

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
OCTOBER 2, 2017**

7533

The regular bi-monthly meeting of the Board of Trustees of the Village of Warwick was held on Monday, October 2, 2017. Present were: Mayor Michael Newhard; Trustees Barry Cheney, William Lindberg, George McManus and Eileen Patterson. Also present was Deputy Clerk, Barbara Ranieri. DPW Supervisor, Michael Moser was absent. Also present: Katie Bisaro, Patrick Gallagher, Joe Lawler, Stephen Gross, Glen Carter, Gedge Driscoll, Margaret Bowes, Ed Sattler, Kerry Boland, Jacqueline Wright and others.

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

The Deputy Clerk held the roll call.

Mayor Newhard: Please stay standing. I'd like to have a moment of silence and bow our heads for the terrible devastation of the hurricanes and earthquakes and the attack in Las Vegas.

Public Hearing to consider a Local Law amending §145-81 of the Village Code (“Sign Regulations”) to include the Light Industry (“LI”) Zoning District in the permanent sign regulations in Subsection (D)(5) of said section.

The Deputy Clerk read the public notice.

Mayor Newhard: We have two public hearings. We'll open it to the public.

Patrick Gallagher: So back at some point, I think it was March or February, I'm not quite sure when specifically Barry and I were discussing this item at the table and back then while we were being regaled with the quality of the code and the quality of the zoning... you can't change things in the midst of an application.... we've been, in my opinion, blown off time and again. Now in the midst of an application it's okay to change the zoning. It's okay to change the code, whatever this applies to; you can change it because it's for a merchant applicant. It's no problem. The week before, last time we were here, George was very adamant about play by the rules. What is it? Which is it? Do they just be flexible according to the whims of an applicant and disregarding all of us... all the 200 and some odd people that signed... which is it? Is this a question and answer session?

Mayor Newhard: I will answer your question because it does beg for an answer that we are changing a sign regulation and that is it. It's not to help anybody. It is a basic sign regulation of the code. It doesn't change anybody's application. It was an error that was found within the code so we are correcting it, as we should.

Patrick Gallagher: Like the flood plain that no one knew about until it was already over? Come on, Michael, please. This is the same thing. It's part and parcel of the same thing.

Mayor Newhard: Its apples and oranges.

Patrick Gallagher: It's nonsense.

Mayor Newhard: We don't have a sign application before us. It's a separate application.

Patrick Gallagher: You can or you can't change things in the midst of an application. Can you or can't you?

Trustee Patterson: We don't have a sign application before us right now so that question doesn't apply right now. You asked a question Mr. Gallagher, the answer to the question is if there were a sign application before us right now this... whatever change we're making now would not apply to that application.

Patrick Gallagher: So if I were to make a request of eminent domain or any of the other things that we've been begging you for, for the last number of months, time and time again, if I was to make that request would that be entertained? Would that be something that you could change because it was an application before you?

Mayor Newhard: That's not a change in the zoning. That is a complete action by the Board.

Patrick Gallagher: If there were any other requests for a change in the zoning is that something that could be accommodated?

Trustee Patterson: If there weren't an application for that particular issue before us, yes.

Patrick Gallagher: Okay, so can we entertain a little bit of wiggle room in this so that we can consider and make an application so that this can be...

Mayor Newhard: I think that we're diverting from the public hearing and what we're supposed to be talking about.

Patrick Gallagher: Is it play by the rules or not? That's what I want to know. I don't think we're really playing by the rules.

Mayor Newhard: We are playing by the rules Mr. Gallagher.

Unidentified Woman: What are sign regulations and why is it light industry to be included in that. I don't know what sign regulations is.

Mayor Newhard: Every zone has sign regulations, whether it's commercial or industrial.

Unidentified Woman: Can you give me an example? Like a sign on the street?

Trustee Patterson: Every business decides they want to put a sign out, there's regulations that determine the rules how big the sign is, the height from the sidewalk to the bottom of the sign, whether the sign can be lit, whether it can be neon, whether it can be attached to the building or not attached to the building, where it can be attached, the height... all of those things.

Unidentified Woman: Well you do have an application then because Yesterday's wants to build in a light industrial zone so doesn't that apply?

Trustee Patterson: They haven't put in an application for a sign yet.

(voices talking over each other)

Mayor Newhard: It is a separate application. It's an application you would not do until you got approval. You wouldn't go for a sign unless you had something that you were going to actually make.

Patrick Gallagher: So do they have an application in for the use of Elm Street and is the change in parking and the things that I'm sure as John can tell us, I'm sure that the Village Engineer can accommodate us. Do they have an application in for that because this Village that's starved for parking is about to take away more spaces and change Elm Street.

Mayor Newhard: That's something we're looking at because there is a bottleneck on Elm Street as it is. But we're talking about this right now. Does anybody else have a question about this public hearing in relationship to a change in our sign regulations in the light industrial zone?

Unidentified Woman: So what are the regulations?

Mayor Newhard: We don't have them in front of us. We've already reviewed these.

Trustee Cheney: Currently the light industrial zone has no regulations because there was an omission in the zoning code when it was put together. It didn't include light industrial. So what this is intended to do is to correct that error and provide regulations for the light industrial zone so that there will be regulations.

Patrick Gallagher: Just for signs or other things?

Trustee Cheney: Just for signs. It is only 145-81 (D)(5).

Unidentified Woman: What are those regulations? Like how big the signs are?

Trustee Cheney: Based on the size of the frontage of the building generally, that's how you determine the size of the sign, how it's lit, things of that nature. You can't have a ten foot wide frontage on a building and have a 20x30 foot sign.

Patrick Gallagher: May I ask one more question? Did either the parking or the sign come up before the application for the Elm Street development was put it and does this Board feel like there's no correlation at all between what's happening here tonight, the changes to parking regulations and the application on Elm Street? There's no connection at all.

Mayor Newhard: The parking came out of Elm Street for sure but this was brought to our attention before Elm Street began to happen.

Patrick Gallagher: I beg to differ but I'll look it up on the record. It was discussed while we were discussing...

Mayor Newhard: Right but I can tell you internally it was brought up.

Patrick Gallagher: But we don't know that.

Mayor Newhard: No, you don't and I'm telling you that.

Patrick Gallagher: That's one of our problems is that we never know about internal... we find out after the fact... special session, executive session...

Mayor Newhard: There was no special session. It was, I went upstairs to get a glass of water and Maureen said you know there's something wrong within the sign ordinance with the light industrial zone. That was the beginning of how it started.

Patrick Gallagher: Before or after the application?

Mayor Newhard: I believe it was before. Anyone else?

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to close the public hearing. Five Ayes.

Public Hearing to consider a Local Law amending Village Code Chapter 63, titled "Fees," to repeal the provisions thereof and establish an official "Schedule of Fees" to be maintained in the Office of the Village Clerk and amended from time to time by resolution of the Village Board

The Deputy Clerk read the public notice.

Mayor Newhard: I'll open it up to the public.

Joe Lawlor: One question. I went over it all the material. What I couldn't find is how is it presently done? It didn't show the existing law.

Trustee Cheney: The existing law is a section that has the fees in it. It lists every one of the fees in the document and in order to make any changes to that it requires a local law being done and it has to be filed with the Secretary of State. It's a pretty cumbersome process. What this allows us to do is to remove that process but it still requires that any fee change has to come before the Board and done by the Board and that list that's now in the Village Code will be instead maintained by the Clerk and the Board.

Joe Lawlor: Presently if you wanted to change it under the existing do you have to have a public hearing?

Trustee Cheney: Yes.

Joe Lawlor: So what you're doing is eliminating all public hearings on raising fees.

Trustee Patterson: They're not going to be done off the record; it's just a matter of not having to take the time into redoing the law and waiting eight weeks.

Joe Lawlor: I understand that. I know what you're up against. I'm just saying what I see is fees being changed now by the Village Board without a public hearing so people wouldn't be aware of it. Not that any people show up here except Elm Street.

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to close the public hearing. Five Ayes.

Approval of Minutes

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to approve the minutes of the meeting of September 18, 2017. Five Ayes.

Approved and Audited Bills

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to pay all approved and audited bills in the amount of \$191,536.75. Five Ayes.

Correspondence

Mayor Newhard: Under correspondence we have a letter from Village Clerk, Jo-Ann Rome regarding her retirement. It's a sad day for the Village of Warwick. She's been such a remarkable employee and a remarkable clerk. We also have a letter from State Senator John Bonacic regarding State and Municipal Facilities Capital Program Grant for \$50,000 for Veterans' Memorial Park parking lot which is the parking lot next to the pavilion and the walkway connecting the library to the pavilion along McFarland Drive. We also have a letter from Homestead Village Homeowners' Association regarding the replacement of trees in their community and a letter from Village Resident Robert Agnello regarding 16 Elm Street.

Privilege of the Floor

Mayor Newhard: Now we will open it up to privilege of the floor. Please state your name and address the Board.

Stephen Gross: I believe all of you know me. As a matter of fact before I get into what I came here to talk about I just want to note Bill, I got a call from my cousin today that you were looking for a copy of that photo that we took of all of you and it's on the side of Village Hall and she sent me your email address so I can email it to you. Eileen, I know you want the same photo and you were supposed to send me your email address and you never did. But I found one from 2011...

Trustee Patterson: It's the same one.

Stephen Gross: Then I'll use that one. So, I'll send you both that photo. A few months back I got a call from Dan Mack when he told me about his concern about 16 Elm Street and asked if I can help them out. I have been doing that but I have not been showing up to this Board. No one's paying me to be here. They're not paying me to be here. I came tonight because I attended the last Planning Board meeting and like I said you guys all know me. Most of you have been a guest in my house. Most of you know that I'm a professional environmental and planning consultant; something I've been doing for the last... well my first professional job was 40 years ago in neighboring West Milford Township where I worked for the planning department there and I've been doing it ever since. But I've got to tell you what I witnessed at this last Planning Board meeting... I'm trying to think of the right adjectives... disgusted me, appalled me, shocked me and this is where I've got to step out of my being a professional and be a resident of the Village of Warwick. This is not my Village. What I saw is not what I expect from my Village. This is the Village that I love. This is the Village that I support in any way that I can. But what I saw that night was not just a slap in the face to residents of this Village, it was a big middle finger and it was illegal. I was hoping that your attorney was going to be here tonight because he knows me as well. I'm currently before the Planning Board in the Town of Philipstown, where he is the Planning Board attorney. I'm representing there a

developer that's building a 25 unit subdivision. It's going on four or five years now and we're just getting to the point of submitting the Part 3 EAF. This is for an application that is preserving 76% of the property. It's a conservation subdivision and we're preserving 76% of the property with huge buffers between that and any other development and it's been four or five years. He could tell you how we're being held to a very strict analysis with the Part 3 EAF. What happened the other night with the Planning Board was that... and it wasn't even the entire Board, it was the Chair, because the rest of the Board stayed silent. But as they went through the Part 2 EAF with Dave Getz reading each of the different sections they kept checking off small impact, small impact, small impact. Most of them I'm going to agree. I went through it myself and I said yeah, I agree with what's being said here. I agreed with the applicant's consultants were saying whether it was a small impact. But then it got to some of them that I couldn't believe my ears. One of them was when it got to... let's see, I have an EAF here so I can actually give you the wording of it, "the proposed action may result in an increase in noise, odors or outdoor lighting" and one of them is "the proposed action may produce sound above noise levels established by local regulations." Now I know these neighbors have presented a lot of testimony specifically about the Warwick regulations and what they are and how easily they would be exceeded by many things, much less a bar with an outdoor deck operating right next to their backyards. Yet George started saying check that note and I at that point, even though I know it wasn't supposed to be done, I yelled out examine it in the Part 3. Put it in the Part 3 and see what it is and George said the answer is no. Check it no, just like that. I was outraged. Everyone that was there is outraged from the neighborhood. I brought along a picture, it didn't print well from my computer... this is the backyard of the Berkharts. They've lived there for about 50 years, half a century. Their back door is over here. They have a little side deck. The close line is actually the property line and Joe's used a little bit more for his backyard. You can see that's the side and that's the back where he mows up to that point. This is a picture I took standing on the top of that stair. There's the edge of the lawn. You can see it's not far off at all. There's a blue flag that's hanging right there. That blue flag is the corner of the building... the proposed corner of this bar. It's that close. There's the back mowed edge. There is no way that you can tell me that that has no impact. There's no way that you can tell me that that is not as the EAF form requires a potentially large impact that needs to be studied in a Part 3. At least a Part 3 if not in an Impact Statement. There are other things that were in there that again, every single answer was no. The impact on archeological resources was a no; despite the fact that we have shown the potential. This is all potential. Remember the Part 3 Environmental Impact Statement is where it gets analyzed. The Part 2 of an EAF is just to identify the potential as required by law. The fact that archeological resources are there establishes the potential. Twenty-five years ago or close to 30, whatever it was when Silvio Petrucci put in the parking lot there, they recognized the archeological potential and they said but we're not digging down we're only going to put a parking lot on top; since we're not digging, we're not going to disturb it. Then subsequently he put in a drainage system where they dug right through everything they

said they weren't going to dig through and in fact I've got a story from apparently the guy who was operating the backhoe was cursing out all of the railroad ties and stuff that was underneath there, which was the archeological stuff that was not supposed to be disturbed and he was cursing because he had to dig through it all. There's always the potential when you're developing a piece of property and they're going to be digging down a little bit for a retention pond, so that needs to be analyzed in a Part 3. They checked off and this one really, really got me... I almost lost it when I was sitting there. Was the impact consistency with community plans where the threshold is the proposed actions (inaudible) components may be different from... may be different from or in sharp contrast to current surrounding land use patterns. Clearly! Clearly you're surrounded by residential use and you're sticking this commercial use right on the back property lines... that is something that's in sharp contrast to the surrounding neighborhood and then the next one consistency with community character and one of the thresholds is that the proposed action is inconsistent with the predominant architectural scale and character. These are all small homes there and this is going to be a 3,500 square foot bar and restaurant with an outdoor deck. Clearly it's inconsistent with the predominant architectural scale and character of the neighborhood. Again with the rest of the Planning Board being silent, George Aulen said the answer is no. He said it over and over and over again. There are other questions in the Part 2 that I could go through that should have all been checked yes if for no other reason so that it could be fully analyzed in the Part 3 if not an environmental impact statement. This was not only like I said a big middle finger to every resident there whose going to be putting up with this, putting up with the noise, having their property values severely devalued, severely devalued. It's also illegal. It does not follow the guidelines of the law of the State Environmental Quality Review Act. Also a few years ago you guys may remember, that there was something proposed next to me that the Village didn't want but I know you guys... you and I Michael had conversations about this. There was going to be a house built right at the entrance to the Village next door to me and it was left to me as the homeowner to try to fight it and again the Planning Board did a Neg Dec... there was not going to be any impact. I sued at that point. I sued the Village to overturn the Neg Dec and the Neg Dec was rescinded and I was able to bring things to light during the subsequent environmental review where that project was found... it was going to have impact and it was withdrawn. There is no house sitting at the entrance to the Village coming down Colonial Avenue which would have been a real blot on the Historic district. Why was it left to me as the resident to have to sue the Village to overturn a Neg Dec so that things could be analyzed? Now I have recommended to this neighborhood that do the same thing I did then because this is even more outrageous than that was. In fact in the 40 year career... this is the most outrageous example I have seen of a decision being made on an environmental impact statement or environmental assessment form. To say that there's going to be no impact from this with all the people that keep showing up here and pointing out how there's going to be an impact is just beyond conception. So I have recommended to these residents that they sue the Village again to overturn that neg dec

and if not now then when the decision is to approve the project which obviously is going down that road to do... I absolutely guarantee you based on my 40 years of experience that that lawsuit will be won because this is just outrageous behavior.

Mayor Newhard: May I interrupt you for a second? If you don't mind if you would give me your notes of what you just said and I will distribute them to the Board also to review and also to talk to our legal counsel.

Stephen Gross: I would be glad to do that. Talk it over with Steve Gaba, like I said I was hoping he would be here tonight because I know Steve from the application we have in Philipstown and I know this is actually EAF from that application. It's the Part 2 from that application. Just for an example on there there's a creek that running on the lower part of the property of this 200 acres that we're not touching as a flood plain. We're not touching it. Steve and the planning consultant both said we're going to check off potential large impact on the flood plain just so you can address is in the Part 3. That's all we want you to do. We know you're not touching it. We're going to check off potential large impact so that you can discuss it and put the issue to rest. We said sure. We'll do that. That's the way to handle it. Not where... I don't know what's going on. I know John Christensen is a good guy. I know he's a respected businessman in town. I wonder if this application would be receiving the same support from the Village if it was an outside person and not someone who was already a local business person. I do have to wonder that. But this is not a popularity contest. It's got nothing to do with whether he's a good guy or not. This is the wrong use for that property. As a planner I will tell you this is absolutely the wrong use for that property. I asked Eileen at one point because I know she worked on the zoning, Eileen, when you worked on the zoning and you looked at that property was there thought about the fact there was a flood plain on that property that even though it was a large property would force any development to go up against the residences and she said no.

Trustee Patterson: That's not true Steve. When I came to your meeting I said that I would come back to the Board and I would ask those of us who were on the zoning committee whether we knew that the flood plain... Whether the flood plain map had changed before or after February 2009 and if it had changed after would we have changed what we put in the zone that was on that property? The Board, Barry, George and Michael said that we did know about it when we planned that.

Stephen Gross: I thought you said no that night.

Trustee Patterson: I said I will check. I may have said no but I probably stepped back and said let me find out. That was one of the two questions that I said I would go and ask.

Stephen Gross: I thought you said no that night.

Trustee Patterson: I did ask the question and I was told we did know the flood maps had changed and we did take that into consideration when deciding that.

Stephen Gross: I'll tell you one of the things that bothers me for instance with the fact that George automatically said the answer is no... they're proposing an outdoor deck and like a concession that John was making said well instead of having a speaker for the entire outdoor deck we'll put little speakers at each table that will be turned down low. Well how about no speakers? How about no deck? How about we will deem that for further study so that those kinds of issues can be discussed? But if you're already concluded there's no impact from noise then there's no reason to have any further discussion about maybe we shouldn't have any speakers. Maybe we shouldn't have a deck. Maybe this will mitigate the impact on the neighbors. But if you already pre-determined that there's no impact from noise which is ridiculous then you don't leave open that discussion of the potential mitigation that could be made as a compromise to satisfy some of these neighbors. I think it's absolutely ridiculous to consider an outdoor deck there and certainly speakers of any kind whether it's at the table or not. Just the noise from conversation... one of the principals of planning, the principals of zoning and planning is that yes people have the right to utilize their property as long as you are not depriving other people of the use of their property. If you have that use with the outdoor deck all during the summer time hours then anyone whose backing up onto that for decades even a half a century utilizing their backyard will be unable to utilize their backyard in the future if they want to have a party, if they want to have a quiet outdoor dinner, if they wanted to have anything because they will be dealing with the noise that's right next door to them. It would be like your neighbor having an outdoor party every night straight through the summertime hours. I think it's crazy. I think that if there's going to be a restaurant there then there should be consideration being given to no outdoor seating.

Mayor Newhard: These are all points that of course you know will be brought to the public hearing.

Stephen Gross: Right and I'm saying that at this point the public hearing should be canceled because the neg dec should be rescinded and that the applicant should be required to fill out a Part 3 to continue this process before there is... they can close the public hearing and go to approval. That's going to give the residents one night to bring these issues up because they've been forced to do it in writing because there's been no opportunity for a public hearing up until now. I also think that it should go beyond a Part 3. I think it should go to a full environmental impact statement focused on just certain issues. But still an environmental impact statement and the main reason I'm saying that is that built into SEQRA is the requirement for a public hearing again. So for a public hearing to be held on these issues and how it's going to impact these neighbors and then

you have another public hearing on the actual application so that it gives the neighbors multiple opportunities to be heard by speaking to the Board.

Mayor Newhard: Steve, I don't want to interrupt but there's a room full of people that potentially want to speak as well.

Patrick Gallagher: I like what he's saying.

Mayor Newhard: Usually it's a five minute time limit but I figure you're talking for many people so I'm being open to that.

Stephen Gross: I told Patrick, I didn't tell anybody else, I told Patrick I was coming tonight and Patrick, you're not paying me for me to be there. I'm going because I'm outraged. As a resident of the Village I'm outraged because this time it's them. Next time it could be anybody else. There is another comment that was made by George several meetings ago where George actually made the comment when it came to the noise well I won't hear it from my house. I'm like are you kidding me? I just heard the Planning Board Chairman make that statement?

Mayor Newhard: I overheard that too and I actually reprimanded him about that.

Stephen Gross: So you know I'm telling the truth. Personally, Michael, I think it's time for George to go.

Mayor Newhard: That's a whole other thing.

Stephen Gross: I know. I'm just making that a quick statement.

Glen Carter: Thank you very much Steve for pointing out so many details of the Planning Board meeting. I was at the Planning Board meeting last week and I have to go on the record as saying that what I witnessed seemed to be a ritualistic reading of a 17 page document without any consideration of the true significance of many of the things on the list of questions by the very people that made the difference. Isn't it the case and presumably the Planning Board that they are to represent us? I think the process is flawed. I agree that the whole thing should be put on hold. A moratorium should be placed on the property and review all of the information and go down there and stand on the land with the people that live within a stone's throw of 16 Elm Street and ask them, have they witnessed any species of animals that might possibly be displaced? You'll find yes they had. There's red headed crested woodpeckers, there's owls living in there. There's a herd of 25 deer that bed down there every night. On and on and on and on to say that there's no impact is preposterous. The other thing that I find absolutely just unacceptable is that the hearing is out of order. The hearing should be... there should be a

change in the process to accommodate the fact that people are not being heard. The hearing should become before anything else. Any issues that arise we should be able to stand and speak our piece. There should be representatives from the Planning Board over in our neighborhood... not at the meeting but in our neighborhood saying do you have some concerns citizens? Could you please tell me if you have some concerns that I should be paying attention to? Because we are here to assist them in doing their job properly. I don't think they're doing their job properly.

Gedge Driscoll: I have two questions. One, what responsibility does the Planning Board have to take our concerns seriously as opposed to what we saw that Steve said at the Planning Board meeting. It just felt like anything that we had brought up were just dismissed.

Mayor Newhard: They're required to take them very seriously. That's why they are a Planning Board and you as a voice as a neighborhood should be listened to, that's my belief.

Trustee Cheney: That's the purpose of the public hearing.

Gedge Driscoll: I realize that's the purpose but it doesn't necessarily seem that the purpose is followed through.

Trustee Cheney: One of the things that wasn't mentioned is an alternative to what can happen after the public hearing is that the Planning Board could decide that further review is necessary. Those things had to be looked at. We have to go back and look at things. That's a viable option that they could consider.

Gedge Driscoll: It just doesn't seem like it's going that way. My second question is the Planning Board meeting was recorded but it doesn't seem to be on the TV.

Mayor Newhard: We took care of that.

Gedge Driscoll: Oh you did? Thank you.

Mayor Newhard: I didn't understand why but I guess there was a miscommunication with the person at the Town that puts it on.

Joe Lawlor: I want to thank you for at the last Board meeting the flags... they were working on it the next day. Wednesday there were brand new flags flying over those two fields. Thank you very much for that. The only other thing I have is that I think its Eileen's motion 10 coming up. That motion 10 involves 100 adults and 50 children running up and down Main Street and Forester Avenue, Oakland Avenue. I don't know if

you can handle that or not with traffic. They don't ask to close streets except Railroad Green. So 150 people at 9 a.m. when churches are letting out may be a bit much.

Patrick Gallagher: Thanks very much to Jo-Ann because she has been a joy to work with during this whole thing. Thank you very much Steve because Steve's here unpaid. I didn't ask Steve to come. Steve came because of the reasons he stated. Have any of you seen the last Planning Board meeting on the film?

Mayor Newhard: I have not yet.

Patrick Gallagher: Barry was here. You really need to watch it. We all wanted to review it beforehand. I called the Town this morning. It just feels like another bit of disregard for our interests and concerns.

Mayor Newhard: It was not at all.

Patrick Gallagher: Michael, everything... it feels like it's going in that direction. Gedge has no faith nor do any of the people here I think that the Planning Board has any interest in any of our concerns and Bill Lindberg took the time to come down and stand in the back yard one evening around dark. The rest of you guys haven't been down there. Come down tonight. It's quiet. The stars are out. It's silent.

Trustee Patterson: Mr. Gallagher, just because we haven't been down there with you doesn't mean we haven't been there.

Patrick Gallagher: I know you haven't been in my backyard.

Trustee Patterson: I have been in your backyard.

Patrick Gallagher: You were there for a meeting.

Trustee Patterson: But to go and see the site... you're presuming we haven't been to the site.

Patrick Gallagher: I guess this is a question and answer session then. I'll ask you one more time please come and stand in our backyard tonight or any night. Let us know. Any time you want. Come back there. Stand there. It's quiet as a grave. It's clear as can be. When the initial application for that parking lot was put in it was mandated that there be one light, now it seems like there's going to be 20. I think that's what they said. I'd like to review the meeting. Hopefully it will be up tomorrow. We'd all like to do that. Thanks for your time and Caroline's letter... Caroline Martin wrote a letter. She's a geo-chemist with a PhD and a specialty in ground water. It was blown off in the Planning Board

meeting by saying that William Going who initiated and provided the environmental statement from 2013 said oh no, it's fine. That's the guy we were challenging. That's the guy who said oh no, it's okay. I just want to say I've got a song that I love and the last line is its little sins that wear your soul away. I think that's what's going on is a lot of little sins going on up there and they're wearing away this Village.

Glen Carter: I'd like to go on the record and just say for me... for my personal assessment of what the situation is, I would like to go on the record and just say that I have no truck with John Christison whatsoever, the man. I respect his 33 years plus of being a respectable citizen of Warwick. That is a non-issue here. I would like to say that for me the true sadness that I'm experiencing is that this project... this application lacks vision and it only has the potential to affect a relatively small percentage of the total population of this Village and I think that's the saddest thing of all because there's so many things that could be done with that property. I just think that I myself could come up with two or three fabulous ideas that would involve basically having the entire property owned by the Town. Why couldn't there be a greenhouse on there? Why couldn't it be the place where we have our farmers' market every weekend? Why couldn't we have students from the cooperative extension and the high school learning about agriculture in a greenhouse that's run by them and all the people in the Town get the benefits of everything that's grown in the place? There could be solar panels generating electricity for the benefit of the Town. There's so many things that could be for the highest good of all the citizens rather than the lowest common denominator... let's just pass this thing and move on to the next thing for the benefit of a merchant and a man basically.

Stephen Gross: Following up on what he just said, actually following yesterday... I think yesterday points out the highest and best use of that property would be for a public parking lot. Do we need it in this Village when there's events like this like we had yesterday? I also thought of one other thing to point out is when Silvio got the approvals for his parking area there the Planning Board then wisely required that he maintain a buffer of trees around that parking lot and the Planning Board was very definitive about that. Now there's not even a thought of a buffer. It's like there's a fence, nothing but a fence. What was the required buffer for Silvio is exactly where this is being proposed.

Patrick Gallagher: Most of the remaining trees are there because I cultivated them. They were put in with nylon sacks and nylon cords. I went around and cut into the root balls of each of them with an exacto knife and cut away the cord because they were strangling the trees and the number of trees that were originally mandated at first approval was an enormous number. Count them. Even just take the old EAF from whenever it was 1993 and compare that to the one now. It's vastly different. Nothing has changed. The neighborhood's still there. The Village is still there. The lot is still there. The creek is still

there and if you take those two things and compare them they bear no correlation to one another. All the concerns are still valid.

Stephen Gross: The requirements placed on Silvio back then are night and day from what's being allowed now. It's mind boggling. One other thought after again what I witnessed, I think that this Board should consider making a requirement that all Planning Board members receive training at least in SEQRA if not in other zoning issues. It's very clear from what I witnessed they do not understand SEQRA.

Mayor Newhard: They do receive training. They're required to receive training.

Stephen Gross: I was on the Planning Board and I wasn't required to receive training.

Mayor Newhard: Things have changed.

Stephen Gross: Things have changed since then? Okay because what I saw... it shows no evidence of any training of SEQRA.

Patrick Gallagher: Does the training cost more than \$7,000 because apparently spending that kind of money on sound equipment to protect the neighborhood is out of the question.

Margaret Bowes: I agree with everything that was said but I really just want to make one point. Through this whole process all these months our Planning Board has shown us no respect; has not wanted to listen to anything that we said. The only one who is to be heard is the merchant; the one who put this plan. He gets countless times to speak but we the people whose lives are going to be negatively impacted by this, we are the home owning tax payers of this Village, now as it's been said, John Christison may be a nice man. He professes to love the Village and to want to be a good neighbor and may feel that way honestly but he is a businessman, not a resident of this Village and it would be naive to expect him to put our interests above his own. That is the job of our Planning Board and they have failed beyond measure as far as I'm concerned during this whole process. Not one ounce of respect have they shown us; primarily because of the Chairman. There have been a few members of the Board who I got the impression didn't agree with everything and brought up a few things like a traffic study... which was a joke by the way. We are the people of Warwick. Unfortunately many of the residents of Warwick are not going to care about something like this until it's in their own backyard. I have a small house, not very impressive, on Van Buren but its home to me and the five grandchildren I've raised there. If the Planning Board allows Mr. Christison to build his 3,600 square foot bar and restaurant 50 feet from my property line my main financial security, my home, will be valued at half what it is today? I wish the Planning Board and the Village Board would understand that their first and foremost responsibility is to we the people of Warwick.

Every community benefits from business, good successful business in our community, but if that business is going to be detrimental to those who call this Village home, who pay our taxes then where is the benefit to the community as a whole? You can't take 20 to 30 families, devalue their homes in the center of this Village and say it's in the best interest of the Village of Warwick. Thank you. That's all I have to say.

Ed Sattler: Throughout the whole 16 Elm application it's really the first time I've seen the Planning Board in action and I witnessed time and again a Chairman who is dismissive of anything that comes from this side of the table and I've also witnessed the Chairman silence the rest of the Board. They have very little voice. I know Barry has been at a Planning Board meeting as an observer and I appreciate that. I would hope that the Village take a close look and I'll thank you the day that he's removed.

Kerry Boland: I understand what you were saying about the opportunity to speak at the public hearing but after last week's meeting I have feel a failing on the part of the government. Everybody said it's a done deal. It's a done deal. Oh, it's not a done deal. It's a process. You've all going to be involved. It's a done deal. When I ask old timers here they say oh yeah it's a done deal. That's not what I want to hear and it's not the optimism and the things that I love most about Warwick. I find that sad. I will go to the public hearing but I hope we have the opportunity to be heard. But I would like to talk about noisy neighbors I like. I live down the road from the Warwick Inn. They have live music on weekends but at 11:30 you are shown the door. There's no more music. The cars exit right out onto Oakland Avenue and 94 and they're not coming through the local streets. We also can hear the Country Club. They have parties. At first I was confused because I was standing in front of my neighbors on Campbell Road and said they're playing music really loud. There's the echo. But that's okay because I know at some point they're going to play Brown Eyed Girl; they're going to play Woman in Red; they're going to play Good Night Sweetheart. 11 o'clock they punch out. They're gone. The only thing you hear is the car traffic and they go right onto Main Street and they're gone. I also am appreciative of the Village because from Campbell Road I can hear Village concerts. We can hear them. They reverberate around. It's like a positive happy thing. There's a concert for everyone. Isn't that great? But what time do they end? 10:30 bye, everybody's gone. Good night sweetheart. Those are good neighbors. The other rumor that... I don't know John Christison but the other rumor that I hear is that as nice of a guy John Christison is, I don't know. He doesn't sound so nice to me if he wants to do this... is that he's flipping this. His good name is building this and it's a flip. Please reassure me that it's not. I'll see you at the meeting next week.

Mayor Newhard: I just want to make one comment about the Dautaj and when the ownership changed there was a meeting with the ownership and a request that that exactly happen as we've had such a history of not such a nice neighbor.

Kerry Bolland: It's really effective. Also I think the Chairman Aulen should know that he was lied to when he was told that he won't hear Yesterday's... he will.

Stephen Gross: One other thought about the public hearing coming up and I understand... I hadn't seen this but someone told me there was an ad in the paper where John is offering a free tee shirt to anyone who comes and speaks on his behalf and a bowl of soup. To me that really undermines the integrity of the public hearing process that you have the applicant basically paying off people to come and speak on his behalf.

Patrick Gallagher: It's a red tee shirt. It's going to say I'll wreck a neighbor's home for beer.

Mayor Newhard: That's horrible. This is speculation and I don't know. This is also a free country so if he wants to pull a stunt like that I guess he can but it may backfire.

Stephen Gross: I doubt that's what will be on the tee shirt but just the fact that he's offering a tee shirt in exchange for public testimony to me really undermines the higher integrity of the public hearing process.

Jacqueline Wright: I've lived on my street 36 years. Yes there is plenty of wild life. I sit on my front porch very late at night and the deer that come out... they even try to come up on my front steps and porch. There are plenty of animals living down there. There's a family of opossum that have lived longer than me I guess. There're the great grandparents that are living there. There are plenty of wildlife and it would be a shame to have it all taken away.

Gedge Driscoll: I just want to thank all of you for listening to us. I know you're sick and tired of hearing about it just as we are sick and tired.

Mayor Newhard: It's like an onion and it peels away. But you know what, at every point I've taken notes and I'm hoping to get those notes from Mr. Gross and those are all part of what we are listening to and what we need to hear. Thank you for coming this evening. I appreciate it.

Stephen Gross: I'll call you tomorrow and see what kind of form you want that in.

Motions

Motion to adopt Local Law to amend Village Zoning Code Section 145-81 titled "Sign Regulations"

Motion withdrawn.

Motion to adopt Local Law to amend Village Zoning Code Chapter 63 titled "Fees"

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus and carried to adopt Local Law No. 4 of the year 2017:

VILLAGE OF WARWICK

LOCAL LAW NO. 4 OF THE YEAR 2017

A local law to amend Village Zoning Code Chapter 63 entitled "Fees" to repeal the provisions thereof and establish and official "Schedule of Fees" to be maintained in the Office of the Village Clerk and amended from time to time by resolution of the Village Board;

Section 1. Purpose:

The purpose of this Local Law is to amend Village Zoning Code Chapter 63 entitled "Fees" to repeal the provisions thereof and establish and official "Schedule of Fees" to be maintained in the Office of the Village Clerk and amended from time to time by resolution of the Village Board.

Section 2. Amendment of Code:

Village of Warwick Code Chapter 63, entitled "Fees", is hereby repealed and re-enacted to read as follows:

"Chapter 63: Fees.

§63-1 Schedule of Fees

Except as may be otherwise expressly provided within the Village of Warwick Code, all fees charged by the Village of Warwick shall be in accordance with the "Schedule Of Fees" adopted by resolution of the Village Board, which Schedule of Fees shall be maintained on file in the office of the Village Clerk and which may be amended from time to time by further resolutions of the Village Board."

Section 3. Severability:

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the Village Board of the Village of Warwick hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 4. Effective Date:

This Local Law shall become effective upon filing with the Secretary of State of the State of New York subsequent to having been duly adopted by the Village Board.

(Roll Call Vote)

Trustee Cheney	Aye
Trustee Lindberg	Aye
Mayor Newhard	Aye
Trustee Patterson	Aye
Trustee McManus	Aye

Warwick Valley, BBA, LLC – Lotus Energy Special Use Permit

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to acknowledge receipt of the application of Warwick Valley, BBA, LLC, by Lotus Energy for a Special Use Permit to install a large scale photovoltaic energy system at 28 Church Street and to refer the application to the Village’s engineering consultant and attorney for review and comment. Five Ayes.

Warwick Lions Club – Ring Bells for Salvation Army

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to grant permission to the Warwick Lions Club to ring bells for the Salvation Army at the business locations of 33-37 Main Street on the following dates: December 2 and 3, 2017 from 10 a.m. to 4 p.m. and December 16 and 17, 2017 from 10 a.m. to 4 p.m. Proof of proper insurance has been received. Five Ayes.

Veterans of Foreign Wars Post 4662

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to grant permission to the Veterans of Foreign Wars Post 4662 to hold their Veterans’ Day Parade and service on November 11, 2017 at 10:30 a.m. as per their letter dated September 19, 2017. Proof of proper insurance has been received. Five Ayes.

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to close Forester Avenue and Park Lane on November 11, 2017 for the Veterans’ Day Parade and Service. Five Ayes.

Discussion

Trustee Cheney: Is there a need to close it?

Trustee McManus: They always have held traffic while we’re doing it.

Trustee Cheney: Well traffic I agree but we don't really close it officially.

Trustee McManus: Well they don't let traffic through. It's technically closed.

Trustee Cheney: The Little League parade for example is a much longer route. We don't close it.

Mayor Newhard: This is during the ceremony though, so it's a little bit longer.

Trustee Cheney: Where are we closing Park Lane from?

Trustee McManus: At Forester so they can't come out on Forester.

Trustee Cheney: So we're creating a dead end at Forester so anybody that unknowingly not coming to the event who travels down Park Lane would have to make a U-turn, which may be difficult because people use that as parking to attend the event. I don't remember it being closed in the past.

Trustee Patterson: I don't think it has been.

Trustee Cheney: If you get there you go back up Forester to the south. You're directed to go south.

Trustee McManus: Isn't that the same as making a U-turn on Park Lane as making a U-turn on Forester?

Trustee Cheney: I would think that if we block traffic at that location and cars that came along Park Lane were forced to then turn and go back on Forester and anyone coming down Forester would either have to wait until the parade procession had cleared or they would be directed to turn onto Park Lane.

Trustee McManus: It's more closed during the service part so people can hear the services; not the march from the firehouse to the memorial.

Mayor Newhard: Because I remember a number of years ago and why this has been a practice is because just the noise from the traffic was unbelievable.

Trustee McManus: There were a couple of large trucks and you can't hear anything.

Mayor Newhard: I think maybe the closure points should be at Burt and at the end of Park Lane before anybody comes down Park Lane.

Trustee McManus: What about people that live on Park Lane?

Mayor Newhard: For people that live there you let them through, local traffic only.

Trustee Cheney: I think it would probably be a better situation to just do it as we have in the past if that's the way we've been doing it just don't let them come out onto Forester from Park Lane, not just the people that live there but people attending the event use Park Lane for parking to attend, so if you close it and you don't let anybody in except the residents you've taken away all that parking for those individuals.

Mayor Newhard: It's not that long of a closure; it's about 20 minutes. The police have handled it magnificently in the past and I have faith that they will do it again.

Trustee Cheney: I just don't remember having a motion to close the street in the past.

Trustee McManus: Always.

Mayor Newhard: There has been.

Halloween Closure of Oakland Court

Motion was withdrawn.

Mid-Hudson NYSBOC Education Conference

A **MOTION** was made by Trustee Patterson, seconded by Trustee McManus and carried to grant permission to Boris Rudzinski, Building Inspector to attend the Mid-Hudson NYSBOC Education Conference November 8th, 2017 in Wappingers Falls, NY. Five Ayes.

A **MOTION** was made by Trustee Patterson, seconded by Trustee Cheney and carried to grant permission to Michael Moser, DPW Supervisor to attend the Mid-Hudson NYSBOC Education Conference November 8th, 2017 in Wappingers Falls, NY. Five Ayes.

Asiam Running Event

A **MOTION** was made by Trustee Patterson, seconded by Trustee Lindberg to grant permission to Asiam Race Series 2017 to use Railroad Green on Sunday, October 22, 2017 at 9 a.m. for an Asiam Running Event as per the letter dated September 27, 2017. Completed park permit and proof of proper insurance have been received – AMENDED

Discussion

Trustee McManus: On the letter that is referenced they would like to hang a banner on Railroad Avenue. Previous members of this Board or previous versions of this Board said we didn't want banners on Railroad Avenue; even though he wants as his expense to put up a temporary arm on the street lights that's even with the pole to hang it, I think that is just going to open us up to approving banners at every monthly meeting on Railroad Avenue from now until forever. Someone else would volunteer to put up that temporary post and we'll just have banners on Railroad and there's enough trouble on West Street with banners; we don't need to open another location.

Mayor Newhard: Well one of the issues may be too that there are multiple events that are happening on Railroad Avenue in this time period. There's the library's children's book festival, there's a concert, there's multiple things that potentially are going to be actively happening, so the banner to me is about a specific event. When you close off the street it becomes sort of the territory for that event and then there would be advertising in the middle of it.

Trustee Cheney: I would have serious concerns about how they would create the extension to the post. For our own risk avoidance I think that would be something that would have to be designed and approved by the Village Engineer. There's too much potential for it not to be strong enough and something would come down and somebody would be injured or property damage.

Trustee McManus: That's why the State stopped putting banners up across State highways for the same reason that they didn't want the liability of banners coming down and obstructing traffic or causing accidents. Other than the banner on Railroad I have no other problem with the event as per their letter.

Mayor Newhard: My one concern is the police and it's a private event using public police force so who is paying for that over time and that action?

Trustee McManus: That event would need to get permission from us but then it would have to go to the town and they have to approve the fees of the police department for that event that they are going to charge them via Town resolution.

Trustee Patterson: I can say that the Town permit includes a requirement that you contact the police and that any services outside of what would typically be expected of the police on a given day are the responsibility of the applicant.

Trustee McManus: Once the Town approves the motion that paperwork is sent to the police chief to provide estimates of the police expense and then that is sent back to the applicant.

Mayor Newhard: Going back to the banner, maybe considering that this is only one of three races and the other two races are in the Town, maybe there is a placement somewhere in the Town near the Village but on a Town road where it wouldn't have restrictions and it can happen.

Trustee McManus: That's up to the Town.

Mayor Newhard: That's up to the Town so if you don't mind, you know the applicant, that could be a possibility. There was a request for the small banner on First Street which is not any problem.

Trustee McManus: My only problem is with the banner on Railroad Avenue.

Trustee Cheney: I guess the intent it seems to be its marketed very broadly based on the letter and it's stated that it's expecting about 100 adults and 50 children, is that going to be a cutoff with registrations? How is that going to be controlled?

Trustee Patterson: As I understand it this is the first in a series... a long series of races that will happen. It's a new project. So the expectation for this first series of races is that they will probably have 200 runners because it's the first one. Future permits may say otherwise.

Trustee Cheney: Are there going to be bathroom facilities provided?

Trustee Patterson: I think that's a question that probably should have been addressed. It would be the responsibility of the applicant.

Trustee Cheney: There should be an appropriate number and where would they be?

Trustee Patterson: There will still be the port-o-johns at the farmers' market in the Chase lot.

Trustee Cheney: I don't know that we have the right to grant this applicant the use of those port-o-johns.

Trustee Patterson: I was going to say it's a conversation to have with the chamber.

Trustee Cheney: Has there been a meeting with the chamber and merchants because part of this seemed to be... there was an economic driver that was referred to in the letter I believe that this was going to be of benefit to the merchants.

Trustee Patterson: I think that's the understanding that long term if this is a project that could get very, very big with tremendous coverage and is it a benefit for the community, the Town and the Village as a whole, again probably not the case with these first three races, the other two which are going to be in the Town but for this one certainly a conversation in the future but I don't think it's necessary now.

Trustee Cheney: Parking, it's going to be an impact... it's held the same Sunday as the farmers' market and its right around the same time as it's going to start, people are probably going to be hanging around later. I know when George does the Lion's race people are usually there until 11:30 or noon.

Trustee Patterson: I think that we have had other applications come before us with this number of expected attendees and I don't think we've required parking for those so I wonder why it would be a question for this one... like the Makers' Market.

Trustee Cheney: They don't start that early in the morning.

Mayor Newhard: But the earlier the better, the less impact since it's a Sunday.

Trustee McManus: The parking on Railroad Avenue and South Street is going to affect Christ Church parking for their Masses at 9 o'clock in the morning.

Trustee Patterson: These are clearly people who are willing to walk a little bit longer.

Mayor Newhard: If they were to get approval from maybe Sterling Bank for runners that might be a place... they wouldn't need a shuttle. It's just down the street. It's pretty easy.

Trustee Cheney: I've got a concern about the route of the course. To start out running up Main Street and then finish running down... South Street to Main Street and then up to Sanford Memorial around that and back down Main Street to Railroad Green... that's tying up traffic and I would think there might be a better route that would minimize the amount of running that occurs.

Trustee Patterson: I think it's about the distance... I don't know I guess I could ask that question. I didn't design the course. I think it's about getting it to four miles plus one of the purposes of the race is to showcase the beauty of the Village. The races that are in the Town showcase the beauty of the Town and the view of the Appalachian Trail, the

pastoral views there and this is specifically to highlight the historic Main Street and that's why it's at that time of day because it's early...

Trustee Cheney: The supposition in the letter that the race would last approximately 30 minutes, we're going to have to have a cutoff of running a 5K in probably 23 minutes.

Trustee McManus: Most people aren't running four miles in 30 minutes. That's a quick four miles.

Trustee Cheney: Definitely if I were to run I think I'd be 44 minutes.

Trustee McManus: I'd be longer.

Mayor Newhard: I'd be cheering on the sidelines.

Trustee McManus: It does have an impact on two churches, the Methodist Church and the Episcopal Church.

Trustee Cheney: I don't see us closing the route but they are going to have to fend with traffic.

Trustee McManus: If you're going to run with traffic then the police are going to have to get the fire police involved because the police wouldn't be able to do all of the intersections by themselves. You're going to need signage runners on road.

Trustee Cheney: George I'd ask your guidance on this question, they're asking to close Railroad Avenue from 8 a.m. to 11 a.m. and for a race that's going to start at 9 is that early enough for the registration?

Trustee McManus: I assume there is some pre-registration. Yeah, they can register 150 people in an hour.

Trustee Cheney: The only other thing is that prior to 8 a.m. you've got people that are going to be parking along Railroad Avenue... they may arrive as a runner and park there. It probably should be earlier than that for the closing because somebody may five of eight before the barricades go up and park on Railroad Avenue going to one of the cafes for a cup of coffee and breakfast and come out at 8:15 and...

Mayor Newhard: Usually bags go on the meters prior to the closing of the street.

Trustee Lindberg: Do we need DPW folks that day to close the road?

Trustee McManus: I wouldn't think so but you can register 150 in the hour because I registered 300 the day of in two hours.

Trustee Patterson: There's also registration online plus there's preregistration the day before.

Trustee McManus: I'm sure there is preregistration.

Trustee Patterson: Even picking up bibs and stuff like that the day before.

Mayor Newhard: I guess my greatest concern would be just the church services. What time is the Episcopal Mass?

Trustee McManus: 9 o'clock.

Mayor Newhard: But at that time it's really not even close.

Trustee McManus: But they use South Street for parking, they use Kuiken Brothers for parking. There's no parking lot with the construction obviously. You have Assembly of God right across the street. I don't know what time their service is.

Mayor Newhard: They do have a parking lot.

Trustee Lindberg: I think I would like the race route to be more reviewed by the police and get more of their suggestions about that time. When you have a short parade you can open and close streets as necessary.

Mayor Newhard: Yes, I'm sure church goes park in Kuiken Brothers parking lot but it probably doesn't fill the entire thing but also you have Chase parking lot at that time and the farmers' market really doesn't get going until probably 10:30 or 11 o'clock so I think there's adequate parking. I think that if this person was to make an arrangement with Sterling Bank to get some of that parking up there that probably would be in my mind the best. I agree with Bill I think the police really need to look at this carefully. I think it's a wonderful venue and I like the idea of it trying to show off the Village and I think we've talked about this in the past and people have tried to see if this type of thing can happen, a significant run in the confines of the Village.

Trustee McManus: We haven't had a race in the Village since the early 90s.

Mayor Newhard: This would be the big test.

Trustee Patterson: Can it be approved pending the police department...

Trustee Cheney: I think the motion needs to be amended I would think for that and also for the applicant covering any cost of services provided by government so that includes EMS, police, fire police.

Mayor Newhard: That's true EMS would have to be there.

Trustee Cheney: I don't know that they would have to be there.

Mayor Newhard: If you're going to have people running, you don't have any control over their health levels. I surely think you need the EMS. Can you re-fashion the motion?

A **MOTION** was made by Trustee Patterson, seconded by Trustee McManus and carried to grant permission to Asiam Race Series 2017 to use Railroad Green on Sunday, October 22, 2017 at 8 a.m. to 11 a.m. for an Asiam Running Event as per the letter dated September 27, 2017. The route of which is pending approval based on the review by the Police Department and with the understanding that if necessary the applicant will pay the cost for additional municipal services. Completed park permit and proof of proper insurance have been received. Three Ayes, One Abstain (Trustee Patterson) One Nay (Trustee McManus)

Discussion

Trustee McManus: The letter requested a banner on Railroad Avenue and a modification of a light pole.

Trustee Patterson: Okay, but there's no motion for that George.

Trustee McManus: It says approved as per their letter dated September whatever.

Trustee Patterson: To use Railroad Green as per the letter.

Mayor Newhard: That's the request to use Railroad Green. It would be a separate motion if we do the banner.

Trustee Cheney: How about we just go back and amend it with the exception the banner across Railroad.

Trustee McManus: I would make it 7 a.m. instead of 8.

Mayor Newhard: We're going to re-do this motion, not amend but re-do the motion from scratch.

Trustee Patterson: We've already approved it though.

Mayor Newhard: We'll vote to rescind it.

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to rescind the above motion. Five Ayes.

A **MOTION** was made by Trustee Patterson, seconded by Trustee Lindberg and carried to grant permission to Asiam Race Series 2017 to use Railroad Green on Sunday, October 22, 2017 at 7 a.m. to 11 a.m. for an Asiam Running Event as per the letter dated September 27, 2017 excluding the request for a banner to be hung over Railroad Avenue. With the understanding that the applicant will pay for municipal services outside of what is the norm, pending review of the route by the Police Department. Completed park permit and proof of proper insurance have been received. Four Ayes, One Abstain (Trustee Patterson)

A **MOTION** was made by Trustee Patterson, seconded by Trustee Lindberg and carried to close Railroad Avenue on Sunday, October 22, 2017 from 7 a.m. to 11 a.m. in consideration of the Asiam Running Event that will take place that day. Four Ayes, One Abstain (Trustee Patterson)

Knights of Columbus Disaster Relief

Mayor Newhard: I have one piece of information that I received late and I'll pass on to you. We could move on it at the next meeting. The only reason why I would consider this is because it's for relief funding for hurricane and earthquake survivors and disasters.

A **MOTION** was made by Trustee Patterson, seconded by Trustee Lindberg to grant permission to the Knights of Columbus to serve free hamburgers and hot dogs at the final concert on Railroad Green on October 21, 2017. Alongside the food they will have a barrel asking for donations for disaster relief for the areas hit by recent disasters, hurricanes and earthquake. Proof of proper insurance has been received, pending receipt of the health department certificate – AMENDED

Discussion

Trustee Patterson: This is a noble idea and I think it's very sweet that they want to do this but I think we are walking on a slippery slope if we permit anybody to serve food. I'm sure everybody remembers the hot dog boondoggle that we would up in. I believe that the generosity and passion of this community will fill those barrels whether there's free hamburgers and hotdogs or not. I will stand at the barrel and ask but I don't think it's a

good idea if we start serving food. It will become some kind of a tradition whether it's this not for profit or that not for profit.

Mayor Newhard: You make a valid point. Also I think that whether it's a barrel or a passing of the hat you have a captive audience there and they don't really need to be fed and also there's the conflict with the other restaurants that co-exist there. This area would be block off and that's very kind... that helps their business at some level but it interrupts their parking.

Trustee Lindberg: I agree.

Trustee Cheney: I agree.

Trustee McManus: I just go back to the pending certificates. It's the same rule.

Mayor Newhard: I just felt that if the Board felt comfortable with it then it was a time issue.

Trustee McManus: There will be another meeting before that.

Trustee Patterson: I have no problem with the barrel. That can certainly happen. Should I change the motion?

A **MOTION** was made by Trustee Patterson, seconded by Trustee Lindberg and carried to grant permission to the Knights of Columbus to have a barrel soliciting donations for disaster relief for areas hit by recent disasters at the final Village concert on Railroad Green on October 21, 2017. Proof of proper insurance has been received. Five Ayes.

Final Comments from the Board

Mayor Newhard: I'd like to just make a couple of comments before the Board makes final comments. Some things are coming up every weekend. It's very full at this time of year but on Saturday October 27th will be the Warwick Children's Book Festival and it's actually co-sponsored by the Village of Warwick, the Albert Wisner Public Library and Glen P. and Susan G. Dickes and it starts at 11 a.m. It's from 11 a.m. to 4 p.m. on Railroad Avenue. It's free to the public but there will be over 160 authors and illustrators who will have their books for sale and will sign them and the book seller of the day is our own Ye Olde Warwick Bookshop so that business is local. It's a wonderful event and great for Christmas shopping early. The other event this coming weekend on Sunday is part of the Second Sunday Conversation Series which is a sesquicentennial series. That's October 8th at 2 p.m. at the Albert Wisner Public Library and a panel of writers will be discussing Warwick The Writers' Studio. Authors will be discussing how Warwick is

their muse and how living and working in the Warwick Valley shaped their craft. The authors include Katherine Petrillo Kline who is the Village of Warwick's Poet Laureate, Anita Paige, Tom Mattingly, Norma Isaacson and Susan Meyer Fitzsimmons and Donna Spector. It's a large group but they'll be talking about what really is a catalyst and what inspires them by living here. Also what's a little further down the lane is I think a very important event on Saturday, October 14th on Railroad Avenue from 10 a.m. to 2 p.m. will be our Warwick First Responders Day and this is a sesquicentennial event and we will have representatives from the ambulance corps, the fire department, the police department and our DPW because they're out there when the storm hits. Not only will it be sort of a touch a truck but it will also be a celebration of these men and women who are there for us at the drop of a hat. It will be a great event. It will be K-9 demonstrations and giveaways and a think a lot of fun... very kid oriented, so bring the family and have a great time and meet these local folks who do such an extraordinary job. I want to congratulate the Warwick Valley Chamber of Commerce and the Warwick Community Center for a successful and I would say record breaking Applefest. It was a beautiful day and everybody from the tristate area and beyond came and their dogs. The weather was fantastic. It was really great. They did a remarkable job. It's all about crowd control. I can't sing the praises enough. Not only crowd control but it's clean up and they did an extraordinary job.

Trustee Patterson: Every year. You could drive through town... we did, we drove through town last night at 7 o'clock and you would never know there had been 30,000 people there.

Trustee Lindberg: It's probably going to be 40,000.

Trustee Patterson: We literally went out to dinner and drove through town and you would never even know. It was amazing.

Trustee Cheney: Really? Then why was the street sweeper still running at 10:30?

Trustee Patterson: Maybe up by you. We were on Main Street and Railroad.

Trustee Cheney: I guess I'd just like to repeat what I did at the last meeting in case we have viewers who weren't tuned in... the Howe Street Bridge update. The Orange County DPW has received the approval for the temporary railroad crossing from the New York State Department of Transportation and the repair and closure of the bridge and opening of the detour now will not begin until Spring of 2018. It's being put off by about six months to a year. We're going to be quiet until next spring.

Trustee Patterson: I just wanted to remind everybody that the 2017 time capsule will be buried on Saturday, October 14th with a rain date of Sunday, October 15th. The last day to

submit a letter is October 13th. It's been a little while. It's a distant memory of the picnic and when we opened the capsule but just consider this one story. There were parents whose child was two when the time capsule was buried in 1967 and they put a birthday card in for their son who would be 52 in August of 2017 and we got that out of the capsule and Mary Collura found this gentleman and it was an incredibly moving thing for him. Very emotional and very cool. I just recommend that people write a letter to their kids or their future grandchildren and in their own handwriting, not on a computer because handwriting is nice to see.

Trustee McManus: The only thing on Applefest was a lot of people yesterday who were very surprised that dogs are allowed. It was suggested that dogs not be allowed.

Mayor Newhard: I was a bit surprised by that too.

Trustee Patterson: It's scary for the dog honestly.

Trustee Cheney: Every once in a while you get two dogs that don't like each other.

Trustee Patterson: Or dogs who are not used to being in crowds and they're scared and you don't know how they're going to react.

Trustee McManus: We had puppies in training for Guiding Eyes by the Lions and we said that and people who complained about having dogs understood that they should be there.

Mayor Newhard: We also want to mention Playground Dreams.

Trustee Lindberg: Playgrounds by Design... at Park Avenue School at 7 o'clock next Tuesday the 10th information about all the wonderful plans Playgrounds by Design is going to present.

Mayor Newhard: They sent letters out to residents within 500 foot... we actually took it from the edges of the park because if you took it from the center there would only be three people. A lot of people will be getting letters about it.

Trustee Patterson: But the important thing is to know that we as a Village Board, I'll speak for myself, I as a Village Board member am interested to hear all input specifically on this splash pad that's not a foregone conclusion that that's going to be included and we still have to review that. There are a lot of really good questions about that that we'd like to hear about.

Mayor Newhard: Also, take the survey.

Trustee Patterson: We're up to almost 1,200 responses which is more than the committee expected.

Mayor Newhard: This is a survey put together by Community 2000 and Johnny Longo who is a planner and there is a Village aspect to the survey as well if you're from the Village of Warwick or the Village of Florida or the Village of Greenwood Lake; so there's a general survey and then there's a very specific piece at the end and so the website is community2gether.org. It takes about ten minutes and it's anonymous and it helps... its part of our voices. By this input you have in some way the ability to shape the future. This is what that's all about.

Adjournment

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to adjourn the meeting. Five Ayes.

Barbara Ranieri
Deputy Clerk