

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

11,064

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, January 20, 2026, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Mayor Michael Newhard; Trustees Barry Cheney, Carly Foster, and Mary Collura; Village Clerk Raina Abramson; Village Attorneys Benjamin Gailey and Isabelle Hayes. Trustee Thomas McKnight was absent. Others present, Colleen Daly, Gail Hoffer-Loibl, Megan Cooke, Stephanie Kowalsky, Michael Helme, Kate DeBold, and others; approximately nine people were in attendance.

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

Mayor Newhard issued the following statement:

From the beginning of the Battery Energy Storage Site fire at 28 Church Street, we pledged to be transparent. When we speak of transparency it's not only about the events at hand — it also includes those leading up to the incident. In this case, that includes Convergent's connection to the grid without a Certificate of Compliance.

The Certificate was not issued for several reasons. After careful review by the Village Engineer, it was determined that the supporting paperwork for safety testing of the new batteries was never provided by Convergent, and the safety precautions requested by the Village Board and Village Engineer, which included periodic inspections after weather events, were dismissed by Convergent.

During the months leading to the fire Convergent was eager to receive the Certificate of Compliance through the Building Department. In August 2025, the Village received communication from O&R's Community Liaison that West Warwick 3 was online on January 6, 2025. I requested the Building Department to verify this information with both Convergent and O&R's technician. Verification was necessary due to the ambiguity of what constituted a charged battery, whether the act of charging is allowed without a Certificate of Compliance and, most importantly, that the information of the grid connection was accurate.

Unfortunately, this verification did not occur. At the time, the full Board of Trustees were not notified about this concern until the fire in December. I am accountable for this, and although I was waiting for clarification from the Building Department, this is information that should have been relayed.

Throughout the Fall Convergent, with full knowledge that the batteries were connected to the electric grid but were not in compliance, continued to press the Building Department to sign off on the Certificate of Compliance. In October there was an email from the Code Enforcement Officer to Convergent, speaking of the system being fully operational without a Certificate of

Compliance: “We are hoping this is not true as this affects the trust we have in the project as a whole.” However, the Building Department did not complete a formal verification of grid connection at that time. This inaction was a serious shortfall and is now under formal review.

Would knowledge of the grid connection have affected the outcome or prevented the fire? It is difficult to say. The exact cause of the December 19, 2025, fire has not yet been determined; however, the 2023 incident was caused by water infiltration that occurred while the system was not connected to the grid. If water infiltration is ultimately identified as the cause of the December 19th fire, it suggests that connected, fully charged or not, the fire still may have occurred. Transparency on all accounts is not easy, but it is what we strive for here, not only surrounding this incident but with all we do.

**Update, Board Actions and Activities Following the 28 Church St.
Battery Energy Storage Site Fire**

- January 13, 2026, Village Board met in a special meeting and closed session to speak to legal counsel about the upcoming meeting with O&R.
- January 14, 2026, there was an internal meeting with representatives from O&R. Village representatives included legal counsel Ben Gailey and Isabelle Hayes, Code Enforcement Officer Boris Rudinski, Village Engineer Keith Woodruff, Village Trustee, Tom McKnight and myself. I will read a synopsis that Tom created:
 - While O&R emphasized adherence to standardized regulatory processes, the meeting revealed significant gaps in transparency, accountability, and municipal coordination. O&R declined to provide RFP submissions and their contract with Convergent, citing commercial sensitivity, and questioned the need for disclosure. They did not dispute our request for a complete operational timeline and indicated they would consider whether certain interconnection materials, including the PTO and portions of the SIR documentation, could be shared; however, their responses were non-committal, and we should not assume these materials will be provided without continued pressure.

More broadly, O&R made clear that it is not willing to change how it conducts interconnections or municipal coordination, including confirming that there is no formal process to notify municipalities when systems are energized and that they do not independently verify municipal Certificates of Compliance prior to issuing permission to operate. When pressed on safety, due diligence, and post-incident accountability, O&R consistently narrowed its role, asserting that many of the issues raised fall outside its formal scope, even while relying on conclusions about root cause and corrective actions that the Village has not been able to

independently review. Given these limitations, we expect to continue pressing O&R directly while also pursuing outstanding records through the Department of Public Service and applicable FOIL processes. I wanted the Board to have the full factual record as we consider appropriate next steps.

- We've sought a consulting engineer, La Bella Engineering. La Bella has worked with communities on BESS related issues for technical oversight and independent evaluation. They have a separate environmental team who will be testing water, soil and hard surfaces. Convergent has said that it will pay for the cost of the consultant.
- We've received a preliminary overview of Air Quality test results from OC Hazmat. This has been sent to our consulting Engineer for clarification and analysis. We will make that information available once it is received.
- We've received a letter from Convergent acknowledging the previous letter sent by the Village's legal counsel; it also diminishes the need for a Certificate of Compliance. This is under correspondence on tonight's agenda.
- We will be setting up a web page as a resource for the public and our promise for transparency.
- January 20, 2026, there was a site visit to 28 Church St. that included representatives from Convergent including an Electrical Technician, the Village's consulting Engineer La Bella, property landlord, Bob Schluter, Building Inspector, Boris Rudinski, Village of Warwick Trustees Barry Cheney and Mary Collura and myself. Convergent showed that the system was no longer connected to the grid, the internal connections between batteries have been removed and the entire system has been drawn down from 1500 volts per battery to 37 volts.
- Battery removal will begin this Thursday by the firm that Convergent hired to do the Root Cause Analysis. The Village's consultant will be on site that day.
- I've reached out to Senator Skoufis, and he was aware of the fire and offered help. In the most recent issue of the Warwick Valley Advertiser in Letters to the Editor, Megan Cooke wrote about current proposed legislation, NY Senate Bill S5506, that would take away the Home Rule of NY State communities for the siting of BESS facilities. Megan asked residents to call Mr. Skoufis' Office to vote 'No' on this Bill and we request that as well. Her letter included 3 talking points: (1) NY is a home rule State, land use decisions belong to Villages, Towns and Cities, not Albany (2) Local Governments know their communities best (3) O&R should not be able to approve projects when communities say no. This fast-tracking

benefits developers. Thank you, Megan, for this valuable information. We will share this on social media as well.

Mayor Newhard stated that he will be at the Legislative Session for the New York Conference of Mayors and believes this will be an issue, especially because it's a home rule breakdown.

Mayor Newhard concluded that this is a synopsis of things so far and will be sure this information is on the Village's website.

Acceptance of Minutes

A **MOTION** was made by Trustee Collura, seconded by Trustee Foster and carried for the Acceptance of Minutes: December 19, 2025, January 5, 2026, and January 13, 2026.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Acceptance of Reports

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried for the Acceptance of Reports – December 2025: Clerk's Office, Treasurer's Statement of Revenue and Expenditures, Justice Department, Planning Department, and Department of Public Works. 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 Absent Mayor Newhard Aye

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$247,321.44.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

1. Police Report.

No report.

Correspondence

1. Letter from Convergent Energy and Power dated January 13, 2026, regarding the West Warwick 3 Battery Energy Storage Site located at 28 Church Street.
2. Letter from John Peruso, Jr. commending Planning Board Secretary Kristin Bialosky on her outstanding service.
3. Letter from Airosmith Development dated December 30, 2025, regarding the Special Use Permit Renewal Application from AT&T for a Wireless Communication Facility for the existing wireless facility located on the rooftop of St. Anthony Community Hospital.
4. Letter from T-Mobile Northeast, LLC dated December 30, 2025, regarding the Special Use Permit Application for a Wireless Communication Facility for the existing wireless facility located on the rooftop of St. Anthony Community Hospital.
5. Letter from Village Engineer, Keith Woodruff, dated January 15, 2026, regarding the Special Use Permit Application from T-Mobile Northeast, LLC for a Wireless Communication Facility for the existing wireless facility located on the rooftop of St. Anthony Community Hospital.

Discussion

1. T-Mobile Special Use Permit Application for a Wireless Communication Facility.

David Kenny, Esq., of Snyder & Snyder, appeared on behalf of T-Mobile regarding an application for a new special use permit for an existing wireless communication facility located on the rooftop of St. Anthony Community Hospital. He explained that T-Mobile's prior special use permit had expired and that a new permit was required following a determination by the Building Department during a subsequent modification review. Mr. Kenny stated that a complete application had been submitted and that comments from the Village Engineer were primarily technical in nature and would be addressed prior to the

next meeting. He explained that T-Mobile's antennas are fully concealed behind existing rooftop screen walls. Mr. Kenny stated that there is application pending before the Building Department to replace antennas and add one additional, explaining that currently there are (7) seven existing antennas, (4) four will be replaced and (1) one new antenna will be added, bringing the total to (8) eight. He stated that the public won't notice this change from a visible standpoint because everything is going to be concealed behind the screen walls. Mr. Kenny pointed out this this is an upgrade to an existing wireless facility, resulting in no change to the visual appearance of the facility.

Mr. Kenny requested a waiver of the Visual Environmental Assessment Form (EAF) Addendum, noting the lack of visual or structural impact, and stated that required coverage maps and supporting documentation had been submitted. He further explained that requests related to performance security and indemnification were intended to allow those items to be addressed as conditions of approval rather than waived outright.

Village Attorney Isabelle Hayes noted that while most waiver requests were minor, additional clarification was requested regarding performance security and indemnification. Mr. Kenny stated that the applicant intends to comply with those requirements and sought to avoid duplicative submissions for an existing facility.

The Board discussed the nature of the proposed equipment upgrades, including periodic technology improvements associated with evolving wireless standards and increased data capacity, including 5G-related equipment.

Mr. Kenny explained that the upgrades involve newer antenna and radio technology and that all equipment would remain within the existing rooftop footprint and screening.

Board members raised questions regarding public concerns related to wireless technology, including radio frequency (RF) emissions.

Mr. Kenny stated that RF health concerns are governed by federal law and that the facility complies with Federal Communications Commission (FCC) standards. He indicated that the applicant would be prepared to address general questions at the public hearing and may provide visual materials to assist public understanding.

The Board discussed the condition of the existing screen wall, and Mr. Kenny stated that structural improvements to fastening components were included in the proposal to ensure continued stability and safety.

Village Attorney Hayes advised that the Board could declare itself lead agency under SEQR, noting that the application constitutes a Type I action due to the site's location within the

Historic District. The applicant indicated its intent to address outstanding comments so that the application may be ready for public hearing scheduling.

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.

Stephanie Kowalsky addressed the Board and stated that she had a few questions and concerns. She noted that she did not expect the Board to answer them that evening and indicated that her comments were based on her review of information that had been posted and shared by the Village, as well as statements made during the meeting.

Ms. Kowalsky stated that the Village had indicated that Hazmat readings would be reviewed and posted once available. She expressed concern about potential lawsuits against the Village and stated that, in her view, statements made during the meeting constituted an acceptance of liability related to negligence in connection with the battery storage project. She asserted that the Village had acknowledged that follow-up should have occurred regarding issues that were allegedly discussed informally between the Village and the Building and Zoning Departments, and that such follow-up did not take place.

Ms. Kowalsky further stated that she had reviewed information indicating that, following the first battery fire, the operator, Convergent, had changed its lease and was no longer the leaseholder. She stated that the leaseholder was now comprised of two or three smaller limited liability companies that she believed had minimal assets. She expressed concern that, if residents were to become ill and pursue legal action related to health issues, claims would be brought against the Village and, ultimately, Village taxpayers, particularly if lawsuits could not be pursued against those entities. She stated that she believed future litigation could cite statements made at the meeting and included in the meeting minutes.

Ms. Kowalsky stated that she believed there were no consequences being imposed on the parties involved, noting that Orange & Rockland Utilities was placing blame on the Village, Convergent was placing blame on Powin, and that Powin had declared bankruptcy. She stated that, in her

view, no responsibility was being assigned to the property owner. She compared the situation to rental properties, stating that, in her understanding, property owners are responsible for violations or fines incurred by tenants. She stated that the property owner had acquired the property through a quitclaim deed for \$10 and asserted that the owner was profiting significantly from the property without sufficient oversight or accountability.

Ms. Kowalsky stated that when circumstances do not make sense to her, she investigates further. She indicated that she had reviewed financial information related to the property and researched the identity of the property owner. She stated that she was concerned and confused by what she found, including the involvement of an entity identified as WV EDC (Economic Development Committee). She stated that she believed members of the Village had previously been affiliated with that entity and that the property owner had been selected in connection with that organization. She stated that, while the deed reflected a \$10 transfer, she did not believe that amount represented the full consideration involved and stated that she did not know what additional terms may have been exchanged.

Mayor Newhard stated that the Village did not sell the property in question, noting that the property was sold by the Koch brothers.

Ms. Kowalsky continued her comments and reiterated concerns regarding the ownership and financial history of the property. She stated that the property had previously been transferred for \$10 and that documentation referenced “goods and services” in connection with that transaction. She stated that she did not believe the property was transferred for only \$10 and expressed concern that members of a board had handpicked the individual who ultimately acquired the property. She asserted that there were insufficient checks and balances associated with the project and stated that, in her view, numerous environmental review pages were missing from the record.

Ms. Kowalsky stated that the situation appeared to go beyond an oversight and suggested that issues may have been intentionally overlooked. She further stated that she had identified what she believed to be financial relationships between the property owner and other individuals in the Town and Village through various limited liability companies, and she expressed concern that multiple parties were benefiting financially beyond the battery storage project itself. She referenced the Town’s jail property and stated that the same individual had loaned the Town approximately \$4 million for its purchase while continuing to benefit financially because the Town owns the land and he owns the buildings.

Ms. Kowalsky stated that she believed fines or liens imposed on the property would not result in accountability, noting that the property already has liens related to the project. She expressed concern that shared financial interests would prevent accountability and stated that there would be meetings where people blame other people and believes the system will go back online.

Ms. Kowalsky referenced an O&R write up that was given by Trustee McKnight and stated that she believed the companies involved would continue operating as they choose. She stated that, in her view, there is no way to force them to build their substation that they're prolonging. She stated that the project was related to solar energy infrastructure and asserted that the battery systems are intended to support solar generation rather than reduce electric bills. She stated that she did not believe claims regarding offsetting energy usage were accurate and noted that residents continue to receive alerts during peak usage periods advising them to reduce electricity consumption.

Ms. Kowalsky stated that she did not believe the project was benefiting Village residents and expressed concern that financial arrangements could ultimately bankrupt the Village if residents experience health issues and pursue litigation. She stated that, in her view, legal action would be directed at the Village rather than the involved limited liability companies or Convergent, which she stated had structured operations to avoid liability.

Ms. Kowalsky further stated that Powin, prior to declaring bankruptcy, had utilized Sonic Systems to commission, retrofit, and repair battery systems. She stated that when Powin failed to pay Sonic Systems, the work ceased, and she expressed concern that maintenance and repair of the battery systems had not been occurring, which she believed contributed to the most recent fire. She questioned who would be responsible for maintaining the systems going forward and who would pay for that work.

Ms. Kowalsky also raised concerns regarding statements that Convergent had provided funds to the Fire Department, including funds she stated were intended for the purchase of drones. She stated that she had not seen documentation detailing the amounts provided, how the funds were used, or what equipment had been purchased. She concluded by stating that, in her view, there were ongoing issues of accountability and consequences related to the project.

Mayor Newhard responded that he understood Ms. Kowalsky's concerns and stated that this was why the Village is proceeding carefully and working to gather all relevant information. He explained that he had served on the Economic Development Committee and that the redevelopment of the property predated any consideration of battery energy storage systems. He stated that, at the time, the focus was on rehabilitating a boarded-up building and that it has returned in an incredible way but if it put people in a compromised situation then that's a problem.

Ms. Kowalsky continued her comments and stated that, from her perspective, it appears that the property owner was handpicked and is able to act without meaningful consequences. She stated that she believed other landlords would be fined or held responsible for the actions of their tenants, but that this property owner had not faced similar consequences.

Ms. Kowalsky stated that she wanted these issues to be addressed, noting that, in her view, there has been a lot of thinking about consequences but no clear accountability. She questioned what measures would prevent a similar incident from occurring again and what would ensure that the property owner is held responsible for the actions of tenants going forward.

Village Attorney Benjamin Gailey stated that the property owner had been served with violation notices, the same notices that were served on Convergent.

Ms. Kowalsky asked whether the property owner had been receiving violations from January 2025 through December 2025 and stated that she had been told such violations could carry fines of up to \$1,000 a day.

Village Attorney Benjamin Gailey responded that the property owner would receive the same violation notices as Convergent.

Ms. Kowalsky stated that her concern was that Convergent is no longer the leaseholder. She asserted that Convergent changed its lease arrangement after the first fire because of what she believed were financial and liability considerations.

Village Attorney Gailey responded that Convergent, as the operator and occupant of the facility, remains liable.

Ms. Kowalsky stated that, in her understanding, Convergent is no longer the operator or occupant of the facility and that the operation is now held by two smaller limited liability companies.

Village Attorney Benjamin Gailey responded that their own paper trail demonstrates that Convergent remains the operator and occupant.

Ms. Kowalsky stated that she would like to review the documentation referenced by Village Attorney Gailey and compare it to records she obtained through a Freedom of Information Law (FOIL) request. She stated that, based on the materials she reviewed, the documentation did not show Convergent as the operator or occupant, but instead identified two smaller limited liability companies. She asserted that, in her view, those entities have no assets and that fines imposed on them would be ineffective. She further stated her belief that those entities could declare bankruptcy, similar to what occurred with Powin, and therefore would not ultimately be held financially responsible.

Mayor Newhard thanked Ms. Kowalsky for the information she provided and stated that it was important. He requested that she share the information with the Village for review and expressed appreciation for her comments.

Colleen Daly asked whether Section 3 of the Long Environmental Assessment Form had been found yet.

Mayor Newhard said no, not to his knowledge.

Village Attorney Benjamin Gailey responded that Part Three of the Long Environmental Assessment Form had been located, but that Part Two had not yet been found.

Ms. Daly stated that they were looking for the Planning Board's portion of the Long Environmental Assessment Form, specifically where the Planning Board would have answered its required questions. Ms. Daly questioned whether, if required documentation was missing, the entire project could be invalidated or dismantled from a procedural standpoint.

Village Attorney Gailey responded that, given the time frame, he did not believe so.

Ms. Daly continued and stated that their understanding was that there is a legal statute governing the timeframe referenced by Village Attorney Gailey and sought confirmation of that point. Ms. Daly then raised concerns regarding air quality reports, stating that she had obtained some of the reports and reviewed the data. She stated that, based on her review using pivot tables, readings of one part per million of hydrogen cyanide was found but 1.5 part per million was found at the skate park. Ms. Daly referenced sensor number four at the skate park and stated that the majority of the readings reflected 1.5 parts per million as opposed to one.

Ms. Daly stated that these readings were recorded after the public was informed that there were no significant findings downwind as a result of the fire. She stated that the analysis required minimal time and suggested that similar review could be conducted by any member of the public with basic spreadsheet knowledge. She expressed concern that, while Convergent continues to state that there are no adverse health concerns and that only damage done was to its own product, they disagree with that.

Mayor Newhard stated that the Village asked LaBella, the Village's environmental consultant, to conduct an analysis so that the information would be clear. He explained that he felt the information received from Orange County Hazardous Materials was not.

Ms. Daly agreed and stated that someone would have to know how to interpret the data and that they were able to interpret it to a certain extent but that there's not that lengthy amount of time to do it and was certain that they've got more experts in financial analysis than themselves. She said that they think the sooner the better and Mayor Newhard stated that he agreed.

Stephanie Kowalsky asked whether the Village would be willing to conduct soil sample with its third party before the equipment is removed.

Mayor Newhard responded that he could ask.

Ms. Kowalsky stated that they would be interested in seeing the soil sample, noting that the area was being guarded and that a soil sample could not be taken. She added that they would be willing to volunteer to conduct a soil sample.

Megan Cooke stated that her questions would be brief, noting that many issues had already been addressed. She asked whether a date had been set for a public meeting with Orange & Rockland Utilities, referencing a prior private meeting that she understood had ended in frustration. She noted that Orange & Rockland Utilities had indicated a willingness to attend a public meeting and asked whether such a meeting had been scheduled.

Mayor Newhard responded that a date had not yet been set but confirmed that the meeting would be public.

Ms. Cooke asked whether Convergent was planning to attend a public meeting at any point.

Mayor Newhard responded that he believed Convergent would attend a public meeting at a certain point. He stated that, without a completed root cause analysis, it would be difficult for Convergent to participate in a public meeting at this time without that information.

Ms. Cooke asked whether it would be possible for Orange & Rockland Utilities and Convergent to attend a public meeting on the same night.

Mayor Newhard responded that the Village could attempt to arrange that. Trustee Cheney noted that it has happened before.

Trustee Foster noted that both parties had previously attended the same meeting after the first incident.

Colleen Daly stated that they had one additional question and noted that Con Edison is the parent company of Orange & Rockland Utilities. The speaker stated that they had not seen the matter addressed by Con Edison and asked whether the Village would consider reaching out to them. The speaker stated that Con Edison has a large group of stakeholders and suggested that it would be in the company's interest to ensure that its operations and those of its subsidiaries are conducted appropriately. The speaker expressed concern that responsibility appeared to be shifting between Orange & Rockland Utilities and Convergent, and suggested that it may be time

for the parent companies to step in.

Mayor Newhard responded that the Village would look into that possibility and thanked the speaker for the comment.

There were no additional comments.

Motions

Payment #15 – TAM Enterprises, Inc. – Well #3 Water Treatment Plant Project

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to approve payment #15 in the amount of \$40,296.15 to TAM Enterprises, Inc. for the Well #3 Water 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 Absent Mayor Newhard Aye

Vacation Carry Over – Boris Rudzinski

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to grant permission to Village of Warwick Employee, Boris Rudzinski, to carry over 3 vacation days.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Vacation Carry Over – Robert Helt

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to grant permission to Village of Warwick Employee, Robert Helt, 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 Absent Mayor Newhard Aye

Seasonal DPW Laborer, Vincent Liggio

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to hire Vincent Liggio to the position of Seasonal Department of Public Works Laborer at 40 hours per week, not to exceed 9 months per Civil Service Rules, with a start date of January 23, 2026, as per the recommendation of DPW Supervisor, Michael Moser. Salary will be based on the FY25-26 budget.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

**VILLAGE OF WARWICK BOARD OF TRUSTEES VOLUNTARY
EMPLOYEE SEPARATION OFFER**

WHEREAS, it is in the interest of the Village and may be beneficial to employees to offer a voluntary separation incentive to full-time employees having twenty (20) or more years of full-time service with the Village.

NOW, THEREFORE, IT IS RESOLVED that the Village will offer a voluntary separation incentive payment of \$15,000.00 to full-time employees having at least twenty (20) years of full-time service with the Village, subject to the following terms:

An eligible employee must notify the Village Mayor on or before February 20, 2026, at 4:00 PM in writing of the employee's intent to leave Village service. The employee shall complete and sign the Voluntary Separation Incentive Payment Form and Waiver and deliver the completed Form to the Village Clerk's office by that date and time.

Employees who take advantage of this incentive shall be deemed either resigned or retired, as set forth by the employee on the Form, on the date set forth by the employee on the Form. The employee must separate from Village service on or before March 13, 2026.

The amount of the separation payment shall be subject to all usual and customary taxes and withholdings. Such payment shall not be used in the calculation of any retirement benefit calculated by the State Employees' Retirement System or other applicable retirement system.

The Village will make the voluntary separation payment within thirty (30) days after the employee's separation from Village service.

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

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

Advertise to Receive Bids – Chemical Delivery

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to advertise and receive bids for chemical delivery for the Village of Warwick Water and Sewer Plant, to include delivery to the Water Plant, Well #2, Well #3, and the Micro Filtration Plant. Bids will be for FY June 1, 2026, through May 31, 2027.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye
Trustee McKnight Absent Mayor Newhard Aye

Advertise to Receive Bids – Refuse Containers

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to advertise and receive bids for the pickup and delivery of a 30-yard refuse container at 24 Memorial Drive on an as needed basis and pickup and delivery of a 2-yard container once per week at the Village of Warwick wastewater treatment plant, 104 River Street Bids. Bids will be for FY June 1, 2026, through May 31, 2027.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye
Trustee McKnight Absent Mayor Newhard Aye

Advertise to Receive Bids – On-Call Electrical

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to advertise and receive bids for On-Call Electrical Contractors. Bids will be for the period of June 1, 2026 – May 31, 2028.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____
Trustee McKnight ____ Mayor Newhard ____

Advertise to Receive Bids – On-Call HVAC/Plumbing Contractor

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to advertise and receive bids for an On-Call HVAC/Plumbing Contractor. Bids will be for the period of June 1, 2026 – May 31, 2028.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Advertise to Receive Bids – Natural Gas Supply

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to advertise and receive bids for Natural Gas Supply for the Village of Warwick for the period of June 1, 2026, through May 31, 2028.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

RESOLUTION
VILLAGE OF WARWICK BOARD OF TRUSTEES
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM – WHEELER AVE ADA
SIDEWALK IMPROVEMENTS

WHEREAS: The Village was awarded a 2025 Community Development Block Grant (“CDBG”) Program award in the amount of \$148,420 for the reconstruction of the sidewalk on Wheeler Avenue to improve ADA accessibility to Village Hall. Proposed improvements include ADA accessible curb drops at intersections, ramps at driveway crossings and a sidewalk with a smooth surface that is easier to traverse than the existing sidewalk. An ADA designated parking space will be added to the Municipal Parking lot at the corner of Wheeler Avenue and Spring Street. The proposed improvements will benefit members of the community with mobility issues, including the elderly and disabled, thereby furthering the Village’s goal to provide more accessible routes to this vital community building.

THEREFORE, IT IS RESOLVED that the Board of Trustees authorizes Mayor Newhard to sign the CDBG Municipal Agreement.

Trustee Foster presented the foregoing resolution which was seconded by

Trustee Cheney,

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

Agreement for Repayment of Water and Sewer Charges – 58 McEwen Street

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura and carried to authorize the Mayor to enter into an Agreement for Repayment of Water and Sewer Charges with the property owner at 58 McEwen Street, Warwick NY in the amount of \$501.25 to be paid in twelve quarterly installments of \$41.77 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 Absent Mayor Newhard Aye

Facility Use – Railroad Green - Annual Mental Health Month Awareness Celebration

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura and carried to grant permission to Warwick Community Bandwagon, Inc. to hold the 4th Annual Mental Health Month Awareness Celebration at Railroad Green on Saturday, May 16, 2026, from 12:00 p.m. to 4:00 p.m. with a rain date of Sunday, May 17, 2026. Set up to begin at 10:00 a.m. with breakdown to be completed by 5:00 p.m. Request includes use of speakers and electricity, the setup of tents, the placement of portable toilets, and the use of Village-owned tables and chairs. Request also includes “No Parking” meter bags to be placed on the parking spaces along

Railroad Avenue. Completed facility use permit and proof of insurance have been received. Approval is pending receipt of security deposit.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Road Closure – Railroad Avenue - Annual Mental Health Month Awareness Celebration

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura and carried to close Railroad Avenue from 12:00 p.m. to 4:00 p.m. for the benefit of the Mental Health Month Awareness Celebration on Saturday, May 16, 2026, with a rain date of Sunday, May 17, 2026.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Acceptance of Proposal – LaBella Associates, D.P.C. - Environmental Investigation

A **MOTION** was made by Trustee Collura, seconded by Trustee Foster and carried to accept the proposal from LaBella Associates, D.P.C. dated January 15, 2026 to conduct an Environmental Investigation at the energy storage developer Convergent Energy & Power's Church Street Battery Storage Facility at 28 Church Street with a total estimated project cost of \$24,600 and authorize the Mayor to sign the Professional Services Agreement.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

**RESOLUTION DECLARING INTENT TO SUPPORT THE SUBMISSION OF AN
APPLICATION FOR THE NEW YORK STATE DEPARTMENT OF STATE LOCAL
GOVERNMENT EFFICIENCY GRANTS PROGRAM**

WHEREAS, the New York State Department of State Local Government Efficiency Grants Program provides funding to municipalities to promote efficiency, reduce costs, and enhance the delivery of local government services; and

WHEREAS, the Village of Warwick (“VILLAGE”) recognizes the need to explore innovative shared service opportunities to improve municipal operations and achieve cost savings; and

WHEREAS, the VILLAGE, in partnership with the Town of Warwick and the Village of Florida, and the Village of Greenwood Lake seeks to conduct a comprehensive feasibility study to determine the viability of establishing a shared Police Department to serve all participating municipalities; and

WHEREAS, the proposed study will involve hiring a qualified consultant to:

1. Conduct a needs assessment for Police services across all participating municipalities.
2. Evaluate the feasibility of a Police Chief and/or department, including an analysis of potential cost savings, operational efficiency, and service delivery.
3. Examine possible structures for the shared service.
4. Outline the Police responsibilities to be shared, identify potential benefits of collaboration, and develop a framework for implementation.
5. Research and analyze best practices from other communities that successfully share Police services.

NOW, THEREFORE, BE IT RESOLVED, that the VILLAGE hereby declares its intention to support the submission of an application by the Town of Warwick, as the lead applicant, for the New York State Department of State Local Government Efficiency Grants Program to fund a feasibility study on the shared Police Services initiative as described herein; and

BE IT FURTHER RESOLVED, that the VILLAGE commits to collaborating with the Town of Warwick, the Village of Florida and the Village of Greenwood Lake in the application process and throughout the study to ensure its success; and

BE IT FURTHER RESOLVED, that the VILLAGE will take all necessary steps to engage stakeholders, provide information, and support the implementation of this study to determine the feasibility and structure of sharing Police services among the participating municipalities.

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	<u>Aye</u>
Carly Foster, Trustee, voting	<u>Aye</u>
Thomas McKnight, Trustee, voting	<u>Absent</u>
Mary Collura, Trustee, voting	<u>Aye</u>
Michael Newhard, Mayor, voting	<u>Aye</u>

Discussion

Trustee Cheney stated that in the 1980s, the Village and the Town worked together to combine their police forces. He noted that he believes the Village is a strong example of successful shared police services, referencing the value of researching and analyzing best practices from other communities that have done so effectively. He stated that he looked forward to the results of the study and expressed the expectation that it would demonstrate both cost savings and improved service, similar to the benefits realized when the Village and Town entered into their agreement in the 1980s. He added that he looked forward to the completion of the study and the overall process.

Mayor Newhard stated that he was pleased that the other mayors, including Mayor Harter and Mayor Howley, were supportive of the effort. He noted that it is important to understand both the potential cost savings and the challenges involved and stated that the study would be very interesting. By way of example, he noted that Greenwood Lake also monitors a lake and operates a lake patrol as part of its policing responsibilities.

Trustee Cheney added that Supervisor Jesse Dwyer has taken a lead role in moving the effort forward and in bringing the three villages together. He expressed appreciation for the leadership involved and thanked all parties who are willing to consider and discuss the proposal.

Return of Planning Board Escrow – 10 Cottage Street

A **MOTION** was made by Trustee Collura, seconded by Trustee Cheney and carried to authorize to return the Planning Board escrow balance of \$1,714 to Clement Truitt III for site plan approval at 10 Cottage Street. All invoices have been paid as per emails from the Village Engineer and Planning Board Attorney.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

NYPF 2026 Annual Conference – Kristin Bialosky – WITHDRAWN

MOTION to authorize the Planning Board Secretary, Kristin Bialosky, to attend the New York Planning Federation (NYPF) 2026 Annual Conference, to be held April 19–21, 2026, at the Otesaga Resort Hotel in Cooperstown, New York with a registration fee of \$250 which includes breakfast & lunch, and \$110 per night for the hotel stay. Reimbursement of mileage and two additional meals for dinner is authorized in accordance with Village policy. Funds have been appropriated under budget code A8020-4750.

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

Trustee Cheney ___ Trustee Foster ___ Trustee Collura ___

Trustee McKnight ___ Mayor Newhard ___

Acceptance of Funding – 2026 NYS Youth Sports & Education Funding

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney and carried to accept funding in the amount of \$4,000 from the NYS Youth Sports & Education Funding – Project for Youth through the Orange County Youth Bureau for the 2026 ‘Village of Warwick Recreation Project for Youth.’

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Agreement for Repayment of Water and Sewer Charges – 12 Elm Street

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to authorize the Mayor to enter into an Agreement for Repayment of Water and Sewer Charges with the tenant at 12 Elm Street, Warwick NY in the amount of \$361.25 to be paid in two quarterly installments of \$180.63 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 Absent Mayor Newhard Aye

Budget Modification – Memo Dated January 20, 2026

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster and carried to approve the attached budget modification request as per the Village Treasurer's memo dated January 20, 2026.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Public Water Production System Operator and Wastewater System Operator Services - H2O Innovation Operations & Maintenance, LLC

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to authorize the Mayor to renew the contract for one (1) successive period of June 1, 2026 – May 31, 2027, with H2O Innovation Operations & Maintenance, LLC to continue providing Public Water Production System Operator and Wastewater System Operator services per the original 3-year contract (June 1, 2023 – May 31, 2026) dated July 11, 2023.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Trustee Cheney's Report:

Trustee Cheney stated that the purpose of the recent budget modification was to address the replacement of an engine in one of the Village's four primary dump trucks used for plowing and sanding, which had failed and required a full engine replacement at a cost of approximately \$66,000. He noted that the truck is a \$350,000 piece of equipment and is nearly ten years old, and that the repair will allow the Village to extend its useful life.

Trustee Cheney also commended the Department of Public Works staff for their outstanding work during recent winter storms, noting that they successfully operated through two storm events despite having reduced and less-than-optimal equipment, and expressed appreciation for their efforts.

Mayor Newhard agreed that the Department of Public Works performed exceptionally well during the recent storm, noting the unpredictable nature of recent weather events.

Trustee Foster's Report:

Trustee Foster made two announcements. She first announced that the second annual Winter Wiggle would be held on Saturday, January 24, weather permitting. She described the Winter Wiggle as a free, community-wide event featuring square dancing and free food donated by local restaurants. She explained that the event is focused on mental health and wellness, with the goal of helping community members connect with one another during a time of year that can be difficult due to cold weather, darkness, and the post-holiday period. She stated that the event would include a community showcase highlighting local nonprofits and organizations, as well as tabling by community groups. She noted that the Ambulance Corps would be present and that the event would highlight multiple ways residents can get involved in the community beyond the event itself.

Trustee Foster stated that the event was well received last year and that organizers hope to continue it in future years. She noted that the event would take place at Mountain Lake Park from 4:30 p.m. to 7:30 p.m. and is being hosted by Warwick Cares and the Warwick Community Center, with support from the Village of Warwick, the Town of Warwick, and several other organizations.

Trustee Foster then announced that the Town is undertaking a town-wide Transportation Safety Action Plan, which is being funded through a Safe Streets for All grant awarded in

2023. She stated that the first public meeting for the Transportation Safety Action Plan would be held on January 29 at 6:00 p.m. at Warwick Town Hall. She noted that outreach for the plan would also take place at the Winter Wiggle, including gathering public feedback and promoting the upcoming meeting. Trustee Foster explained that the purpose of the Transportation Safety Action Plan is to identify opportunities to reduce dangerous traffic crashes by analyzing crash data from the past five to ten years, identifying high-risk locations, understanding contributing factors, and examining how different types of road users move through the community. She further stated that, as part of the same grant, the Village of Warwick is testing safety demonstration projects aimed at slowing traffic within the Village. She explained that these projects are intended to evaluate different traffic-calming solutions and assess their effectiveness in encouraging drivers to adhere to speed limits. She added that there will be a robust community engagement process associated with these efforts and stated that she anticipated the initiative would be both informative and beneficial in improving overall community safety.

Trustee Collura's Report:

Trustee Collura announced the third annual Valentine-making event, sponsored by Warwick Cares and the Warwick Prevention Coalition. She stated that the event will take place on Saturday, February 7, from 2:00 p.m. to 4:00 p.m. at the Warwick Valley Community Center on Hamilton Avenue. She noted that the event is open to all, and that the Valentines created will be distributed through Meals on Wheels and local teen groups.

Trustee McKnight's Report:

No report.

Mayor Newhard's Report:

No report.

Public Comment – *Non-Agenda Items*

Michael Helme, representing Sustainable Warwick, along with Kate Debold, stated that they have initiated a “Waste Not, Want Not” survey, which the Town and all Villages have agreed to co-sponsor. He noted that paper copies of the survey were distributed at the meeting and that online versions are available.

Kate Debold thanked the Village for its participation and explained that the survey consists of 25 questions and is designed to be quick and easy to complete. She noted that the survey is accessible to mobile users and that printed copies are available for those

who prefer not to participate digitally. She stated that the survey is being promoted primarily online and that its purpose is to introduce residents to the many available programs—mostly local, with some national—that provide information on how to reduce, reuse, and recycle household and natural items.

Mr. Helme provided an example of available resources by referencing PaintCare.org, noting it as a program that residents may not be familiar with. He described the “Waste Not, Want Not” survey as highlighting industry stewardship programs, using PaintCare as an example. He explained that New York State participates in the program, which allows residents to locate participating paint retailers within approximately 50 miles that will accept up to five gallons of old paint. He noted that the program is funded through a small fee included with the purchase of new paint. Mr. Helme stated that this is one of the 25 questions included in the survey and shared that participants have reported learning about new programs through completing it. He added that program administrators have also found the feedback helpful and expressed confidence that the survey is quick to complete and valuable for participants.

Ms. Debold stated that she would be happy to have a follow-up conversation and explained that while the survey is primarily digital, printed copies are available at each of the local libraries, which also serve as distribution and collection sites. She noted that QR codes are posted at each location and that additional QR codes will be set up at Town Hall, each Village Hall, and area libraries. Ms. Debold added that the online survey includes a resource page listing numerous programs, including examples such as Too Good To Go, Too Good to Toss, along with other initiatives that residents may be somewhat or very familiar with.

Trustee Foster expressed interest in refill locations and noted that increased awareness of available resources could influence how residents respond to the survey, stating that knowing where to go would likely change some of her answers. Trustee Foster suggested having flyers available for distribution at the upcoming Winter Wiggle event.

Ms. Debold stated that small, quarter-page informational handouts with QR codes are being printed to help make the survey as accessible as possible to potential users. She noted that the survey includes two key questions related to potential future programs: one asking whether residents would be willing to opt for dual-stream recycling if offered at no additional cost, and another regarding interest in a food-waste composting drop-off program if a viable option were available across the Town. She stated that these questions are intended to gather feedback on programs that could be important for future consideration.

It was decided that the survey would be included in the March Village Newsletter.

Final Comments from the Board

No comments.

Adjournment

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura and carried to adjourn the regular meeting at approximately 9:00 p.m.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

Raina M. Abramson, Village Clerk