

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
JANUARY 23, 2018
AGENDA**

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

1. Introduction by Mayor Newhard.
2. Acceptance of the Minutes of December 18, 2017
3. Acceptance of Reports: Building Inspector (December 2017) and Justice (December 2017).
4. Authorization to Pay all Approved and Audited Bills in the amount of \$ _____.

Correspondence

1. Letter of resignation from Village of Warwick Planning Board member Ryan Denerley.
2. Special Use Permit for a proposed construction of a thirty-six (36) unit apartment building with parking on Forester Avenue.
3. Letter from Lehman & Getz Consulting Engineers regarding the Special Use Permit for the proposed construction of apartments on Forester Avenue.
4. Letter from Tectonic Engineering & Surveying Consultants regarding the compliance schedule for the Village of Warwick Dams.

Privilege of the Floor

(Please limit your comments to five (5) minutes. Please note all remarks must be addressed to the Board as a body and not to individual Board members. Please state your name clearly before speaking). These rules are taken from the Handbook for Village Officials – New York State Conference of Mayors and Municipal Officials.

Motions:

Trustee Cheney's Motions:

1. Motion to change Boris Rudzinski's status from provisional Building Inspector III / Code Enforcement Officer to permanent Building Inspector III / Code Enforcement Officer effective December 21, 2017.

2. Motion to grant permission to Mayor Michael J. Newhard to attend the NYCOM Winter Legislative Meeting in Albany, NY from February 11 to February 13, 2018 at a cost of \$240.
3. Motion to acknowledge the receipt of an application from Robert Kennedy for a Special Use Permit for the proposed construction of a thirty-six (36) unit apartment building with parking on Forester Avenue and to refer the application to the Village's engineering consultant and attorney for review and comment.
4. Motion to waive the reading of the Resolution Approving the JP Morgan Chase Bank Parking Lot Lease Extension.
5. **RESOLUTION APPROVING PARKING LOT LEASE EXTENSION**

WHEREAS, in 1989 the Village of Warwick entered into an agreement with the Bank of New York under which the Bank leased certain portions of the parking area at 21-27 South Street to the Village for nominal consideration, and

WHEREAS, the said lease agreement was thereafter extended multiple times on essentially the same terms as the original lease; and

WHEREAS, the current lease agreement will expire on January 1, 2018; and

WHEREAS, JPMORGAN CHASE BANK, NA, as the successor in title to the said property of the Bank of New York, has offered to enter into the further extension of the lease agreement, a copy of which is attached hereto, on essentially the same terms as the existing agreement;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the further extension of the lease agreement proposed by JPMORGAN CHASE BANK, NA, constitutes a Type II Action under SEQRA;
2. That the Village Board approves and accepts the further extension of the lease agreement proposed by JPMORGAN CHASE BANK, NA; and

3. That the Village Mayor is authorized to sign the lease agreement extension and any documents necessary to put the same into effect.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting _____

William Lindberg, Trustee, voting _____

Michael Newhard, Mayor, voting _____

Eileen Patterson, Trustee, voting _____

George McManus, Trustee, voting _____

6. Motion to waive the reading of the Amended Resolution Accepting Deeds to the Streets Within the Warwick Grove Development.

7. **AMENDED RESOLUTION ACCEPTING DEEDS TO THE STREETS
WITHIN THE WARWICK GROVE DEVELOPMENT**

WHEREAS, Warwick Grove Company, LLC has constructed a residential subdivision called "Warwick Grove" within the Village of Warwick; and

WHEREAS, Warwick Grove Company, LLC has made an offer of dedication of the streets within Warwick Grove to the Village has requested that the Village accepted the deeds to the streets and assume ownership and responsibility for the streets as public roadways; and

WHEREAS, by resolution dated July 3, 2017, the Village Board accepted the deeds to the said streets; and

WHEREAS, it is now necessary to adopt an amended resolution to satisfy the requirement of the New York State Department of Transportation that additional information

regarding the streets be included in the Village Board's acceptance resolution in order for the streets to be included in the Local Highway Inventory;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board's resolution of July 3, 2017 is hereby superseded and replaced by this resolution; and
2. That the streets for which the Village hereby accepts title are shown on the attached map and are described as follows:
 - (I) Hudson Street, which consists of approximately .27 miles beginning at McFarland Drive and ending at Longhouse Street;
 - (II) Cropsey Street, which consists of approximately .29 miles beginning at McFarland Drive and ending at Hudson Street;
 - (III) White Oak Street, which consists of approximately .10 miles beginning at McFarland Drive and ending at Bridges Street;
 - (IV) Bridges Street, which consists of approximately .11 miles beginning at Hudson Street and ending at White Oak Street;
 - (V) Aske Street, which consists of approximately .10 miles beginning at Hudson Street and ending at Longhouse Street;
 - (VI) Sly Street, which consists of approximately .04 miles beginning at Longhouse Street and ending at Cropsey Street;
 - (VII) Cornbury Street, which consists of approximately .085 miles beginning at Cowdrey Street and ending at Cowdrey/Mistucky Street intersection;
 - (VIII) Mistucky Street, which consists of approximately .10 miles beginning at Cowdrey Street and ending at Cornbury Street;
 - (IX) Coe Circle, which consists of approximately .066 miles beginning at Cowdrey Street and ending at Cowdrey Street;
 - (X) Swift Street, which consists of approximately .05 miles beginning at Cropsey Street and ending at Longhouse Street;
 - (XI) Longhouse Street, which consists of approximately .35 miles beginning at Aske Street and ending at Cowdrey Street;

- (XII) Road E, which consists of approximately .02 miles beginning at Hudson Street and ending at Cropsey Street;
- (XIII) Cowdrey Street, which consists of approximately .278 miles beginning at Longhouse Street and ending at Coe Circle;
- (XIV) McFarland Drive, which consists of approximately .73 miles beginning at Forester Avenue and ending at White Oak Street.

2. That the Village hereby accepts title and assumes ownership and responsibility to maintain and repair the aforesaid streets as public roadways subject to the following conditions:

- (I) That Warwick Grove Company, LLC, pays to the Village or reimburses the Village for searches of title or title policy, surveys, engineering charges and legal fees in connection with the acceptance of the aforesaid streets; and
- (II) That the acceptance of the deeds is subject to a certification from the Village Attorneys that title to the streets is vested in the Village free and clear of all title objections including, but not limited to, mortgages, assignments of rents and leases, security agreements and unpaid real property taxes, including the special transfer tax applicable to the properties within the Town of Warwick if the same applies to the deed transfers referred to above; and
- (III) That Warwick Grove Company, LLC, shall post maintenance security on the aforesaid streets in the amount of \$60,000.00 which shall be in the form of cash paid into escrow with the Village; and
- (IV) That the Village Engineer and the Public Works Supervisor shall approve the conditions of the streets; and
- (V) That Warwick Grove Company, LLC, shall provide a title insurance policy to the Village insuring to the Village that when it accepts the street by accepting the deeds to the streets, that the Village will have good and insurable title which shall be confirmed by a letter from the Village Attorneys.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

- Barry Cheney, Trustee, voting _____
- William Lindberg, Trustee, voting _____
- Michael Newhard, Mayor, voting _____

Eileen Patterson, Trustee, voting _____

George McManus, Trustee, voting _____

Trustee Lindberg's Motions:

8. Motion to grant permission to the Nicholas P. Lesando Jr., Warwick Township Post #214 of the American Legion to hold their annual Memorial Day Parade on Monday, May 28, 2018 at 11:00 a.m. as per their letter dated December 26, 2017. The proper insurance has been received.

Trustee Patterson's Motions:

9. Motion to grant permission to the Warwick Valley Gardeners to hold their Annual Garden Tour on Railroad Green on Friday, July 6, 2018 from 4:30 p.m. to 6:30 p.m. Completed park permit, \$100 security deposit and proof of proper insurance has been received.
10. Motion to grant permission to Community 2000 to use the basketball court and surrounding area in Stanley Deming Park from 1:00 p.m. Friday, April 20, 2018 through 11:00 a.m. Monday, April 23, 2018 for the Too Good To Toss Event. Completed park permit, security deposit and proof of proper insurance have been received.

Reports:

Final Comments from the Board

Executive Session, if Applicable

Adjournment