Only

GUIDELINES FOR PUBLIC COMMENT

The public may speak only during the meeting's Public Comment period and at any other time a majority of the Board allows. Speakers must be recognized by the presiding officer, step to the front of the room/microphone, give their name, residency, and organization, if any. Speakers must limit their remarks to three minutes (this time limit may be changed to accommodate the number of speakers) and may not yield any remaining time they may have to another speaker. Board members may, with the permission of the mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information. The Village Board is not required to accept or respond to questions from the public at meetings but may request that inquiries be submitted in writing to be responded to at a later date. All remarks must be addressed to the

Board as a body and not to individual Board members. Interested parties or their representatives may also address the Board by written communications.

An unidentified speaker asked about the correspondence regarding Brady Road. Mayor Newhard stated that the full letter was available on the Village's website and directed the speaker to where it could be found, as well as where to access agenda-related materials in the future.

Mayor Newhard acknowledged that the speaker lives on Brady Road and expressed concern about the condition of the roadway. He noted that the individual had previously come to Village Hall regarding the issue and stated that the Village is continuing to press the contractor to address it.

An unidentified speaker stated that the condition of the road was dangerous, noting that cars were swerving into the opposite lane to avoid hazards. The speaker thanked the Village for reaching out to the contractor.

Raymond Mahar stated that he attended a recent Planning Board meeting where a request for a 180-day extension related to the Village View subdivision was discussed. He referenced a letter from the applicant's representative describing coordination with the Village regarding a proposed water storage tank, including discussions with the Village's engineering consultants and Trustee Cheney, as well as anticipated timing tied to development of the subdivision. Mr. Mahar questioned the status and details of the proposed water storage tank, including its location, ownership, funding, and maintenance responsibilities. He expressed concern that there had been little public information provided on the project and asked for clarification. He also raised concerns about references to future sewer connections and noted that Robin Brae had not been addressed in that context.

Trustee Cheney explained that the proposed water storage tank would be located in the Town, on property owned by the developer, which would be deeded to the Village. He stated that the tank would be constructed through a combination of funding from the developer and the Village and would ultimately be owned and maintained by the Village. He noted that the new tank would replace the existing Valley View and Chelsea tanks.

Mr. Mahar acknowledged Trustee Cheney's explanation but raised concerns regarding existing restrictions associated with the Village View subdivision and surrounding property, particularly related to annexation. He questioned whether the Village would be paying for the land and expressed concern about potential future development, including whether the developer could later seek to connect additional properties to the Village water system.

He stated that there has been insufficient information provided to the public and asked about the specifics of the property, whether a public hearing would be required, and what opportunities

there would be for public input. Mr. Mahar also expressed concern about the proximity of the proposed tank to his home and raised questions regarding safety and potential risks if the tank were to fail.

Mayor Newhard stated that there is limited information available at this time because the project is still in its very early stages.

Mr. Mahar expressed concern that, despite being described as in the early stages, the project appeared to be advancing to the point of budget consideration without public input. He questioned how the proposed tank might impact water pressure, noting uncertainty as to whether it would improve or worsen conditions. He also expressed skepticism regarding the developer's motivations, stating that the matter has been ongoing for many years and suggesting that the project may ultimately benefit the developer.

Trustee Cheney responded that the project would enhance the Village's position.

Mr. Mahar acknowledged Trustee Cheney's response but reiterated his concern that future development could also benefit the developer. He referenced restrictions in the agreement between the Village and the developer, stating his understanding that property would not be transferred between the Village and the Town. He questioned how the proposed tank would be sited, noting that the Village would need ownership or control of the property if it were to construct such infrastructure.

Trustee Cheney noted that the Village currently has three reservoirs located on property within the Town.

Mr. Mahar responded that the comparison to older infrastructure was not applicable, noting that those projects occurred many decades ago. He stated that the current proposal is a contemporary project that has been a long-standing concern for the neighborhood. He expressed frustration with the development process, stating that plans have changed multiple times, including proposals involving wetlands and steep slopes, and described the situation as ongoing and shifting over time.

Mayor Newhard stated that such changes are part of the development review process.

Mr. Mahar asked whether residents could be included as part of the process.

Mayor Newhard responded that residents have had opportunities to participate through prior public meetings related to the overall project, though not specifically regarding the water tank, as it is still in the early stages of development. He explained that the tank was requested by the Village to improve the overall water system. He noted that the cost of constructing a water storage tank is significant, which is why it must be considered in the budget. He added that

replacing two older, costly tanks with a single new tank would be a beneficial improvement for the Village.

Mr. Mahar stated that any proposed improvements should be carried out in accordance with the original agreements and conditions established by the Village. He reiterated his understanding that those agreements included restrictions on the transfer of property between the Village and the Town. He expressed frustration over a lack of publicly available information, asking whether there are meeting minutes documenting discussions on the matter and whether residents could meet with officials to better understand what has taken place.

Trustee Foster asked for clarification of the concern, specifically whether Mr. Mahar was worried that the proposed water tank could be implemented in a manner that would negatively impact his property.

Mr. Mahar stated that he was concerned about potential safety risks, noting that his property is located downstream of the proposed tank. He reiterated that his primary concern is whether the project complies with prior agreements and conditions established through the environmental review process. He expressed frustration with the length of the project and the developer's history, alleging a pattern of changing plans and suggesting the developer may be receiving preferential treatment. He also raised concerns about a lack of transparency, including information not being available on the Village website, and stated that he intends to continue seeking information through Freedom of Information requests.

Trustee Foster stated that, as a newer member of the Board, she was not involved in the earlier history of the Village View project but wanted to ensure she fully understood the concerns raised. She suggested that Village Attorney Hayes review and confirm that the proposed project is consistent with any prior legal agreements. She noted that concerns related to safety and engineering should be addressed through the appropriate design and regulatory review processes. Trustee Foster also emphasized the need for increased transparency and communication with the public. She added that her understanding was that the proposed tank is intended as a long-term infrastructure improvement to support the safety and reliability of the Village's water system, and asked whether it is the same project that has been under consideration for some time.

Mr. Mahar stated that he believes developers have greater access to information than residents, expressing frustration that he has been unable to meet directly with the Planning Board and must rely on information posted on the Village website. He noted that he has submitted Freedom of Information requests to obtain documents, including instances where he believes materials were amended. He expressed concern that the process lacks transparency and questioned whether established rules are being followed. He reiterated his lack of trust in the developer and raised concern that the placement of the tank on Town property could lead to future connections to the Village water system.

Trustee Cheney responded that any such connection to the Village water system could not occur without the Village's permission.

Mr. Mahar acknowledged that Village approval would be required but expressed concern about potential future actions, suggesting that the developer could seek legal avenues to pursue a connection given as he would build and partially own the tank.

Trustee Cheney clarified that the developer would not be constructing or owning the tank, stating that it would be Village property and under Village control.

Mr. Mahar noted that the proposed tank would be located in the Town.

Trustee Cheney stated that it is not unusual for Village infrastructure to be located within the Town.

Mr. Mahar asked whether the property for the proposed tank would be annexed into the Village.

Trustee Cheney and Mayor Newhard stated that the property would not necessarily be annexed into the Village.

Mr. Mahar stated his understanding that the Village would be acquiring a portion of property located in the Town and suggested that this would constitute annexation.

Trustee Cheney clarified that the property would be obtained from the developer and that this action would not constitute annexation.

Mr. Mahar stated that he believed the distinction being made was a matter of semantics.

Trustee Cheney responded that the distinction was not merely semantic and provided an example, explaining that the Village owns property surrounding its reservoir system, which is located in the Town but remains under full Village ownership and control.

Mr. Mahar responded that he viewed the reservoir example as different, comparing it to the New York City water system where property is owned and controlled for water supply purposes. He stated that he believes the proposed tank situation is different and expressed concern that something about the process does not seem right.

Trustee McKnight asked whether Mr. Mahar's concern would remain if the Village were proposing the water tank solely as a Village infrastructure project, without any connection to the Village View development or the developer.

Mr. Mahar responded that his concern is tied to the precedent being set and how past agreements shape future actions. He stated that when the original agreement was made, the Village was very concerned about annexation, and he believes that acquiring Town property for the tank conflicts with that understanding. He noted that regardless of how it is described, he views it as Town property coming under Village ownership.

Trustee Foster stated that, rather than continuing to debate the issue, the Village Attorneys should review the matter to confirm that the proposed project complies with the relevant agreements and legal requirements.

Mr. Mahar stated that the project may be reaching a point where he may need to retain legal counsel regarding several related issues. He noted that he would prefer not to do so because of the cost, but felt the situation may be moving in that direction.

Mayor Newhard responded that the Village was offering its legal review to determine exactly how the matter aligns with existing agreements and requirements.

Mr. Mahar stated that he feels at a disadvantage in seeking legal guidance, noting that an attorney who had previously been involved with the Village View matter is now serving as Planning Board counsel and therefore could not represent him. He explained that this would require him to begin again with new legal representation, adding to the potential cost. He reiterated that his primary concern is ensuring that the established rules are followed, even if doing so may not be the most financially beneficial option for the Village. He also raised additional concerns regarding Robin Brae and possible future sewer connections, and expressed continued frustration with the developer based on prior projects in the area.

There were no further comments.

On-Call HVAC & Plumbing Services - Joe Lombardo Plumbing & Heating of Rockland

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to accept the bid from Joe Lombardo Plumbing & Heating of Rockland Inc. for On-Call HVAC & Plumbing Services for the Village of Warwick for the period of June 1, 2026, to May 31, 2028, as per the recommendation of DPW Supervisor, Mike Moser.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

On-Call Electrical Services - Joseph Warren Electrical, LLC

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to accept the bid from Joseph Warren Electrical, LLC for On-Call Electrical Services for the Village of Warwick for the period of June 1, 2026, to May 31, 2028, as per the recommendation of DPW Supervisor, Mike Moser.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Discussion

Trustee McKnight asked which vendors had been considered for the project beyond Joseph Warren Electrical, LLC and J.M. Electrical & Sons.

Village Clerk Abramson explained that bid requests were sent to all contractors provided on Trustee Cheney's list, as well as vendors the Village had worked with previously. She added that the bid was also posted on the Village website and sent to the official Village newspaper, consistent with the Village's standard process, but only two bids were received.

Trustee Cheney noted that his list included several contractors across electrical, mechanical/HVAC, and plumbing services. He stated that the Village has worked with both submitted vendors in the past and continues to use them depending on the type of work and contractor availability. He also noted that vendor rates are included in their contracts and provided in the backup materials.

On-Call Electrical Services - J.M. Electrical & Sons

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to accept the bid from J.M. Electrical & Sons for On-Call Electrical Services for the Village of Warwick for the period of June 1, 2026, to May 31, 2028, as per the recommendation of DPW Supervisor, Mike Moser.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Supply of a 30-cy Roll-Off Container for Refuse - Sonny-Zito Sanitation Co. Inc.

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to accept the refuse bid from Sonny-Zito Sanitation Co. Inc. for the supply of a 30-cy roll-off container for refuse as needed at the Central Garage, 24 Memorial Park Drive, in the amount of \$248.00 per pull with a tipping fee of \$135.15 per ton, per the recommendation of DPW Supervisor, Mike Moser. The contract period will be June 1, 2026, to May 31, 2027.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Supply of a 2-cy Container for the Sewer Plant - County Waste – Ulster LLC

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to accept the refuse bid from County Waste – Ulster LLC for the supply of a 2-cy container for the Sewer Plant, 104 River Street, in the amount of \$10.00 per pickup, per the recommendation of DPW Supervisor, Mike Moser. The contract period will be June 1, 2026, to May 31, 2027.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Contract No. 2A – General Construction for the Village of Warwick Wastewater Treatment Plan Improvement Project - W.M. Schultz Construction, Inc.

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to accept the bid from W.M. Schultz Construction, Inc. in the amount of \$15,478,000.00 for Contract No. 2A – General Construction for the Village of Warwick Wastewater Treatment Plan Improvement Project and authorize the Mayor to sign any necessary documents regarding the same, as per the recommendation of Village Engineer, Barton & Loguidice.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Nay Mayor Newhard Aye

Discussion

Trustee Cheney explained that the project had been in development for a considerable time and had only recently reached the bidding stage for the general contract, which totaled approximately \$15 million. He noted that when the project was first initiated, the total estimated cost was around \$9 million, but that amount had increased over time due to delays, supply chain issues, tariffs, and other factors.

He stated that the general contract represents only one portion of the full project cost, with additional expenses including electrical work, design, construction observation, construction administration, and engineering services. He noted that the total project cost is now expected to be approximately \$21 million. Trustee Cheney added that the Village has secured \$3 million in State funding so far, and that Mayor Newhard is actively pursuing additional funding opportunities.

Mayor Newhard added that the Village is continuing to pursue grant funding opportunities, including through the Environmental Facilities Corporation (EFC). He explained that EFC is reviewing the project internally in recognition that the original \$3 million award was based on a \$9 million project, while costs have since increased significantly. He stated that, at the Village's request, EFC is taking a serious look at the matter and he is hopeful that additional assistance may be provided. Mayor Newhard also noted that part of the project delay was due to administrative delays within the funding process itself, which added approximately two years to the timeline.

Trustee Cheney stated that a significant amount of time was spent trying to understand and seek exemptions from Minority and Women-Owned Business Enterprise (MWBE) requirements. He explained that delays were caused by difficulty obtaining clear and direct guidance on how the Village needed to navigate those requirements.

Mayor Newhard added that delays were also caused by the COVID-19 pandemic and by staffing changes within the department.

The Board discussed whether Barton & Loguidice's original project estimate had been realistic. Trustee Cheney stated that he had no reason to believe the original estimate was inaccurate. The Board noted that construction and material costs had increased significantly since the initial estimate was prepared, contributing to the higher overall

project cost.

Trustee Cheney noted that one positive aspect of the project is that residents and taxpayers have been contributing toward it since approximately 2018. He explained that when the project was first initiated, the Village established funding to cover the annual debt service based on the original \$9 million estimate. As a result, the Village has been setting aside between \$450,000 and \$500,000 each year, and by the time final payment is due, approximately \$5 million will be available to apply toward the total project cost, reducing the amount that must be financed.

Trustee Foster noted that the debt service for the project is expected to be approximately equal to the amount the Village has already been setting aside annually. She stated that, as a result, the project should not require an increase in taxes because the cost has already been planned for within the budget.

Trustee McKnight stated that setting aside funds in advance for the project was responsible and prudent planning and expressed appreciation for that long-term approach. He noted, however, that while the Village may be able to cover the debt service, the repayment period could extend 22 to 26 years, raising concerns about whether additional major infrastructure needs, such as a new wastewater treatment plant, could arise before the debt is fully paid.

Trustee Cheney stated that the projected debt service period is expected to be closer to 21 to 22 years and noted that there may be opportunities to shorten that timeframe. He explained that the New York State Environmental Facilities Corporation (EFC) financing includes mostly zero-interest loans, with the remaining portion carrying a very low interest rate of less than 2 percent. He noted that this structure allows the Village's annual debt payments to go primarily toward paying down principal rather than interest.

Trustee Foster noted that while the useful life of infrastructure can vary depending on the equipment, major components of the project should reasonably be expected to last at least 50 years before requiring significant replacement or reconstruction.

Trustee Cheney stated that a 30-year useful life was likely a more realistic estimate for the project. He explained that the upgraded system differs from the current technology, relying more on durable components such as concrete structures, blowers, and air injection equipment.

Trustee McKnight asked whether the project cost included equipment and technology in addition to general construction labor.

It was confirmed that the total includes the full scope of the project, not just labor costs.

Trustee Foster asked whether delaying the project any further would be inadvisable, noting that it seemed the Village could no longer reasonably postpone moving forward.

Trustee Cheney explained that of the Village's 15 Rotating Biological Contactor (RBC) units, three are currently offline and not functioning. He noted that the Village is still meeting its effluent standards, which has allowed staff to continue explaining to the Department of Environmental Conservation (DEC) that immediate repairs to those units are not necessary. He added that repairing a single RBC unit could cost approximately \$25,000 to \$30,000 due to the mechanical components involved, such as shafts and bearings.

Trustee McKnight noted that the Village is facing both aging infrastructure and increasing State regulatory requirements, which continue to widen the gap between current capacity and future compliance needs. He acknowledged that discussions regarding potential financial relief are ongoing and then asked what the consequences would be if the Village chose not to move forward with the project.

Trustee Cheney stated that the Village currently budgets approximately \$50,000 each year for repairs and maintenance of the Rotating Biological Contactor (RBC) units. He noted that in the current and previous year, the Village had likely spent around \$25,000 to \$30,000 of that amount.

Trustee McKnight noted that there is a difference between simply treating wastewater and treating it to meet increasingly stringent regulatory standards.

Trustee Cheney stated that if regulatory standards change significantly, the Village could be required to begin treating for contaminants that are not currently part of the process. He noted that such requirements would likely apply broadly to all municipalities and expressed hope that the State would provide substantial funding assistance to help communities meet any new mandates.

Trustee McKnight asked what the practical limits would be if additional Rotating Biological Contactor (RBC) units failed, noting that three of the Village's 15 units are already offline and questioning what would happen if three more were to go down.

Trustee Cheney stated that if another RBC unit were to go offline, the Village would need to repair one of the existing non-functioning units.

Trustee McKnight asked whether the Department of Environmental Conservation (DEC) would require immediate action if additional RBC units failed, while noting that the Village would still be continuing to treat wastewater despite the aging system.

Trustee Cheney stated that the current effluent standards have not changed significantly over the past ten years. He noted that unless new requirements are introduced for additional chemical constituents in the wastewater, he believes the Village is on solid ground with the upgraded technology being proposed.

Trustee McKnight stated that he agrees the Village needs updated infrastructure and that improvements are overdue, but emphasized sensitivity to the overall cost. He explained that he was trying to better understand the risk of delaying the project while discussions with the State continue regarding the need for additional financial assistance.

Trustee Foster stated that, in the broader context, infrastructure costs are likely to continue increasing as many municipalities across the country face aging systems and deferred capital improvements. She noted that delaying major investments often results in significantly higher long-term costs, citing examples of municipalities whose annual capital needs grew dramatically after years of postponement. She stated that the Village is already seeing the financial impact of delaying this project over the past several years and emphasized that further delay is unlikely to improve the situation. She added that postponing action could increase urgency later and potentially create conflicts with other future infrastructure needs.

Mayor Newhard stated that the Village's next major infrastructure challenge after this project will be improvements to the water treatment plant.

Trustee Foster noted that funding has already been secured for portions of the water treatment plant work and emphasized that the proposed tank is also important for overall infrastructure resilience. She stated that there are several significant infrastructure projects on the horizon that will need to be addressed.

Trustee McKnight stated that his concern was focused specifically on the wastewater project. He noted that he did not yet have all of the details regarding how the project has been funded over time and expressed concern that, in uncertain economic conditions, some vendors may take advantage of rising costs, making it easier for inflated pricing to go unnoticed. He clarified that he was not accusing any specific vendor of wrongdoing.

Trustee McKnight questioned why some municipalities that allow their infrastructure to deteriorate significantly may ultimately receive greater financial assistance for repairs, while municipalities that act proactively and continue meeting increasingly difficult standards receive less support.

Mayor Newhard acknowledged that this has been a broader and ongoing dilemma for many municipalities.

Trustee Cheney stated that this issue has been a source of frustration for him as well.

Mayor Newhard stated that municipalities often feel they are punished for doing the right thing by maintaining infrastructure proactively rather than waiting for failure.

Trustee Cheney stated that many municipalities delay maintenance and allow infrastructure to deteriorate to the point of failure, leaving them unable to complete major projects without outside intervention. He explained that, in the Village's case, if enough RBC units failed and the Village could no longer meet effluent standards, the State would likely issue violations and place the Village under a consent order requiring corrective action. He noted that municipalities in that position often move higher on the priority list for funding assistance. Trustee Cheney expressed frustration that because the Village has worked to maintain compliance and be proactive, it may receive less immediate support than communities that allowed conditions to worsen.

Trustee Foster stated that the situation can feel like a penalty for being responsible, as municipalities that maintain infrastructure and stay in compliance may receive less assistance than those that wait until failure occurs. She noted that, despite that frustration, continuing to act responsibly is necessary. She also expressed concern that reliance on State and federal grants to fully cover infrastructure costs may become more difficult, noting that serious infrastructure challenges are emerging in other parts of the country as well.

Trustee Cheney stated that municipal infrastructure needs are growing faster than the funding available through support programs, resulting in greater demand for fewer available resources.

Trustee McKnight asked how many bids were received for the general construction portion of the project.

Trustee Cheney stated that the Village received two bids.

Mayor Newhard noted that eight contractors attended the initial project walkthrough, but only two ultimately submitted bids for the general construction contract.

Trustee Foster noted that there was approximately a \$500,000 to \$600,000 difference between the two bids submitted for the general construction contract.

Trustee McKnight asked why the other contractors who attended the initial walkthrough did not submit bids.

Mayor Newhard stated that they ultimately chose not to bid.

Trustee Cheney explained that when contractors already have substantial work, they may be less competitive in pricing because they are not actively seeking additional projects. He also noted that the current bid only covers the base contract. Two alternate bid items were excluded because the Board determined they were not necessary at this time and could likely be completed more cost-effectively later by the Department of Public Works or through separate bids.

Trustee McKnight asked whether breaking portions of the project into separate components had been considered as a way to manage costs more effectively.

Trustee Cheney explained that the main wastewater treatment plant improvements make up the core \$15 million base project, while several smaller components were considered separately. One optional item involved demolition and removal of the existing Rotating RBC units, which he noted could be completed later since it is not immediately necessary and may have some salvage value. He pointed out that bid prices for this work varied significantly, with one contractor submitting a much higher price than another, suggesting it may be more cost-effective for the Department of Public Works or a future separate bid to handle the work.

He also discussed a proposed pole barn structure over the ultraviolet (UV) system, intended to reduce heat from sunlight and help control water temperature. He noted that the cost for both the structure and associated electrical work appeared high, and the Board determined it may not be necessary at this time or could be completed later if needed. Trustee Cheney explained that replacing the RBC units with newer technology should reduce water temperature naturally, since the current RBC system generates significant heat, potentially eliminating the need for the additional structure.

Trustee McKnight clarified that the discussion referred to a new pole barn structure over the ultraviolet (UV) system and not the larger pole barn the Village had recently constructed elsewhere.

Trustee McKnight acknowledged the significant amount of work that had gone into the project and noted that Barton & Loguidice had been managing it for the Village. He expressed disappointment that only two bids were received despite the effort to solicit contractors. He also questioned whether Barton & Loguidice had sufficiently advocated for cost control on the Village's behalf, rather than focusing primarily on the engineering solution. Referring to their recommendation letter, he stated that the brief explanation supporting acceptance of a \$15.5 million bid felt insufficient given the size of the expenditure and raised concerns about the level of due diligence performed regarding project costs.

Trustee Cheney responded that rebidding the project had been considered, but it was

determined that starting over would not be prudent. He explained that additional delay would likely increase costs rather than reduce them, particularly as the project was moving further into the construction season when contractors are typically busier.

Trustee McKnight asked when construction on the project would begin.

Trustee Cheney stated that construction would begin this year, with the contractor expected to receive the notice to proceed the following day.

Trustee McKnight stated that he had been under the impression that additional design work was still needed.

Mayor Newhard clarified that the plans had already been finalized and reviewed by the State.

Trustee Cheney added that the extensive State review and approval process was a major reason for the project's lengthy timeline.

Trustee Foster asked whether Trustee McKnight's concern was that Barton & Loguidice may not have done enough value engineering or sufficient cost evaluation during the project planning process.

Trustee McKnight stated that while he has confidence in Barton & Loguidice's engineering expertise and understanding of the process, he was uncertain how strongly they had advocated on the Village's behalf regarding cost control for what would be the largest single expenditure in Village history. He questioned whether they had fully evaluated the project from the Village's financial perspective rather than primarily from an engineering standpoint.

Trustee Cheney stated that the Village could have pursued additional value engineering to further reduce costs, but doing so would have required extra expense and likely delayed the project by another six to eight months.

Trustee McKnight acknowledged that Barton & Loguidice had completed the project design from start to finish but questioned whether it might be worthwhile to hire a third party to conduct an independent value review. He suggested that an outside review could help determine whether the pricing was reasonable or identify areas where costs might be reduced.

Trustee Foster noted that obtaining an independent third-party value review would likely cost several hundred thousand dollars.

Trustee Cheney agreed that it would be a significant additional expense. He added that pursuing additional value engineering would also require more time and could lead to a lengthy negotiation process with the contractor through change orders. Trustee Cheney explained that even if a design change appeared to save \$100,000 on paper, the actual reduction negotiated with the contractor would likely be significantly less.

Trustee Foster discussed the potential cost of pursuing additional value engineering, noting that a separate review could cost approximately \$300,000 and would also delay the project because revised designs would need to be completed and rebid. She stated that, when factoring in redesign and rebidding costs, the total additional expense could approach \$500,000 or more, and noted that the overall design costs for the project were already around \$2 million.

Trustee Cheney added that construction administration and observation would likely add another \$2 million to the total project cost.

Trustee Foster stated that the Board needed to weigh whether pursuing additional value engineering would provide enough savings to justify the added cost and delay. She noted that the upfront expense could approach half a million dollars, and any potential savings would need to exceed both that amount and any construction cost increases caused by delaying the project. She stated that the savings would likely need to be in the range of several million dollars to make the process worthwhile and acknowledged that it would be a significant gamble without knowing how much could realistically be reduced.

Trustee McKnight stated that Trustee Foster's analysis was logical but suggested another approach could be to work more directly with Barton & Loguidice to identify possible cost reductions and additional bidding opportunities. He proposed creating an incentive structure to motivate stronger cost-saving efforts and expressed frustration that the recommendation supporting a \$15 million expenditure was presented with only a brief explanation, which he felt was insufficient and lacked the level of diligence expected for such a significant project.

Trustee Cheney stated that those discussions had already taken place with Barton & Loguidice. He explained that he and Village Accountant Michael Vernieri had reviewed whether the Village should proceed with the current bids, and the conclusion reached was that delaying or rebidding would not be in the Village's best interest.

Trustee Foster asked whether the Board had previously discussed, in executive session, whether to reject the bids and start the process over. It was confirmed that the Board had discussed that option and that Trustee McKnight had been absent for that discussion.

Contract No. 2B – Electrical Construction for the Village of Warwick Wastewater Treatment Plan Improvement Project - Power with Prestige Inc.

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to accept the bid from Power with Prestige Inc. in the amount of \$2,676,000 for Contract No. 2B – Electrical Construction for the Village of Warwick Wastewater Treatment Plan Improvement Project and authorize the Mayor to sign any necessary documents regarding the same, as per the recommendation of Village Engineer, Barton & Loguidice.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Nay Mayor Newhard Aye

Refund of Short-Term Rental Registration Application & Inspection Fee – 13 Orchard St.

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to refund the \$500 Short-Term Rental Registration Application & Inspection fee for 13 Orchard Street to Jodi Santangelo, as no action was taken on the application and the property will no longer be used as a short-term rental, per the request of Building Inspector/Code Enforcement Officer, Boris Rudzinski.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Payment #17 - TAM Enterprises, Inc. - Well #3 Treatment Plant Project

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to approve payment #17 in the amount of \$22,932.34 to TAM Enterprises, Inc. for the Well #3 Treatment Plant Project as per the recommendation of Pitingaro & Doetsch Consulting Engineers, P.C. Funds are appropriated in budget code H.8330.2000.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Seasonal DPW Laborer - Matthew Hyland

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to hire Matthew Hyland to the position of Seasonal Department of Public Works Laborer at 40 hours per week for 16 weeks with a start date of May 18, 2026, as per the recommendation of DPW Supervisor, Michael Moser. Salary will be based on the FY25-26 & FY26-27 budget.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Side Letter of Agreement - Antonio Rivera

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to ratify and approve the previously executed Side Letter of Agreement between the Village of Warwick and Local Union No. 445, International Brotherhood of Teamsters, authorizing Village employee Antonio Rivera to carry over 15.5 vacation days, as reviewed in consultation with the Village's labor counsel.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Chemical Delivery - Riverland Trading, LLC

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to accept the bid from Riverland Trading, LLC for the delivery of Potassium Permanganate as per the recommendation of H2O Innovation Senior Area Manager, Michael Herbert. The contract period will be June 1, 2026, to May 31, 2027.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Chemical Delivery – Sodium Hypochlorite

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to reject all bids received on March 31, 2026, for Sodium Hypochlorite (Liquid 12.5%) and receive new bids for Sodium Hypochlorite (Liquid Chlorine).

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Chemical Delivery – Slack Chemical Company, Inc.

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to accept the bid from Slack Chemical Company, Inc. for the delivery of PACl, Sodium Hydroxide (Caustic Beads), Sodium Hydroxide (Liquid Caustic 25%), Sodium Bisulfite 38%, Sodium Permanganate (Liquid 20%), and Blended Ortho Phosphate, as per the recommendation of H2O Innovation Senior Area Manager, Michael Herbert. The contract period will be June 1, 2026, to May 31, 2027.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Chemical Delivery – ASI Applied Specialties, Inc.

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to accept the bid from ASI Applied Specialties, Inc. for the delivery of Charge Pack 282 Polymer (Liquid) as per the recommendation of H2O Innovation Senior Area Manager, Michael Herbert. The contract period will be June 1, 2026, to May 31, 2027.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Chemical Delivery – George S. Coyne Chemical Co.

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to accept the bid from George S. Coyne Chemical Co., Inc. for the delivery of Citric Acid (Liquid 50%) as per the recommendation of H2O Innovation Senior Area Manager, Michael Herbert. The contract period will be June 1, 2026, to May 31, 2027.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

**RESOLUTION RESCINDING THE OCTOBER 18, 2021, RESOLUTION
AUTHORIZING THE MAYOR TO EXECUTE A GRANT AGREEMENT WITH
THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION
FOR THE ENGINEERING PLANNING GRANT RELATED TO THE
VILLAGE OF WARWICK INFLOW AND INFILTRATION STUDY AND
AUTHORIZING THE RETURN OF GRANT FUNDS**

WHEREAS, at a regular meeting of the Village Board held on October 18, 2021, the Board adopted a resolution authorizing the Mayor to execute a Grant Agreement with the New York State Environmental Facilities Corporation (NYSEFC) for an Engineering Planning Grant (EPG) related to the Village of Warwick Inflow and Infiltration Study; and

WHEREAS, the Village of Warwick has determined that it will not proceed with the project under the Engineering Planning Grant Program; and

WHEREAS, as a result, it is necessary to formally rescind the October 18, 2021, resolution and return any grant funds received from NYSEFC, including the initial payment of \$15,000.

NOW THEREFORE BE IT RESOLVED AND DETERMINED, that the Village Board of the Village of Warwick hereby rescinds the resolution adopted on October 18, 2021, authorizing the Mayor to execute the Grant Agreement with NYSEFC for the Engineering Planning Grant related to the Inflow and Infiltration Study; and

BE IT FURTHER RESOLVED, that the Village Board authorizes and directs the appropriate Village officials to return the \$15,000 grant payment to the New York State Environmental Facilities Corporation and to take any and all actions necessary to formally close out the grant.

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

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

Mary Collura, Trustee, voting Aye

Michael Newhard, Mayor, voting Aye

Discussion

Trustee Foster asked what factors led to the decision not to proceed with the study.

Trustee Cheney explained that the study had already been completed, but the Environmental Facilities Corporation (EFC) was not satisfied with the results. He stated that EFC determined the project did not produce solutions they considered effective,

which led to disagreement over the outcome. He noted that, as a result, EFC advised that the Village could return the grant funds associated with the study.

The Board discussed that the EFC determined the Village's needs exceeded the scope of the original grant amount. EFC concluded that the issues identified were Village-wide rather than limited to a specific area, which made the project ineligible for additional funding under that grant structure. As a result, EFC recommended that the Village return the initial grant funds and apply for new funding through more specific, localized studies that would address individual issues one at a time.

Mayor Newhard stated that the frustration was that the original grant amount was not sufficient to support the level of work required for a Village-wide study, making the expectation unrealistic given the scope involved.

Trustee Cheney added that the Village had followed the original work plan that EFC had approved, but despite that, EFC ultimately felt the study was not providing the level of information they were seeking. He stated that while EFC would accept the completed work, their position was essentially that the process under that grant was finished and would not be expanded further.

Trustee Foster noted that if the Village had not returned the original grant funds, the structure of that grant would have prevented the Village from pursuing additional funding for further studies. It was confirmed that by rescinding the grant, the Village would be able to apply for additional funding to complete the remaining work. She stated that the decision reflected a strict application of the grant rules and that this approach was ultimately the better financial option for the Village.

ARBOR DAY PROCLAMATION

Whereas, Arbor Day, a tradition dating back to 1872 when J. Sterling Morton initiated the celebration in Nebraska by planting trees, has since become a globally recognized observance promoting tree planting and environmental conservation; and

Whereas, Arbor Day serves as a poignant reminder of the importance of trees in our ecosystem, providing numerous environmental, social, and economic benefits for current and future generations; and

Whereas, the Village of Warwick recognizes the invaluable role that trees play in mitigating climate change, improving air quality, enhancing property values, and promoting overall health and well-being;

Whereas, the Village of Warwick has been a dedicated member of Tree City USA for over 40 years, demonstrating a steadfast commitment to the preservation and growth of our woodlands; and

Whereas, the Village of Warwick has achieved the Growth Award for 26 consecutive years, the longest tenure in New York State, showcasing exemplary efforts in enhancing our community's green infrastructure and fostering environmental stewardship; and

Now, Therefore, Mayor Newhard, along with the Village Board of Trustees, do hereby proclaim April 24, 2026, as Arbor Day in the Village of Warwick, New York and urge all residents to join in commemorating this occasion by planting trees, participating in tree-related activities, and continuing to support initiatives aimed at preserving and expanding our Village forest.

Trustee Foster presented the foregoing resolution which was seconded by Trustee Collura,

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>
Mary Collura, Trustee, voting	<u>Aye</u>
Michael Newhard, Mayor, voting	<u>Aye</u>

Vacation Carry Over – Raina Abramson

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

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Listing of Records Eligible for Destruction

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura and carried to authorize the destruction of 48 boxes of records, as detailed in the attached Listing of Records Eligible for Destruction, in accordance with the New York State Records Retention and Disposition Schedule LGS-1 and as part of the Village of Warwick Records Management Plan, by a NYSID Preferred Source Vendor, at a cost of up to \$500, with funds appropriated in FY2025–2026 budget code A1410-4950.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Village of Warwick FY 2026-27 Tax Relevies & Errors and Omissions

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight and carried to relevy on the Village of Warwick 2026-27 tax bills unpaid alarm fines, water and sewer fees, and building repair fees to properties listed on the attached document, including Errors and Omissions – RPTL 520 Prorated Taxes, as per the Village Assessor, with a total relevy amount of \$4,595.91.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Facility Use – Veterans Memorial Park, KC Elite Softball

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight and carried to grant permission to KC Elite Softball to use either the Daniel Prial Field or Brown Field in Veterans Memorial Park from April 21, 2026, through July 31, 2026, on select days from 3:00 p.m. to 5:00 p.m. Request includes use of electricity and restrooms. All events shall be coordinated with other organizations that regularly use the park for practices and games. Completed park permit, proof of insurance, and security deposit have been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Facility Use – Stanley Deming Park, Park Avenue Elementary Kindergarten Picnic

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney and carried to grant permission to Park Avenue Elementary School to hold a kindergarten class picnic in Stanley-Deming Park on Thursday, June 9, 2026, between 10:00 a.m. and 2:00 p.m., with a rain date of Monday, June 15, 2026. Request includes use of restrooms. Completed park permit and proof of insurance have been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Facility Use – Veterans Memorial Park Pavilion, Woodland Hollow Learning Center

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura and carried to grant permission to the Woodland Hollow Learning Center to use the Veterans Memorial Park Pavilion for an end of year picnic on Wednesday, June 3, 2026, from 4:00 p.m. to 6:00 p.m. Request includes use of restrooms, Village-owned tables and chairs, and barricades to close the road leading up to the pavilion for the duration of the event. Parking for the event will take place in the McFarland parking lot and in the parking lot next to the Daniel Prial Field. Completed park permit, security deposit, and proof of insurance have been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Return of Zoning Board of Appeals Escrow - 23 Wheeler Avenue

A **MOTION** was made by Trustee McKnight, seconded by Trustee Collura and carried to authorize to return the Zoning Board of Appeals escrow balance of \$741.66 to Emily Enders and

Matthew Morales for a variance at 23 Wheeler Avenue. All invoices have been paid per email from the Village of Warwick Zoning Board of Appeals Attorney.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Agreement for Repayment of Water and Sewer Charges - 16 Poplar Street

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster and carried to authorize the Mayor to enter into an Agreement for Repayment of Water and Sewer Charges with the tenant at 16 Poplar Street, Warwick NY in the amount of \$2,013.78 to be paid in eight quarterly installments of \$251.72 and authorize the Mayor to sign the same.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

RESOLUTION
VILLAGE OF WARWICK BOARD OF TRUSTEES
MORATORIUM ON THE ISSUANCE OF PEDDLER'S AND/OR SOLICITOR'S
PERMITS AND LICENSES

WHEREAS: The Board of Trustees of the Village of Warwick ("Board of Trustees") finds that there is a critical public interest need to impose a six-month Moratorium on the issuance of commercial door-to-door peddling and/or soliciting permits and licenses.

WHEREAS: Chapter 95, titled "Peddling and Soliciting," of the Code of the Village of Warwick currently contains permit and license requirements for peddlers and solicitors, which establishes a regulatory framework related to peddlers and/or solicitors. It has come to the Board of Trustees' attention that the act(s) of peddling and/or solicitation can be alarming to Village residents, particularly when the peddler and/or solicitor knocks on a resident's door, rings their doorbell, or otherwise attempts to contact that resident while in their residence.

WHEREAS: Throughout the duration of this Moratorium, the Board of Trustees will review and analyze the feasibility of more stringent permitting and licensing application requirements and conditions related to peddlers and/or solicitors licenses and permits and the implementation of a “no-knock” registry to allow Village residents to opt out of being contacted at their residences by peddlers and/or solicitors.

WHEREAS: The Board of Trustees finds that Chapter 95 of the Village Code established initial requirements governing peddling and solicitation, but that the standards prescribed for these permits and licenses do not adequately address the welfare and safety concerns that have come to the Board of Trustees’ attention including but not limited to, a lack of criminal history searches/background checks of peddlers and/or solicitors, a lack of protection of residents’ tranquility and privacy and a mechanism for Village residents to opt out of unwanted contact from peddlers and/or solicitors at their residences.

WHEREAS: Considering the safety, well-being and privacy concerns among the community associated with solicitors and/or peddlers soliciting on private property, for the well-being of both peddlers and/or solicitors and Village residents, these circumstances require that the Board of Trustees undertake, without delay, a review of the existing sections of Chapter 95 of the Village Code in order to determine whether and/or how these regulations should be amended, particularly with regard to the feasibility of more stringent licensing requirements and procedures, as well as the implementation of a “no knock” registry containing a list of property owners within the Village that opt out of being subject to peddling and/or solicitation.

WHEREAS: The Board of Trustees finds that the adoption of a moratorium on the issuance of permits and licenses related to commercial, door-to door peddling and/or soliciting is required in order to provide adequate time for the Board of Trustees to develop a framework of best practices and to prevent interim action that may frustrate the intent of the amendments to Chapter 95 of the Village Code. This Moratorium will not apply to bona fide not-for-profit organizations and their employees or members.

WHEREAS: This Moratorium applies to the issuance of all peddling and/or soliciting permits and licenses for door-to-door commercial peddling and/or soliciting, by the Village Clerk. This Resolution will not otherwise void, nullify, or in any way supersede or modify any Village Code sections related to enforcement, penalization and/or prosecution of individuals or entities who violate the current Village Code sections related to peddling and/or solicitation licensing and permitting while this Moratorium is in effect.

WHEREAS: Peddling or soliciting without a valid permit is prohibited.

WHEREAS: This Resolution supersedes any and all Village Law or other provisions of law, rule or regulation that require specific action upon an application related to the issuance of a peddler’s or solicitor’s permit or license or ability to do so. The Moratorium will not apply to valid

existing permits. This Moratorium suspends any ability of the Village of Warwick to issue peddler's and/or solicitor's permits and licenses. This Moratorium supersedes any Village Local Laws or Village Code provisions to the contrary that require any specific action on an application by any Board, or Village official or employee within the Village. This Moratorium supersedes any New York State or Village Local Laws, rules or regulations pertaining to the grant of any variance authority by any relevant board related to the issuance or denial of permits under the current Village Code. It is the intention of this Resolution that any grant of permission related to any permit by any Village employee, official or Board is superseded by this Resolution.

WHEREAS: This Moratorium shall expire without further action of the Board of Trustees six (6) months following this date or upon adoption of a local law amending the current Peddling and Soliciting Village Code provisions and thereafter shall be of no force or effect.

NOW, THEREFORE, IT RESOLVED that this is a Type II action under SEQR and no further review is required, and that the Board of Trustees adopts this Resolution and implements this Moratorium, effective April 27, 2026.

Trustee Collura 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

Mary Collura, Trustee, voting Aye

Michael Newhard, Mayor, voting Aye

Trustee Cheney's Report: Trustee Cheney reported that road construction within and around the Village was fully underway, with significant roadway milling already taking place in preparation for paving. He stated that residents should begin seeing visible progress soon and asked for patience during the construction period. He also reminded the public to use caution when traveling through construction zones, emphasizing the importance of worker safety and encouraging slow, careful driving.

Mayor Newhard reported that Trustee Foster had raised concerns about pedestrian safety related to construction work taking place in the downtown business district. He explained that the depth and location of the work have made navigation difficult and, in some areas, have left no clearly safe path for pedestrians. He stated that he had brought the issue to the attention of the project manager but had not yet seen changes and would be following up again. Mayor Newhard urged residents and drivers to be especially cautious downtown, particularly with many children present after school, noting that sidewalk disruptions are forcing pedestrians into parking and traffic areas, creating potential safety hazards.

Trustee Foster noted that in some areas of the Main Street construction zone, work is occurring on both sides of the street and no alternative safe walking path has been provided for pedestrians. She stated that it seemed this type of accommodation should typically be included during construction projects.

Trustee Cheney noted that providing an alternative pedestrian path could require the temporary loss of parking spaces.

Trustee Foster stated that pedestrian safety should take priority over preserving parking spaces during construction. She shared her own experience of walking downtown with two children and a dog and finding no safe way to navigate around the construction areas without stepping into traffic. She added that she has also been receiving complaints from other residents about the same issue.

Mayor Newhard stated that he would follow up on the pedestrian safety concerns related to the construction.

Trustee Foster's Report: Trustee Foster reported that she attended the high school career day along with the Chamber of Commerce. She joked that she had expected strong interest from students in learning about the role of a Village Trustee, but instead had a quiet table for much of the event. She noted that the Chamber took pity on her and eventually brought over a supply of Starbursts to get children to stop by. Despite the lighthearted experience, she stated that the Village was represented at the event.

Mayor Newhard commented that he had attended the same event in the past alongside former Town Supervisor Michael Sweeton and had a similar experience.

Trustee Foster stated that, although student interest at career day was limited at her table, the event itself was well attended and provided a good opportunity for students to explore different careers.

Trustee Foster also raised a previous discussion regarding skateboard safety classes at the start of the season. She stated that the skateboard initiative and the Hudson Valley Film Festival had

expressed interest in expanding the idea into a larger community event, such as a bike and skateboard safety gathering with music, food vendors, and skateboard safety instruction. Trustee Foster asked whether the Board would be interested in co-hosting the event, since the Village had already discussed supporting the educational portion of the program.

Trustee Foster stated that she could discuss the details further offline, including whether the skateboard initiative should formally submit the request or whether the Village should take a more direct role. She wanted the Board to be aware of the idea in advance.

Mayor Newhard responded that he believed the Village should co-host the event, noting that the skatepark was a Village facility and appeared to be a positive and enjoyable community opportunity.

Trustee Foster noted that additional discussion would also be needed regarding treatment and use of the skate park space as part of the proposed event planning. She then provided an update on the Safe Streets for All initiative, explaining that while there had been less public activity recently, substantial work was continuing behind the scenes. She reported that the team had completed its initial crash analysis and that related data would be shared soon. She also noted that an upcoming stakeholder advisory group meeting was scheduled, that she was still working on the Village of Warwick project video, and that the Village's demonstration projects were currently under review by the National Environmental Policy Act (NEPA) and the State Historic Preservation Office (SHPO). She stated that although public updates had been quieter, residents should expect to see more visible progress soon.

Trustee Foster also noted that the Community Center is hosting open art sessions as part of the Safety Action Plan. She stated that these sessions are being held on Tuesday evenings through the end of the month.

Trustee Collura's Report: Trustee Collura announced an upcoming program through Wickham Works for senior citizens and caregivers called Joyful Arts. She stated that the program has been held before and has been successful. Sessions will take place every Friday in May from 11:30 a.m. to 1:00 p.m. at Albert Wisner Public Library. She noted that registration is available through the library's website.

Trustee Collura explained that the activities are designed to accommodate a range of skill levels and create a welcoming environment for all participants. Workshops will include felting, printmaking, bookmaking, and decorative arts led by local artist Jenny Torino.

Trustee McKnight's Report: Trustee McKnight provided an update on his January 5 formal request to the New York State Department of Public Service regarding its oversight of Orange and Rockland Utilities related to the battery fires. He stated that after approximately three and a half months, the Department responded by providing 17 different case files totaling 941

documents and approximately 33,000 pages. He noted that the response also indicated that certain information would not be released because it was considered privileged.

Trustee McKnight expressed concern that the large volume of records made the response difficult to navigate and suggested it may have been intended to create a barrier rather than provide clarity. He stated that he plans to review the materials and believed the Village should discuss its options with legal counsel, noting that there is a 30-day window to file an appeal. He also stated that, to his knowledge, the Village still had not received the specific information originally requested from Orange and Rockland Utilities.

Mayor Newhard noted that the Village had requested a substantial amount of information as part of that inquiry.

Trustee McKnight stated that the Village had not received the specific information it requested and had instead been told that it would not be provided. He expressed frustration that the Village was being stonewalled not only by Orange and Rockland Utilities but also by the commission responsible for regulating the utility. He stated that he believed the Board should discuss how to proceed.

Trustee Foster asked whether the justification for withholding the requested information was that it was considered inter-agency correspondence, which allowed it to be exempt from disclosure. It was confirmed that this was the explanation that had been provided.

Mayor Newhard stated that he did not believe that classification was appropriate, noting that Orange and Rockland Utilities should not be considered an inter-agency entity for that purpose.

Trustee McKnight stated that the exemption being cited was not truly an intra-agency matter and questioned the lack of transparency surrounding the issue. He noted that Orange and Rockland Utilities had also requested significant redactions to its annual report on the same day as the fire, and that request had been approved, leaving the Village with only a heavily redacted version. He stated that he found it difficult to believe there had been no oversight, particularly given the State's strong push for alternative energy and non-wire alternative projects and the fact that Orange and Rockland had a financial interest in the project. Trustee McKnight stated that he believed the Village should continue pressing the issue and not allow the matter to be dropped.

Mayor Newhard stated that during the period when these battery storage projects were being promoted by Orange and Rockland Utilities, there was effectively little to no State oversight or regulation, describing it as the "wild west." He noted that meaningful State regulation did not take effect until January, which he found concerning given how these projects had been advanced. He stated that he would like to discuss the matter further with the Board in executive session.

Mayor Newhard's Report: Mayor Newhard provided an update on the Patriots Path project planned for Veterans Memorial Park. He explained that the Village received grant funding from Senator James Skoufis for both the design and implementation of the project. The concept is to create a walkway that serves both as a safe pedestrian path and as an educational and commemorative experience centered on veterans and military history.

He stated that the path would be divided into approximately seven themed sections representing different periods of American military history, beginning with the Colonial period and continuing through the Civil War, World War I, World War II, Korea, and more contemporary conflicts from the past 20 years. Mayor Newhard noted that the project has been shaped with the help of a strong group of veterans and representatives from veterans organizations who have contributed ideas and design input. He added that the Village is working with KaN Landscape Design on the project and has reached the stage where the general layout and form of the pathway have been established, with the next phase focused on details and interpretive elements.

Mayor Newhard also stated that he reached out to the school district in hopes of involving history departments in developing the educational content and signage for each themed section. He noted that the project aligns well with the nation's upcoming 250th anniversary celebration and expressed hope that it would be completed in time to be part of that broader commemoration.

Mayor Newhard also reminded the Board and the public about the upcoming Arbor Day celebration and Tree City event scheduled for Friday, April 24 at the Roger Metzger Arboretum with the Shade Tree Commission. He noted that approximately 100 first-grade students were expected to attend and that an elm tree would be planted in honor of the nation's upcoming 250th anniversary. He stated that the public and Board members were invited to attend and described it as a meaningful annual event.

Mayor Newhard then requested a motion to enter executive session and noted that no further business or motions would take place afterward.

Public Comment – *Non-Agenda Items*

No comments were made.

Final Comments from the Board

No comments were made.

Executive Session

A **MOTION** was made by Trustee Collura, seconded by Trustee McKnight and carried to enter Executive Session to seek the confidential advice of counsel.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

In Executive Session: Mayor Michael Newhard; Trustees Barry Cheney, Carly Foster, Thomas McKnight, and Mary Collura; Village Attorney Isabelle Hayes

Exit Executive Session and Adjourn the Regular Meeting

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster and carried to exit Executive Session and adjourn the regular meeting at approximately 10:00 p.m.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Jennifer Mante, Deputy Village Clerk