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VILLAGE OF WARWICK

INCORPORATED 1867

Village of Warwick Village Board Meeting – December 7, 2020

Pursuant to Governor Cuomo's Executive Order 202.1, Village of Warwick meetings will be conducted virtually through Zoom Videoconference until further notice.

To View the Meeting:

FACEBOOK LIVE - The public may view the meeting live by going to the Village of Warwick's Facebook page: <https://www.facebook.com/VillageofWarwick>

VILLAGE'S WEBSITE – The public may view the meeting a day or so after its completion by going to the village's website: www.villageofwarwick.org

To Comment - During Privilege of the Floor Only:

VIA EMAIL OR MAIL - Comments may be sent to the Village Board prior to the Village Board Meeting via email to: clerk@villageofwarwick.org or via mail: Village of Warwick, Attn: Village Clerk, P.O. Box 369, Warwick, NY 10990. Please indicate in your correspondence that you wish to have your comments read during privilege of the floor.

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
DECEMBER 7, 2020**

8694

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, December 7, 2020 at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY via Zoom Videoconference. Present was: Mayor, Michael J. Newhard, Trustees: Barry Cheney, William Lindberg, George McManus and Corey Bachman. Also, present was Village Clerk, Raina Abramson and DPW Supervisor, Mike Moser. Others present via Zoom Videoconference: Joseph Irace and Alec Gladd. In consideration of the current COVID-19 health crises and pursuant to Governor Cuomo's Executive Order 202.1 the public was able view the meeting at the above date and time via Facebook Live on the Village's FB page <https://www.facebook.com/VillageofWarwick>.

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

Acceptance of Minutes

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney, and carried for the acceptance of minutes: November 13, 2020 and November 16, 2020.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus, and carried for the authorization to pay all approved and audited claims #21000955 – 21001048 in the amount of \$686,158.58.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Announcements

1. 2021 Village of Warwick calendar of holidays and meeting dates for the Village Board, Planning Board, Zoning Board of Appeals, and Architectural and Historic District Review Board.

2. Mayor's Appointments – Ralph Lucarelli, AHDRB Member.

Mayor Newhard stated that sadly, Architectural and Historic District Review Board Member, Robert Skallerup, is stepping down. Mayor Newhard said that Mr. Skallerup was a wonderful member, and as an architect, brought a lot of intellectual knowledge to the committee.

Mayor Newhard stated that he would like to appoint Ralph Lucarelli to the Architectural and Historic District Review Board. Mayor Newhard also stated that Mr. Lucarelli previously served on the AHDRB and then stepped down due to business that was taking him out of town and has now asked to serve once again.

Correspondence

1. Letter from Robert Skallerup regarding his resignation as member of the Village of Warwick Architectural and Historic District Review Board.
2. Report letter from Village Attorney, Stephen J. Gaba, regarding Warwick Feed and Grain – Petition for Zone Change, 15 Elm Street.
3. Report letter from Village Engineer, David Getz, regarding Warwick Feed and Grain – Petition for Zone Change, 15 Elm Street.
4. Letter from Warwick Valley Chamber of Commerce regarding a special Holiday Market in Kuiken Brother's Parking Lot on December 13, 2020 from 9:00 a.m. to 2:00 p.m.
5. Letter from Blustein, Shapiro, Rich & Barone, LLC dated November 25, 2020 regarding Village View Estates Subdivision Application for Special Use Permit, including narrative and excerpts from the SFEIS.
6. Letter from Village Attorney, Stephen Gaba, regarding Warwick Meadows – Gate on Sheffield Drive.

Privilege of the Floor

(Please limit your comments to **five (5)** minutes. If reading a document, please submit a copy to the Clerk. 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.

No comments were submitted.

Vacation Carry Over – Cathy Schweizer

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried to grant permission to DPW Clerk, Cathy Schweizer, to carry over four (4) vacation days.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Vacation Carry Over – Maureen Evans

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried to grant permission to Building and Planning Secretary, Maureen Evans, to carry over six (6) vacation days.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Orchard St. Pump Station - Payment #2 – TAM Enterprises, Inc.

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried to approve payment #2 in the amount of \$36,575.00 to TAM Enterprises, Inc. for the Vertical Spiral Screen for the Orchard Street Pump Station Project which includes payment for the generator and other stored materials per the recommendation of the Village Engineer, David Getz. Funds are appropriated in budget code G.8120.4950 in the 2020-21 budget.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Discussion Prior to Warwick Feed & Grain Motions (2)

Joseph Irace, from Irace Architecture, joined the Zoom meeting. Mayor Newhard explained that the Village Board had two motions before it asked Mr. Irace if he had any concerns prior to the

motion being acted upon.

Mr. Irace asked if the application for site plan approval would be limited to putting on an addition. Mayor Newhard responded that that is what he believes Mr. Irace is presenting. Mr. Irace stated, 'yes', and inquired if the Village Board had a copy of that application and also that the project hasn't changed since then. Mr. Irace said that the motions sounded fine. Mayor Newhard explained that he wanted Mr. Irace to have a heads up and that it was clear because he said that there was a point when there was some discussion about getting a variance. Mr. Irace stated that that was a suggestion to speed up the process, however the ultimate goal is to have a zone change so that the property has more flexibility in what can be done with it in the future, therefore his goal is to proceed with the zone change.

Mayor Newhard stated that Mr. Irace is doing a fantastic job with the former grain silo and that it looks spectacular. Mayor Newhard said that certainly it is going to be an architectural asset to our community.

Zone Change – Warwick Feed & Grain

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus, and carried to direct the Village Attorney, in consultation with the Village's Engineering Consultant, to prepare a draft local law for consideration by the Village Board by which the zoning change requested by Warwick Feed & Grain, LLC, may be enacted.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Warwick Feed & Grain – Village of Warwick Planning Board

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus, and carried to request Warwick Feed & Grain LLC to submit an application for site plan approval to the Village Planning Board, and for the Village Board to request the Village Planning Board to act as Lead Agency in a coordinated review under the State Environmental Quality Review Act on the Warwick Feed & Grain development project.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Special Use Permit Renewal – New Cingular Wireless PCS, LLC (“AT&T”)

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney, and carried to grant the application of New Cingular Wireless PCS, LLC, ("AT&T") pursuant to Village Code §145-120.1(BB) for renewal of a special use permit for the cellular antenna array on the Saint Anthony's Community Hospital building located at 15 Maple Avenue for a period of five (5) years from July 19, 2020 to July 19, 2025.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Discussion

Trustee Cheney stated that when the Village Board originally approved this on the hospital, there were a number of special conditions that were included with that permit and the Code Enforcement Officer/Building Inspector did not address those in his letter to the Village Board, therefore Trustee Cheney followed up with him as to the status of the property for compliance with the requirements of the Special Use Permit and that the Code Enforcement Officer/Building Inspector stated that it was in compliance at the time of his inspection.

Mr. Alec Gladd, from Cuddy & Fedder, LLP, was invited into the Zoom meeting and thanked the Village Board for their time.

Warwick Tourism Branding Initiative – Community2gether

A **MOTION** was made by Trustee Bachman, seconded by Trustee Lindberg, and carried to approve funding in the amount of \$3,000 to Community2gether for the Warwick Tourism Branding Initiative. Funds are appropriated in budget code A.7550.4950 in the 2020-21 budget.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Nay Mayor Newhard Aye

Discussion

Trustee McManus stated that it should be a Chamber initiative.

Facility Use Request – Railroad Green - Children’s Book Festival

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg, and carried to grant permission to the Albert Wisner Public Library to hold the Children's Book Festival on Railroad Green on Saturday, October 9, 2021 from 11:00 a.m. to 4:00 p.m. including permission to tie balloons on nearby parking meters the morning of October 9, 2021 as per their letter dated November 17, 2020, pending Governor Cuomo’s Executive Orders, NYS Regional Phased Reopening Plan, and NYS Department of Health. Completed park permit, security deposit, and proof of proper insurance have been received.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

RESOLUTION SETTING JOINT PUBLIC HEARING ON ANNEXATION PETITION

WHEREAS, the Village of Warwick has received a petition from Village View Estates, LLC, to annex into the Village certain real property located in the Town of Warwick identified on the Tax Map as Section 43, Block 1, Lot 4.2; and

WHEREAS, in order to process the petition for annexation it is necessary for the Village Board to hold a joint public hearing with the Town Board of the Town of Warwick; and

WHEREAS, the Village has consulted with the Town Board of the Town of Warwick in regard to a mutually convenient date for the said public hearing;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board hereby schedules a joint public hearing with the Town Board of the Town of Warwick in regard to the proposed annexation for January 14, 2021 at 7:00 p.m. o'clock; and

2. That the Village Clerk shall publish, post and mail notice of the said joint public hearing in accordance with the requirements of New York State Law.

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

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

Barry Cheney, Trustee, voting Aye

William Lindberg, Trustee, voting Aye

George McManus, Trustee, voting Nay

Corey Bachman, Trustee, voting Aye

Michael Newhard, Mayor, voting Aye

Discussion

Trustee McManus inquired where the public hearing is being held. Mayor Newhard stated that the public hearing is being held at Town Hall. Trustee McManus inquired if it should state that information in the motion. Village Clerk, Raina Abramson, stated that Village Attorney, Stephen Gaba, prepared the resolution and said that all of the information would be stated in the legal notice upon posting.

Trustee McManus also inquired if this was only to annex the piece of property, they need to go from twenty-eight homes to forty-five homes, the little .6 acre piece. Trustee Cheney stated that it's a small sliver on the eastern end of the property down by Woodside Drive that is needed to provide for the roadway that goes in from Woodside. Trustee McManus stated, which is only needed if they get approval to build more homes than the twenty acres allows under the current approval. Trustee Cheney stated that he wasn't sure whether they need it or not for the current

approval. Trustee McManus stated that they don't need it for the current approval, so they need to annex .6 acres into the village is if their plan to go from twenty-eight to forty-five is the approved plan. Mayor Newhard stated that that was not how it was described to him and that in essence it is a very small parcel and that it was to clean up the map because there was just a small triangle within the overall development, and it would make more sense. Mayor Newhard said that he thinks that they would pursue this whether they do twenty-eight or they do the larger scale cluster.

Final Comments from the Board

Trustee Bachman stated that the Warwick Valley Chamber of Commerce will be holding, along with Applewood Winery, a virtual holiday wine tasting mixer. Tickets are \$35 and include two bottles of wine from Applewood Winery and to purchase tickets for the Zoom event, please visit their website at www.warwickcc.org.

Trustee Lindberg asked Mayor Newhard to say a few words on how we will miss Michele Carter.

Mayor Newhard said that it was hard because she was such a close friend not only to himself but to his family and to the community. Mayor Newhard said that she was tireless, she was an individual that was a real role model for us all and she was unstoppable. Mayor Newhard stated that Michele was part of the Village's Sesquicentennial Committee, she was the elder states woman and was always fun and it was great to have her as part of that. Mayor Newhard said that she had so much historical knowledge of living here for so long and bringing up her family. Mayor Newhard also included that her family was the Warwick family and she really had an open-door policy, and her house was just that kind of place and she had many young folks that grew up with her family that were a part of the Pius School, which is now the Broderhalf, so she gave refuge to a lot of people. Mayor Newhard said that her work with the food pantry is really an important piece, in that she was tireless, she organized the ongoing food pantry that serves so many people as well as very large activities that were the Thanksgiving baskets and the Christmas baskets and that was a major scale operation that Michele did with a spirit and a rich soul and a big generous heart. Mayor Newhard said that we truly miss Michele and that she was great friends with his mom in that they had a great connection, and he can hear them both laughing in his kitchen, and that we lost a really great person.

Mayor Newhard wished a Happy Hanukkah to all our Jewish friends and neighbors and that Hanukkah starts Thursday, December 10th and that there will be a menorah lighting with masks and social distancing at approximately 5:00 p.m. Mayor Newhard said it is always a wonderful event and usually latkes are served.

Executive Session

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus, and carried to go into Executive Session for the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Mayor Newhard stated that the Village Board does not plan to take any action when they return to the regular meeting.

Adjournment

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney, and carried to exit executive session, resume the regular meeting, and adjourn at approximately 8:20 p.m.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Raina M. Abramson, Village Clerk