

77 Main Street  
Post Office Box 369  
Warwick, NY 10990  
[www.villageofwarwick.org](http://www.villageofwarwick.org)



**VILLAGE OF WARWICK**  
INCORPORATED 1867

(845) 986-2031  
FAX (845) 986-6884  
[mayor@villageofwarwick.org](mailto:mayor@villageofwarwick.org)  
[clerk@villageofwarwick.org](mailto:clerk@villageofwarwick.org)

## **Village of Warwick Village Board Meeting – February 1, 2021**

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](http://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](mailto: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  
February 1, 2021  
AGENDA**

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

1. Introduction by Mayor Newhard.
2. Acceptance of Minutes: January 14, 2021 and January 19, 2021.

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

Trustee Cheney \_\_\_\_ Trustee Lindberg \_\_\_\_ Trustee Bachman \_\_\_\_

Trustee McManus \_\_\_\_ Mayor Newhard \_\_\_\_

3. Authorization to Pay all Approved and Audited Claims #\_\_\_\_\_ –  
\_\_\_\_\_ in the amount of \$\_\_\_\_\_.

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

Trustee Cheney \_\_\_\_ Trustee Lindberg \_\_\_\_ Trustee Bachman \_\_\_\_

Trustee McManus \_\_\_\_ Mayor Newhard \_\_\_\_

**Announcement**

1. Tax Grievance Day – Thursday, February 18, 2021 from 4:00 p.m. to 8:00 p.m. by appointment only.

**Correspondence**

1. Letter from David R. Everett to James Patterson and the Village of Warwick Planning Board regarding Warwick Commons Stage IV – Dam.
2. Letter from Comp Alliance congratulating the Village of Warwick for qualifying for the Comp Alliance Safe Workplace Award.

**Discussion**

1. Village of Warwick Skatepark & Basketball Court.
2. Outdoor Dining.

## **Privilege of the Floor**

**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. Please limit your comments to **three (3) minutes**.

## **Motions**

### **Trustee Cheney's Motions:**

1. **MOTION** to grant permission to Village Employee, Antonio Rivera, to carry over twelve (12) vacation days.

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

Trustee Cheney \_\_\_\_ Trustee Lindberg \_\_\_\_ Trustee Bachman \_\_\_\_

Trustee McManus \_\_\_\_ Mayor Newhard \_\_\_\_

2. **MOTION** to advertise to receive proposals to provide professional services to conduct a Billing Audit of the Village streetlights.

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

Trustee Cheney \_\_\_\_ Trustee Lindberg \_\_\_\_ Trustee Bachman \_\_\_\_

Trustee McManus \_\_\_\_ Mayor Newhard \_\_\_\_

3. **MOTION** to renew the contract with JCO, Inc. to provide services to operate and maintain the wastewater system and the water production system as set forth in the existing contract for an additional one (1) year period (June 1, 2021 through May 31, 2022) and direct the Mayor to execute said change to the contract.

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

Trustee Cheney \_\_\_\_ Trustee Lindberg \_\_\_\_ Trustee Bachman \_\_\_\_

Trustee McManus \_\_\_\_ Mayor Newhard \_\_\_\_

4. **MOTION** to grant permission to Civpet, LLC, the owner of 85 Kings Highway (Tax Map 44-1-91) based on a written request from Kevin F. Preston dated January 25, 2021 for a second water service connection to the Village water system on an outside user basis through an existing private water line along Kings Highway provided that all

required fees are paid, the water line is constructed in accordance with plans approved by the Village and the construction of said water line is observed by the Village.

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

Trustee Cheney \_\_\_\_ Trustee Lindberg \_\_\_\_ Trustee Bachman \_\_\_\_

Trustee McManus \_\_\_\_ Mayor Newhard \_\_\_\_

5. **MOTION** to approve payment #4 in the amount of \$73,150.00 to TAM Enterprises, Inc. for the Vertical Spiral Screen for the Orchard Street Pump Station Project which includes payment for the vertical spiral screen 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:

Trustee Cheney \_\_\_\_ Trustee Lindberg \_\_\_\_ Trustee Bachman \_\_\_\_

Trustee McManus \_\_\_\_ Mayor Newhard \_\_\_\_

**Trustee Lindberg's Motions:**

6. **MOTION** to grant permission to Warwick Quilt Guild to use the pavilion in Memorial Park on July 31, 2021 from 9:00 a.m. to 5:00 p.m. to present an Airing of Quilts, with set up to begin at 7:00 a.m. and break down to be completed by 6:00 p.m. as per the letter dated January 15, 2021, pending Governor Cuomo's Executive Orders, NYS Regional Phased Reopening Plan, and NYS Department of Health. Completed park permit, proof of proper insurance, and security deposit have been received.

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

Trustee Cheney \_\_\_\_ Trustee Lindberg \_\_\_\_ Trustee Bachman \_\_\_\_

Trustee McManus \_\_\_\_ Mayor Newhard \_\_\_\_

**Trustee Bachman's Motions:**

7. **MOTION** to amend the resolution adopted on February 18, 2020 'Creating a Special Board to Prepare an Update of the Village's Comprehensive Plan', item two (2) to read: 'The CPC shall consist of ten (10) members appointed by the Village Board.'

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



Trustee Cheney \_\_\_\_ Trustee Lindberg \_\_\_\_ Trustee Bachman \_\_\_\_

Trustee McManus \_\_\_\_ Mayor Newhard \_\_\_\_

8. **MOTION** to appoint Michael Newhard, Barry Cheney, Tom McKnight, Scot Brown, Matthew Finn, Jack Ellis, Corrine Iurato, Carly Foster, Susan Metzger, and Robert Kennedy III as Members of the Village of Warwick Comprehensive Plan Committee.

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

Trustee Cheney \_\_\_\_ Trustee Lindberg \_\_\_\_ Trustee Bachman \_\_\_\_

Trustee McManus \_\_\_\_ Mayor Newhard \_\_\_\_

9. **MOTION** to appoint Barry Cheney as Chairman of the Village of Warwick Comprehensive Plan Committee.

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

Trustee Cheney \_\_\_\_ Trustee Lindberg \_\_\_\_ Trustee Bachman \_\_\_\_

Trustee McManus \_\_\_\_ Mayor Newhard \_\_\_\_

**Trustee McManus' Motions:**

10. **MOTION** to report 2.66 days worked per month to New York State Retirement for retirement reporting purposes for Village Assessor, Deborah Eurich for the appointment beginning October 15, 2020.

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

Trustee Cheney \_\_\_\_ Trustee Lindberg \_\_\_\_ Trustee Bachman \_\_\_\_

Trustee McManus \_\_\_\_ Mayor Newhard \_\_\_\_

**Final Comments from the Board**

**Executive Session (if applicable)**

**Adjournment**

**NOTICE OF COMPLETION OF  
TENTATIVE ASSESSMENT ROLL  
VILLAGE TAX LAW SEC. 1406  
HEARING OF COMPLAINTS**

**NOTICE IS HEREBY GIVEN** that the Assessor of the Village of Warwick, County of Orange, has completed the Tentative Assessment Roll for the current year and that said Assessment Roll was timely filed as of January 26, 2021 and that a copy thereof is available on the Village of Warwick's website at [www.villageofwarwick.org](http://www.villageofwarwick.org) where it may be seen and inspected through February 18, 2021.

**HEARING OF REAL PROPERTY ASSESSMENT GRIEVANCES** - On Thursday, February 18, 2021, between the hours of 4:00 p.m. and 8:00 p.m., the Board of Assessment Review for the Village of Warwick will meet remotely by video or telephone conference, open to the public, to hear and examine all verified written complaints in relation to such assessments, and the application of any person believing himself aggrieved thereby.

Complaint on Real Property Assessments Forms (RP-524), with all supporting documentation must be filed with the Clerk's Office by mail or placed in the drop box located on Village Hall only on or before 8:00 p.m. on February 18, 2021. The RP-524 complaint form may be found on the Village of Warwick's website at [www.villageofwarwick.org](http://www.villageofwarwick.org).

In accordance with Executive Order 202.22 issued by the Governor of the State of New York, and due to the present COVID-19 pandemic, hearings before the Board of Assessment Review will only be held remotely by video or telephone conference, by appointment only. Please contact the Clerk's Office at (845) 986-2031 or by email [clerk@villageofwarwick.org](mailto:clerk@villageofwarwick.org) to schedule an appointment for a hearing. Instructions to participate in the remote hearing of the Board of Assessment Review will be provided when the appointment is made. Instructions to allow the public to listen to the hearings of the Board of Assessment Review will be provided on the Village of Warwick's website at [www.villageofwarwick.org](http://www.villageofwarwick.org) on or before February 18, 2021. If you do not receive confirmation, your appointment has not been scheduled.

As COVID-19 restrictions imposed by the State of New York preclude in-person viewing and inspection of the Tentative Roll, alternate accommodations shall be available. Please contact the Village Clerk's Office at (845) 986-2031.

**ASSESSOR CONSULTATION APPOINTMENTS** - The Assessor, or her designee, will be available until Tuesday, February 16, 2021, by appointment via telephone to discuss Tentative Roll assessments.

To schedule an appointment, please contact the Assessor through the Village Clerk's Office at (845) 986-2031 or by email [clerk@villageofwarwick.org](mailto:clerk@villageofwarwick.org). Appointments must be scheduled and confirmed in advance.

**RAINA ABRAMSON  
VILLAGE CLERK  
VILLAGE OF WARWICK, NY**

**Dated: January 21, 2021**

WHITEMAN  
OSTERMAN  
& HANNA LLP

Attorneys at Law  
[www.woh.com](http://www.woh.com)

RECEIVED

JAN 21 2021

VILLAGE OF WARWICK  
VILLAGE CLERK'S OFFICE

One Commerce Plaza  
Albany, New York 12260  
518.487.7600 phone  
518.487.7777 fax

David R. Everett  
Partner  
518.487.7743 phone  
[deverett@woh.com](mailto:deverett@woh.com)

January 21, 2021

**VIA EMAIL**

James Patterson, Chairman  
Planning Board  
Village of Warwick, Village Hall  
77 Main Street, P.O. Box 369  
Warwick, New York 10990

***Re: Warwick Commons Stage IV – Dam***

Dear Chairman Patterson and Members of the Planning Board:

This firm represents Warwick Commons Stage 5, LLC (“Warwick Commons”) in connection with its application before the Village of Warwick Planning Board (the “Planning Board”) to develop 90 condominium units (the “Project”) on property along Brady Road.

As you know, in 2012, the Planning Board issued an amended site plan approval for the Project subject to a number of conditions. One or more conditions required the applicant to repair the earthen dam located on the adjacent property owned by the Warwick Meadows Homeowners Association (the “HOA”). At that time, the dam was a critical element of the Project’s stormwater controls and required to attenuate stormwater flows from the Project site to comply with the NYSDEC’s regulations. The Project’s originally approved Stormwater Pollution Prevention Plan (the “SWPPP”) dated March 26, 2009 prepared by Thomas Vanderbeek, P.E. provided that stormwater would be managed downstream of the Project at the dam.

After a detailed geotechnical and hydrological evaluation conducted by Maser Consulting in 2020, it was discovered that stormwater could be properly managed on the Project Site through infiltration into the ground based on the quality of the soil conditions. As a result, the Project’s stormwater system was designed to include numerous infiltration basins throughout the site. Infiltration is allowed by the NYSDEC’s stormwater regulations to properly treat and

manage stormwater. Attached is a short narrative from Maser describing the Project's previous and current stormwater design.

Based on the foregoing, the dam is no longer required to manage or mitigate stormwater from the Project and is now no longer related to the Project. The dam is located off the Project Site on land owned by the HOA, a third-party who is wholly unrelated to our client. Our client has no legal right to enter the HOA's land to repair the dam. As the dam owner, the HOA is solely responsible for repairing and maintaining the dam as required by the NYSDEC's dam safety regulations. In fact, in 2017, the HOA received a Notice of Violation ("NOV") from the NYSDEC to repair the dam as its owner. The HOA has essentially ignored this NOV and undertaken no repairs to the dam to bring it into compliance with State law. Because Warwick Commons is not the dam owner (and has no legal right to enter HOA land) it has no legal obligation to repair the dam which now constitutes an offsite improvement wholly unrelated to the Project and its site plan. Nor does Warwick Commons have any legal obligation to comply with the NOV issued to the HOA. That is solely the HOA's responsibility as the dam owner. Nor does Warwick Commons have any legal obligation or standing to enforce the NOV. That is solely the NYSDEC's responsibility.

Nevertheless, Warwick Commons started this Project seeking to work with the HOA and the Village, in good faith, to repair the dam which would provide a major financial benefit to the HOA and would fix a major public safety concern for the Village. To that end, Warwick Commons first reached out to the HOA in August 2020, five months ago, to discuss the dam repairs. Since that time, the HOA has provided little to no guidance on how they would like Warwick Commons to address the dam repairs despite repeated emails, phone calls and requests by Warwick Commons for such direction. Warwick Commons has spent thousands of dollars repeatedly following up with the HOA for input on this issue to no avail. These significant delays have caused the entire site plan review process to be delayed and have jeopardize the economic viability of the Project.

Notwithstanding the foregoing, Warwick Commons fully understands that the repair of the dam is an important concern to the Village to protect the public health, safety and welfare as well as downstream properties. In the interest of continued cooperation with the Village and the HOA and as a continued gesture of good will, Warwick Commons will agree to post, into escrow, the funds necessary for the HOA to pay for and undertake the dam permitting and repairs as required by the NYSDEC to bring it into compliance with State law. The fund amount would be determined by an engineer's estimate to be agreed to by engineers for the Village, the HOA and Warwick Commons after the NYSDEC has approved the repair work. The requirement to post these funds into escrow could be a condition of amended site plan approval. The details of the escrow can be worked out between the parties at a future date.

We believe that the approach outlined above will allow the Planning Board and the Village to continue its review of the Project's amended site plan and all other permits without allowing the HOA to further delay the proceedings while still providing the necessary funds for the HOA to repair the dam. Allowing the current situation to persist where the Project is being held hostage for many months by the HOA is unfair to Warwick Commons and the Planning Board who have both acted in good faith since the start of this Project.

Thank you kindly for your attention to this letter. If you have any questions, please let me know. We look forward to discussing this matter with the Planning Board at its next meeting.

Very truly yours,

/s/ *David R. Everett*

David R. Everett

Enc.

c: Mayor Michael Newhard  
Village Board  
David Getz, P. E. (Village Engineer)  
Robert Dickover, Esq. (Planning Board Attorney)  
Brenda Miller, Esq. (HOA Attorney)  
HOA Secretary  
Leiby Katz  
Nathan Ungar

**From:** Andrew Fetherston <AFetherston@maserconsulting.com>  
**Sent:** Wednesday, January 20, 2021 4:40 PM  
**To:** Everett, David <DEverett@woh.com>  
**Cc:** nusynungar@gmail.com; Leiby Katz <lkatz@opalrealty.com>; Justin Dates <JDates@maserconsulting.com>  
**Subject:** RE: Warwick commons - Stormwater Summary

The prior approved stormwater pollution prevention plan (SWPPP) and drainage report(s) (prepared by engineer Vanderbeek) for this project addressed the water quality requirements "on-site" and addressed the water quantity requirements off-site at the HOA dam. The offsite stormwater mitigation involved modifications to the existing Warwick Meadows dam, located downstream of the project site. The first SWPPP and stormwater design, prepared by Maser Consulting, followed the same design methodology as Vanderbeek's prior reports.

However, the SWPPP and stormwater design have now been updated and modified to address both the water quality and quantity requirements on site. Stormwater no longer needs to be managed offsite at the dam.

During the on-site stormwater soil testing, highly infiltrating soils were found. We did not find that soil testing was done by Vanderbeek when he prepared his initial stormwater design for the project in 2009. The high infiltration rate of the soils onsite allowed for the design of the stormwater mitigation to provide both water quality and peak flow reduction benefits (quality). A total of four (4) surface and six (6) subsurface stormwater mitigation facilities have been proposed across the project site. The proposed design meets the New York State stormwater design criteria, as well as the more restrictive Village of Warwick stormwater requirements (10% peak flow rate reduction). The latest proposed design meets the state and local design requirements without the need for "offsite" stormwater mitigation at the dam. Therefore, there will be no adverse stormwater impacts caused by the proposed project and the need for off-site mitigation has been eliminated.

---

**Andrew Fetherston, P.E., CPESC, CPSWQ, CFM**  
Principal  
**Maser Consulting**  
C: 845.548.2603 P: 845.564.4495 ext: 3802





[www.compalliance.org](http://www.compalliance.org)

Gerald K. Geist  
Chairman

Michael E. Kenneally  
Executive Director

January 21, 2020

Village of Warwick  
Attn: Raina Abramson  
77 Main St., POB 369  
Warwick, NY 10990

Dear Ms. Abramson,

We are pleased to announce that the Village of Warwick has qualified for the Comp Alliance Safe Workplace Award for its performance during policy year 2019. The Safe Workplace Award Program is a monetary award that benefits Comp Alliance members who have had positive loss experience during a given policy year.

Originally intended to take effect following the 2020 policy year, the Comp Alliance Board of Trustees has decided to implement this program one year ahead of schedule in recognition of the immediate need for fiscal relief by its members.

As the Comp Alliance continues its strong history of stable rates and financial stability, it is proud to be in a position to give back to its members. In the past two years, the Comp Alliance has distributed Loyalty Awards, provided Workforce Reduction Credit checks and donated tens of thousands of face masks and other of PPE to its members throughout the state.

We appreciate your continued membership in the program and look forward to helping you keep your workforce healthy and safe.

*Michael Kenneally*

Comp Alliance, Executive Director



RECEIVED

JAN 20 2021

VILLAGE OF WARWICK  
VILLAGE CLERK'S OFFICE



**Plan Manager: Wright Risk Management**  
900 Stewart Avenue, Suite 600, Garden City, NY 11530  
Phone: 866-697-6922 Fax: 516-227-2352



Office of the Mayor  
Board of Trustees  
Village Clerk  
Treasurer  
Telephone: 845-986-2031  
Fax: 845-986-6884

Public Works Supervisor  
Telephone: 845-986-2081  
Fax: 845-987-1215



OFFICE OF THE CORPORATION  
MEETINGS HELD 1ST & 3RD MONDAY OF EACH MONTH

## Village of Warwick

77 MAIN STREET  
P.O. BOX 369  
ORANGE COUNTY

Warwick, NY 10990

Village Justice  
Telephone: 845-986-7044  
Fax: 845-986-2870

Building, Planning, Zoning  
and Historical District  
Review Board  
Telephone: 845-986-9888  
Fax: 845-987-1215

### VACATION CARRY OVER

I Antonio Rivera request to carry-over 12 vacation days.  
(Name of employee) (Amount)

The reason time accrued or vacation was not used: COVID

under article X sec.2(B) of the Village of Warwick Department of Public Works Collective Bargaining Agreement and the Employee Handbook.

Antonio Rivera  
(Signature of employee)

1-20-21  
(Date)

M. Moser  
(Signature of Department Head)

1/25/21  
(Date)

### VILLAGE USE ONLY

☐ Approved by Village Board  
☐ Denied by Village Board

(Time Accrued)

(Time Used)

(Anniversary Date)

Comments: \_\_\_\_\_

(Board Signature)

(Date)



MACVEAN, LEWIS, SHERWIN & McDERMOTT, P. C.

ATTORNEYS AT LAW

KENNETH A. MACVEAN  
(1926-1999)  
KERMIT W. LEWIS  
(1923-2002)  
PAUL T. McDERMOTT (RET.)  
JEFFREY D. SHERWIN  
THOMAS P. CLARKE  
KEVIN F. PRESTON

34 GROVE STREET - P.O. BOX 310  
MIDDLETOWN, NEW YORK 10940  
(845) 343-3000  
(845) 856-5178  
FAX (845) 343-3866

LOUIS H. SHERWIN  
(1917-2013)  
SAMUEL W. EAGER, JR.  
(1928-2003)  
V. FRANK CLINE  
(1919-1997)  
PETER G. STRIPHAS  
(1929-1986)  
HENRY B. MERRITT  
(1894-1989)

-----  
REFER TO:

January 25, 2021

BY FAX AND REGULAR MAIL

Chairman  
Village Board  
Village of Warwick  
77 Main Street, P.O. Box 369  
Warwick, New York 10990

RE: Civpet, LLC (85 Kings Highway [T/Warwick tax map 44-1-91])  
Access to water hookup from private line

To Whom It May Concern:

Our firm represents Civpet, LLC, the owner of the property referenced above (the "Property"). The purpose of this letter is to request the Board's approval for Civpet to access an additional water line from a private water line running in front of its property to service a horse barn on the Property.

Although the Property is located in the Town, it apparently accesses Village water through a private line connected to a Village main. The rights and responsibilities of the property owners are governed by a certain Water Line Agreement dated October 18, 1993 (the "1993 Agreement").

In the 1993 Agreement, it appears that 12 landowners owning 13 tax map parcels (including Henry Nielsen, Jr., my client's predecessor in title) financed the construction of a new water pipe from the Village main to the landowners' properties. They agreed to share equally in the pipe's construction and its maintenance, and each party agreed to be responsible for installing water lines to their respective residences. Hookups under the agreement are limited to 15; my client has no reason to believe that there are presently more than 12 hookups off of this line.

If the Board approves this additional hookup, Civpet expects to draw no more than 30-50 gallons per day from the connection, almost

Chairman  
Village Board  
Village of Warwick  
January 25, 2021  
page two

all of it to be used to water horses boarded at the barn. Civpet plans on hiring Paul Lewis to run a one-inch pipe from the private line to the barn.

Even if the Village Board approves the hookup, Civpet understands that it will still need to obtain the approval of the other parties to the 1993 Agreement (or their successors in interest), and to demonstrate this approval to the Board, before the hookup could be effectuated.

We would ask that this application be placed on the agenda of the Board's February 1, 2021 meeting.

Please feel free to contact me if you have any questions, or if you require any additional information.

Sincerely,



KEVIN F. PRESTON

KFP:mb

cc: Civpet, LLC (by email)  
Ms. Raina Abramson, Village Clark (by email)  
Stephen J. Gaba, Esq. (by email)



Montgomery Office:  
71 Clinton Street  
Montgomery, NY 12549  
phone: (845) 457-7727  
fax: (845) 457-1899

Warwick Office:  
17 River Street  
Warwick, NY 10990  
phone: (845) 986-7737  
fax: (845) 986-0245

[www.EngineeringPropertiesPC.com](http://www.EngineeringPropertiesPC.com)

January 26, 2021

**VILLAGE OF WARWICK BOARD OF TRUSTEES  
77 MAIN STREET  
WARWICK, NY 10990**

**ATT: MAYOR MICHAEL NEWHARD**

Re: Vertical Spiral Screen for the Orchard Street Pump Station  
Application for Payment #4  
L&G #1800.61

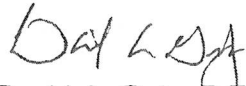
Dear Mayor Newhard and Trustees:

We have reviewed Application for Payment #4, dated 1/25/21, from TAM Enterprises, Inc., which includes payment for the vertical spiral screen. We recommend approval of the requested payment of \$73,150.

The balance amount to finish the project, including retainage, will be \$228,225.00.

We have enclosed a signed copy of the payment application form.

Sincerely,  
Engineering & Surveying Properties, P.C.

  
David A. Getz, R.E.

# APPLICATION AND CERTIFICATE FOR PAYMENT

TO Owner: Village of Warwick

AIA DOCUMENT G702

PROJECT: Orchard Street Pump Station - Vertical Screen

PAGE 1 OF 2

APPLICATION NO.: 84

FROM Contractor:

TAM Enterprises, Inc.  
114 Hartley Road  
Goshen, NY 10924

PERIOD ENDING: 1/31/2021

CONTRACT FOR:

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the contract. Continuation Sheet is attached.

1. ORIGINAL CONTRACT SUM	\$375,000.00
2. Net change by Change Orders	\$0.00
3. CONTRACT SUM TO-DATE	\$375,000.00
4. TOTAL COMPLETED & STORED TO DATE	\$154,500.00
5. RETAINAGE	
a. 5 % of Completed Work	\$7,725.00
b. 0 % of Stored Materials	\$0.00
6. TOTAL RETAINAGE (Lines 5a and 5b)	\$7,725.00
7. LESS EARNED LESS RETAINAGE	\$146,775.00
8. CURRENT PAYMENT DUE	\$73,150.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE	\$228,225.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, the information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for work for which previous Certificates of Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By:

Date: 1/25/21

State of: New York County of: Orange

Subscribed and sworn before me this 25 day of January, 2021

Notary Public: B. J. M.

My Commission Expires:

6-30-22

BRIAN W CUTLER

NOTARY PUBLIC-STATE OF NEW YORK

No. 01CU6307111

Qualified in Orange County

ENGINEER'S CERTIFICATE FOR PAYMENT Commission Expires June 30, 2022

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED:

\$ 73,150.00

By:

B. J. M.

Date: 1/26/21

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance are without prejudice to any rights of the Owner or Contractor under this Contract

CHANGE ORDER SUMMARY	ADDITIONS	DELETIONS
Total Changes Approved In Previous Months by Owner		
TOTALS		
NET CHANGES by Change Order		

# CONTINUATION SHEET

AIA DOCUMENT G703A

PAGE 2 OF 2 PAGES

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing CONTRACTOR'S signed Certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO.: 54

PROJECT NO.:  
PROJECT:

ITEM NO.	DESCRIPTION OF WORK B	SCHEDULED VALUE C	WORK COMPLETED		STORED MATERIALS F	TOTAL COMPLETED AND STORED TO DATE G(D+E+F)	%	BALANCE TO FINISH H(C-G)	RETAINAGE I
			Previous Applications D	This Application E					
1	Bonds and Insurance	\$9,500.00	\$9,500.00	\$0.00	\$0.00	\$9,500.00	100.0%	\$0.00	\$475.00
2	Mobilization	\$18,275.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$18,275.00	\$0.00
3	Demolition and prep.	\$28,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$28,000.00	\$0.00
4	New Generator Pad	\$18,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$18,000.00	\$0.00
5	Concrete Channel modifications	\$12,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$12,000.00	\$0.00
6	Steel Beams, hatches and FRP grating -material	\$13,000.00	\$13,000.00	\$0.00	\$0.00	\$13,000.00	100.0%	\$0.00	\$650.00
7	Steel beam , Hatches and FRP grating - Labor	\$33,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$33,000.00	\$0.00
8	Flood Door - Material	\$20,000.00	\$20,000.00	\$0.00	\$0.00	\$20,000.00	100.0%	\$0.00	\$1,000.00
9	Flood door - Labor	\$3,500.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$3,500.00	\$0.00
10	Vertical screen - Material	\$77,000.00	\$0.00	\$77,000.00	\$0.00	\$77,000.00	100.0%	\$0.00	\$3,850.00
11	Vertical Screen - Labor	\$18,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$18,000.00	\$0.00
12	New Generator - Material	\$35,000.00	\$35,000.00	\$0.00	\$0.00	\$35,000.00	100.0%	\$0.00	\$1,750.00
13	New Generator - Labor	\$8,500.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$8,500.00	\$0.00
14	Furnish and install Roofing	\$17,500.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$17,500.00	\$0.00
15	Masonry Modifications	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$10,000.00	\$0.00
16	New door - Materials	\$11,500.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$11,500.00	\$0.00
17	New door - Labor	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$10,000.00	\$0.00
18	Electrical Modifications	\$20,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$20,000.00	\$0.00
19	Furnish and install Chain Link Fence	\$7,500.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$7,500.00	\$0.00
20	Gas line modifications	\$2,500.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$2,500.00	\$0.00
21	Punch list - Close out	\$2,225.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	\$2,225.00	\$0.00
	<b>SUBTOTAL OR TOTAL</b>	<b>\$375,000.00</b>	<b>\$77,500.00</b>	<b>\$77,000.00</b>	<b>\$0.00</b>	<b>\$154,500.00</b>		<b>\$220,500.00</b>	<b>\$7,725.00</b>

January 15, 2021

Maryann Benedict  
Deputy Village Clerk  
77 Main Street/PO Box 369  
Warwick, NY 10990

Dear Ms. Benedict,

The Warwick Valley Quilt Guild has been meeting since 1984. The purpose of this organization is to create, stimulate and maintain an interest in all matters pertaining to the making, collecting and preserving of Quilts.

To that end, we are requesting permission to reserve the Pavillion in Memorial Park, during the summer for one day July 31, 7AM-6PM, to present an Airing of Quilts and the ending of Covid restrictions ( hopefully).

We plan to exhibit many Quilts, free of charge, and offer quilt related items for sale including the 2021 Apple Quilt. This quilt was designed by a local artist, Louise Hutchison, and the individual blocks were made by Guild members.

Enclosed are: Facility Use Instructions, deposit check and Certificate of Insurance.

Thank you for your attention.

Stay safe,

Mary Kirchoff  
M.kirchoff@icloud.com



77 Main Street  
Post Office Box 369  
Warwick, NY 10990  
www.villageofwarwick.org



(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

## VILLAGE OF WARWICK

INCORPORATED 1867

### FACILITY USE REQUEST

Today's Date: 01/15/2021 Date(s) Requested: 07/31/2021 Time of Event: 9-5  
Set Up Time: 7 AM Break Down Time: 6 PM

Village Park/Facility Requested: Pavillion Memorial Park

\*Please use attached map to indicate areas to be used.

Name of Event (Purpose of Use): WARWICK VALLEY QUILT GUILD - Airing of the Quilts

Name of Organization or Individual: WARWICK VALLEY QUILT GUILD

Check one: ☒ Non-Profit ☐ 501(c)3 ☐ For Profit ☐ Private Event

Proof of Residency: \_\_\_\_\_ Designated Contact: \_\_\_\_\_

Mailing Address: PO Box 23 WARWICK NY Email: M. KIRCHOFF@icloud.com  
845 590 10990

Telephone Day: 3598 Evening: \_\_\_\_\_ Cell: 973 903 3360

Total Participants Expected: Adults: 50-100 Children: \_\_\_\_\_

Village of Warwick Participants (Number): 50-100 Non-Resident Participants (Number): 50

How will event be advertised? Newspaper, flyer

Is material or equipment required from the Village of Warwick? ☐ Yes ☒ No

If needed, state type and for what purpose: \_\_\_\_\_

Is admission fee charged? ☐ Yes ☒ No

If so, what will proceeds be used for? \_\_\_\_\_

Will food be served? ☐ Yes ☒ No

If yes, please give details: \_\_\_\_\_

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the Village of Warwick for the use and care of the facilities. He/she, on behalf of Warwick Valley Quilt Guild (Name of Organization) does hereby covenant and agree to defend, indemnify and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of Village's property, facilities and/or services by Warwick Valley Quilt Guild (Name Organization).

Turkey J. Brandt

Signature of Organization's Representative (Must be a Village of Warwick Resident)

Address: 2 Liberty Ct. Apt. 96 Telephone: 325-0948

Clerk Use Only: Security deposit check # 1683  
Police approval (if applicable) N/A

Certificate of Insurance ☒  
\*Items on file in the Clerk's office

RECEIVED

JAN 15 2021

VILLAGE OF WARWICK  
CLERK

22. In the event of an accident, please notify the Village Clerk before the end of the next business day.

**FACILITY USER does hereby covenant and agree to defend, indemnify and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of the Village of Warwick property, facilities and/or services.**

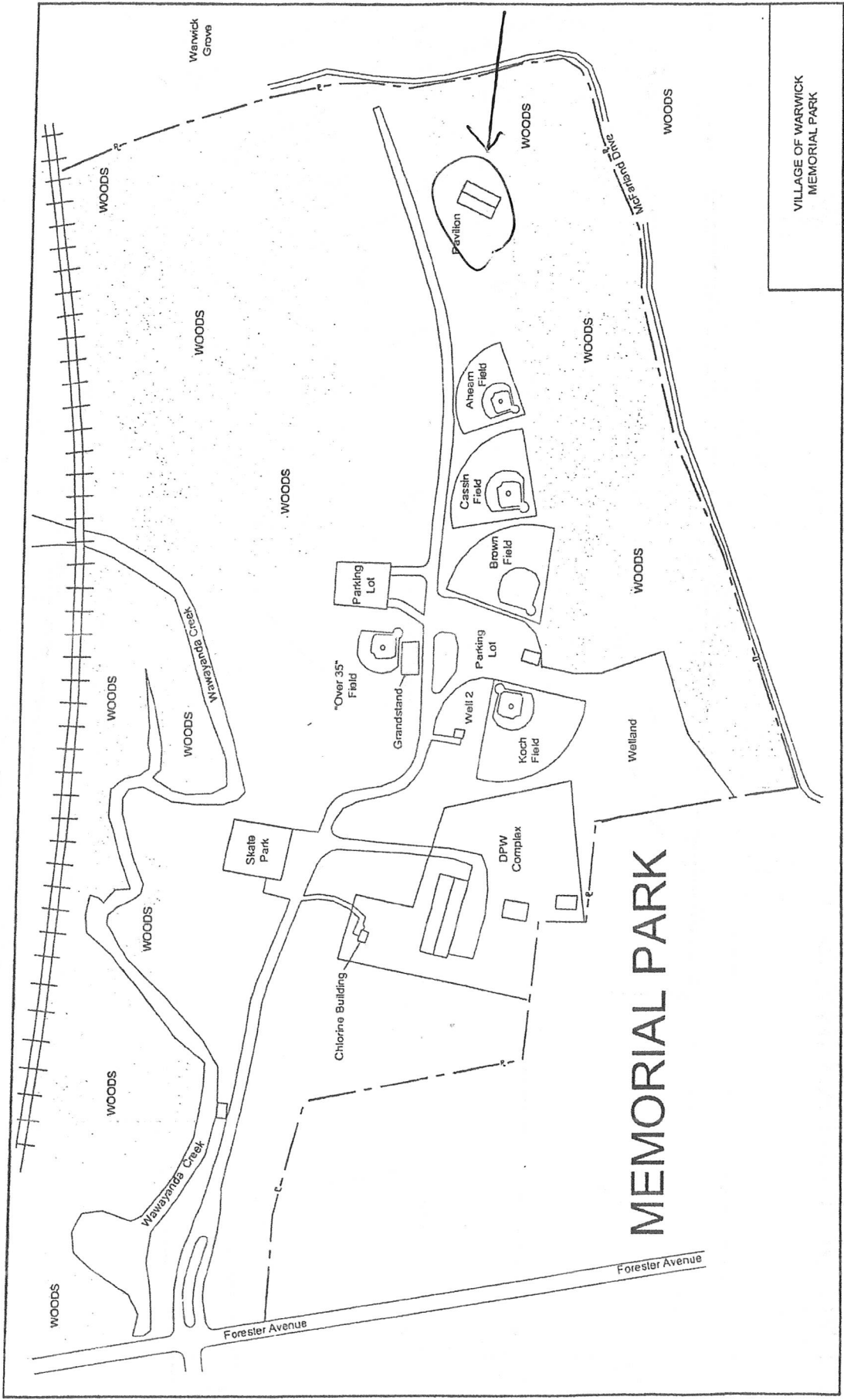
**I have read the Facilities Use Requirements**

Nancy J. Bradt  
Signature

1/15/21  
Date



WV R 6



VILLAGE OF WARWICK  
MEMORIAL PARK



VILLAGE OF WARWICK  
INCORPORATED 1867

**RESOLUTION CREATING A SPECIAL BOARD TO PREPARE AN UPDATE OF  
THE VILLAGE'S COMPREHENSIVE PLAN**

WHEREAS, the Village Board of the Village of Warwick has determined to undertake an update of the Village's Comprehensive Plan; and

WHEREAS, the Village Board wishes to create a special board tasked with preparation of a draft of the updated Comprehensive Plan pursuant to Village Law § 7-722(4);

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That for purposes of preparing an update to the Village's Comprehensive Plan, the Village Board hereby creates a special board pursuant to Village Law § 7-722(4), which shall be called the "Village of Warwick Comprehensive Plan Committee" ("CPC"); and
2. The CPC shall consist of ten (10) members appointed by the Village Board. All members of the CPC must be Village residents and all members shall serve at the pleasure of the Village Board; and
3. Meetings of the CPC shall be conducted by a chairman appointed by the Village Board from among the ten CPC members. The CPC shall terminate and be dissolved upon the earlier of adoption of a resolution by the CPC approving a draft updated Comprehensive Plan for presentation to the Village Board or the adoption by the Village Board of a resolution dissolving the CPC; and
4. All CPC members shall serve as volunteers without compensation; and
5. The CPC shall meet at Village Hall on such dates and at such times as it may determine to be proper and convenient, subject to availability of the Village Hall on such

William Lindberg, Trustee, voting Absent

Eileen Patterson, Trustee, voting Absent


George McManus, Trustee, voting Aye

Michael Newhard, Mayor, voting Aye

I, RAINA ABRAMSON, Village Clerk of the Village of Warwick, in the County of Orange, State of New York HEREBY CERTIFY that the above motion was made at a regular meeting of the Village Board of the Village of Warwick duly called and held on Tuesday, February 18, 2020 and has been compared by me with the original minutes as officially recorded in the Village Clerk's Office in the Minute Book of the Village Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Warwick this 21<sup>st</sup> day of February 2020.

SEAL

  
Raina M. Abramson, Village Clerk

**Village of Warwick  
Comprehensive Plan Update  
Committee List**

	<b>Organization</b>	<b>Representative</b>
1	Village Board - Mayor	Mayor Newhard
2	Village Board	Barry Cheney
3	Village of Warwick Planning Board	Tom McKnight
4	Zoning Board of Appeals	Scot Brown
5	Architectural and Historic Review Board	Matthew Finn
6	Warwick Valley Historical Society	Jack Ellis
7	Warwick Valley Chamber of Commerce	Corrine Iurato
8	Communities2gether	Carly A. Foster
9	Resident at Large	Susan Metzger
10	Resident at Large, Town Planning Board	Robert M. Kennedy III

## Record of Activities

**Name** Deborah A. Eurich  
**Title** Village Assessor  
**Employer** Village of Warwick

### Activity Log

- Use a new row for each activity. You must include the start and end times for each activity.
- Enter the date, activity, start and end times, and the number of hours. In the Hours column, only enter numbers (i.e. 2.75).
- To add a new row, click the "Add New Row" button.
- To total the number of hours, click the "Update Total" button.

Date	Activity	Start Time	End Time	Hours
October 15, 2020	Get files from previous Assessor, download/setup Google Drive for backups, organize files	12:00 PM	3:30 PM	3.50
October 16, 2020	Deeds RPS, prep and print senior exemption renewals	6:00 PM	9:00 PM	3.00
October 17, 2020	Senior exempt cover letter and produce ag renewals, deliver to Village	10:30 AM	12:00 PM	1.50
October 18, 2020	Review deeds batch prior to appointment to confirm none missing	7:00 PM	7:45 PM	0.75
October 19, 2020	Complete Village hire paperwork	4:00 PM	4:30 PM	0.50
October 20, 2020	Drop off paperwork, sign oath	10:00 AM	10:15 AM	0.25
October 21, 2020	Research, email ORPTS re: online access, complete RP-5100, mail addr correction	4:00 PM	4:30 PM	0.50
October 22, 2020	Get remainder of paper files from prior Assessor	12:00 PM	12:30 PM	0.50

October 23, 2020	Review prior Assessor computer files	7:00 PM	8:00 PM	1.00
October 26, 2020	Outline of assessment calendar for meeting with Mayor and Clerk	6:45 PM	8:45 PM	2.00
November 1, 2020	Revise notes for meeting with Mayor and Clerk	12:15 PM	3:00 PM	0.75
November 2, 2020	Meeting with Mayor and Village Clerk	11:00 AM	12:30 PM	1.50
November 5, 2020	Review last deeds received, download and email Sept and p/o Oct deeds	7:00 PM	7:45 PM	0.75
November 6, 2020	Address changes, Sept and p/o Oct deeds RPS	1:00 PM	4:45 PM	3.75
November 9, 2020	P/O Oct deeds and Warwick Grove tax map change	9:45 AM	11:30 AM	1.75
November 13, 2020	Set up Village email with Computer Guy	11:30 AM	12:00 PM	0.50
December 3, 2020	Inspections	12:30 PM	3:30 PM	3.00
December 3, 2020	Sketches and valuation	7:30 PM	8:30 PM	1.00
December 4, 2020	Download and email Nov deeds to Clerk	8:45 AM	9:00 AM	0.25
December 5, 2020	Mailing address change	11:00 AM	11:15 AM	0.25
December 7, 2020	Email reply to Trustee Cheney re: Village View	12:00 PM	12:30 PM	0.25
December 7, 2020	Email ORPTS, forward to Mayor for corrected 2021 RAR letter	4:00 PM	4:15 PM	0.25
December 7, 2020	Email reply to Trustee Cheney	5:00 PM	5:15 PM	0.25
December 8, 2020	Reminder phone calls to seniors	1:15 PM	1:45 PM	0.50
December 8, 2020	Fieldwork and sketches	2:00 PM	3:15 PM	1.25

December 12, 2020	Email additional deed to Clerk, print p/o December deeds	2:00 PM	2:15 PM	0.25
December 14, 2020	Sketches from bldg dept blueprints	2:45 PM	4:00 PM	1.25
December 16, 2020	Inspections	10:00 AM	12:00 PM	2.00
December 16, 2020	Inspections	1:00 PM	2:00 PM	1.00
December 16, 2020	Sketches and inventory changes on record cards	8:00 PM	8:45 PM	0.75
December 19, 2020	Deeds RPS	1:15 PM	3:45 PM	2.50
December 23, 2020	Inventory RPS	7:15 PM	7:45 PM	0.50
December 26, 2020	Assessment changes RPS	1:00 PM	2:00 PM	1.00
December 27, 2020	Fill in ROA Oct – Dec 14	9:15 AM	10:00 AM	0.75
December 27, 2020	Preventing Phishing Email Training	4:45 PM	5:00 PM	0.25
December 30, 2020	Calculate estimate and email Mayor	1:30 PM	1:45 PM	0.25
January 1, 2021	Telecom parcel ceilings & make spreadsheet	11:45 AM	12:00 PM	0.25
January 2, 2021	Valuation	2:15 PM	4:45 PM	2.50
January 4, 2021	Pickup exemption forms and mail	11:00 AM	11:15 AM	0.25
January 6, 2021	Review/approve/enter into RPS new vet exemptions	4:00 PM	4:30 PM	0.50
January 6, 2021	Senior exemption review/enter into RPS	7:45 PM	9:15 PM	1.50
January 7, 2021	Download and email December deeds to Clerk	2:15 PM	2:30 PM	0.25

January 8, 2021	Tax map change, edits, value and RPS	3:45 PM	4:15 PM	0.50
January 11, 2021	Call, find info and email to taxpayer	10:30 AM	10:45 AM	0.25
January 13, 2021	Deeds RPS (12/9-1/8)	6:30 PM	7:30 PM	1.00
January 14, 2021	Complete Essential Functions spreadsheet	5:00 PM	5:15 PM	0.25
January 14, 2021	Assessment changes RPS & complete ROA mid-Dec to mid Jan	8:30 PM	9:00 PM	0.50

Add New Row

Update Total

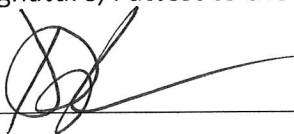
47.75

*To ensure three full months of active working days are reflected on the ROA, extend the period of the ROA by the amount of time used for vacations, illness, holidays or other reasons not worked during the three-month period.*

*Once you have completed recording activities for a three-month period, print this worksheet and sign and date below.*

With my signature, I attest to the accuracy of the record provided above.

Signature



Date

1/19/2021





Office of the NEW YORK  
STATE COMPTROLLER  
NYS Comptroller Thomas P. DiNapoli

New York State & Local Retirement System

Reporting Elected and Appointed Officials

## ROA Result Calculator

Use this calculator to determine the ROA result (average number of days worked per month) for an elected or appointed official.

### Calculate the ROA result:

Total Hours Recorded on the ROA:

47.75

Number of Months used to Calculate the ROA:

3

*Note: must be a minimum of three months.*

Hours in Standard Work Day:

6

Calculate

**ROA Result — Average Days Worked per Month:**

2.66

You must list the ROA result on a Standard Work Day and Reporting Resolution for Elected and Appointed Officials form (RS2417-A). If the member is not an elected or appointed official, the RS2417-A form does not need to be completed.

For more information about how these results are calculated, go to Calculating Record of Activities Results and Days Worked.



Office of the NEW YORK  
STATE COMPTROLLER  
NYS Comptroller Thomas P. DiNapoli

New York State & Local Retirement System

Reporting Elected and Appointed Officials

## Days Worked Calculator

### Officials Paid Per Payroll Period

Use this calculator to convert the ROA result (average number of days worked per month) into a number of days worked to report your employees' service credit to NYSLRS.

#### Calculate the days worked to put on your monthly report:

ROA Result:

2.66

Pay Period Frequency:

Monthly



Calculate

**Days Worked to Report: per month**

2.66 for months with 30 days or less

2.66 for months with 31 days

For more information about how these results are calculated, go to [Calculating Record of Activities Results and Days Worked](#).