

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
FEBRUARY 21, 2023**

**9515**

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, February 21, 2023, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Mayor, Michael J. Newhard, Trustees: Barry Cheney, Carly Foster, and William Lindberg. Also, present was DPW Supervisor Mike Moser, Deputy Village Clerk Jennifer Mante and Village Attorney Stephen Gaba. Trustee McKnight was absent. Others present: Scot Brown, Paul Vesel, Nadera Nawabi, and Andrew Perrotti.

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 Cheney, seconded by Trustee Lindberg, and carried for the Acceptance of Minutes: January 17, 2023.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Acceptance of Reports**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried for the Acceptance of Reports Acceptance of Reports – January 2023 Clerk’s Office, Justice Department, Building Department, Planning Department, and Department of Public Works.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Authorization to Pay all Approved and Audited Claims**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney, and carried, for the Authorization to Pay all Approved and Audited Claims in the amount of \$199,590.58.

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

Trustee Cheney Aye    Trustee Foster Aye    Trustee Lindberg Aye

Trustee McKnight Absent    Mayor Newhard Aye

### **Presentation**

1. Realterm Energy Street Light Conversion to LED Project Update.

Paul Vesel, Nadera Nawabi, and Andrew Perrotti, from Realterm energy presented a product evaluation report to the Village Board regarding the Village's Street Light Conversion to LED Project. The presenters spoke of the report's findings including cost estimates and recommendations. The Village Board and the Village's attorney asked for clarification on several components of the report, such as the cost breakdown and the luminous efficiency. A discussion ensued, concluding that the Village Board would examine the report's findings before coming to a final decision.

### **Discussion**

1. Short Term Rentals.

Trustee Lindberg said he had been working on the Village's Short Term Rental Policy. Trustee Lindberg explained that owner operated was the best way to control short term rentals and went on to summarize the draft policy. A discussion ensued between the Village Board members and the Village's attorney, Steven Gaba, on a few key points. The rest of the Board thanked Trustee Lindberg for the work he put into the project.

2. Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Funding.

Trustee Foster spoke about the status of the RAISE funding grant and how a draft of the budget had been prepared and several other documents were ready for review and some were still in the process. Trustee Foster explained that how there was a motion tonight to bring on HDR to provide consulting services regarding the grant. Trustee Foster thanked several people who had been involved in the project.

### **Privilege of the Floor**

Please limit your comments to three (3) 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 made.

**Motions**

**RESOLUTION REQUESTING REDUCTION  
IN SPEED LIMITS ON CERTAIN ROADWAYS  
IN THE VILLAGE OF WARWICK**

WHEREAS, the Village Board of the Village of Warwick is concerned over traffic safety on Route 94/Maple Avenue, Route 94/Main Street, Route 94/Oakland Avenue, and Route 17A/Galloway Road within the Village of Warwick; and

WHEREAS, in order to improve traffic safety on the said roadways the Village Board proposes that the following changes should be made in regard to the said roadways:

- Route 94/Maple Ave. from the north Village line to Van Duzer Place – Reduce the current speed limit from 35 mph to 30 mph
- Route 94/Maple, Main and Oakland from Van Duzer Place to Third Street - Reduce the current speed limit from 30 mph to 25 mph
- Route 17A/Galloway Road from the east Village line to Oakland Avenue - Reduce the current speed limit from 30 mph to 25 mph; and

WHEREAS, the said roadways are under the jurisdiction of the New York State Department of Transportation ("DOT") and, therefore, in order for the said changes to be made it is necessary to obtain approval from the DOT;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board of the Village of Warwick does hereby request that the Orange County Department of Public Works and the DOT approve and allow the aforementioned changes to be made to the said roadways in the Village of Warwick; and

2. That the Mayor is authorized to prepare and sign such documents as are necessary to request that the said changes be made.

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

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

Barry Cheney, Trustee, voting Aye

Carly Foster, Trustee, voting Aye

Thomas McKnight, Trustee, voting Absent

William Lindberg, Trustee, voting Aye

Michael Newhard, Mayor, voting Aye

**Discussion**

Trustee Lindberg questioned if this had already been done.  
Mayor Newhard said that it had, but that it did not have the specificity that the DOT needed.

**Microfiltration Plant - Pall Corporation, Repairs Agreement**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried to enter into an agreement with Pall Corporation to make repairs to the Feed and XR Manifold for Skid A at the Microfiltration Plant for a lump sum cost of \$63,445 with an additional allowance for freight charges at a cost not to exceed \$500 under an emergency authorization per the recommendation of the Water System Operator. Funds are appropriated in budget code F8330.4400 Purification-Repairs.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**RESOLUTION APPROVING EXTENSION OF JPMORGAN CHASE  
PARKING LOT LEASE**

WHEREAS, in or about 1989 the Village of Warwick entered into a lease agreement for use of certain parking spaces in the parking lot currently owned by JPMorgan Chase located on South Street in the Village of Warwick; and

WHEREAS, the said lease has twice been extended, and it expires effective January 31, 2023; and

WHEREAS, the Village and JPMorgan Chase are willing to extend the lease for a five (5) year term commencing on February 1, 2023 and ending on January 31, 2028 in accordance with the terms of the draft extension attached hereto;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board of the Village of Warwick does hereby approve the extension of the said lease agreement; and
2. That the Mayor is authorized to execute the said lease agreement and any documents necessary to put it into effect.

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

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

Barry Cheney, Trustee, voting      Aye

Carly Foster, Trustee, voting      Aye

Thomas McKnight, Trustee, voting      Absent

William Lindberg, Trustee, voting      Aye

Michael Newhard, Mayor, voting Aye

**Discussion**

Trustee Foster asked if the resolution had been reviewed by Steve Gabe, the Village's attorney. Mr. Gaba explained that it was just an extension of the existing lease and that the terms had been in place forever. Trustee Foster asked that the lease was free for the Village of Warwick. Mr. Gaba confirmed that it was. Mayor Newhard clarified that the parking spaces were permit only, but the lease is free.

**Advertise – DPW Seasonal Laborers**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried to advertise for (4) four DPW Seasonal Laborer's at a rate of \$16.50 per hour at 40 hours per week for a sixteen-week period per the recommendation of DPW Supervisor, Mike Moser.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Advertise – Village of Warwick Engineer Intern**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried to advertise for the position of Village of Warwick Engineer Intern at a pay rate of \$16.50 per hour at 32.5 hours per week for approximately twelve (12) weeks.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Vacation Carry Over – Andrew D’Alessandro**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried to grant permission to Village of Warwick Employee, Andrew D’Alessandro, to carry over 3 vacation days.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Facility Use Request – Biennial Firefighters' Parade**

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg, and carried to grant permission to the Warwick Fire Department to hold a Biennial Firefighters' Parade on Saturday, June 3, 2023. The parade will step off at approximately 4:00 p.m. with lineup beginning at 1:00 p.m. near Park Avenue Elementary School as per their letter received January 23, 2023. The parade route will be as follows: South Street, Clinton Avenue, Linden Place, Oakland Avenue, Main Street, High Street, ending at Warwick Station 1. The Town of Warwick Police Department approved the route and will have officers assist with traffic and crowd control. Completed park permit and proof of insurance have been received. Permission is pending upon an approved use request from Park Avenue Elementary School.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Discussion**

Trustee Foster confirmed that the Village had received approval from Park Avenue Elementary.

Trustee Lindberg explained that the parade was for Chief Contaxis’s last year. Trustee Cheney added that it was his thank you parade for all the time and effort he put in.

Trustee Lindberg said it wasn't just for the first chief but for captain all the way up to chief, a twelve-year stint. Trustee Cheney said a lot of dedication was needed to get to that point. Trustee Lindberg agreed.

**Facility Use Request – Memorial Park, Biennial Firefighters' Parade**

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg, and carried to grant permission to the Warwick Fire Department to have exclusive use of Memorial Park on Saturday, June 3, 2023, from 5:00 p.m. to 7:00 p.m. to safely turn trucks around at the completion of the Biennial Firefighters' Parade. The event is in coordination with other organizations that regularly use the park for practice and games. Completed Park permit and proof of insurance have been received.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Discussion**

Trustee Lindberg asked for clarification on the term 'exclusive use'. Trustee Cheney replied that it was a safety concern and that it was his understanding that Little League would be out of the park by 4 p.m. Trustee Cheney added that exclusive use should mean no other organizations should be holding activities during that time.

**Facility Use Request – Memorial Park, Firemen's Field Day**

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to grant permission to the Warwick Fire Department to use Veterans Memorial Park and pavilion for a Firemen's Field Day Event from 10:00 a.m. to 7:00 p.m. on Saturday, August 26, 2023. Request includes use of alcohol in the park, the use of Village-owned tables and chairs, restrooms, pavilion lights, and electricity. Completed park permit, proper insurance, including proof of coverage for firematic events and contests and Host Liquor Liability has been received.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Discussion**

Trustee Lindberg encouraged the public to come and watch firefighters do competition events.

**Facility Use – Chase Parking Lot, The Warwick Valley Chamber of Commerce – Operation Clean Sweep**

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg, and carried to grant permission to The Warwick Valley Chamber of Commerce to hold Operation Clean Sweep on Saturday, April 22, 2023, from 8:00 a.m. to 12:00 p.m., including permission to use the far end of the Chase Bank Parking Lot for a shredding event and other collection stations. Completed facility use permit, proof of insurance, and security deposit have been received.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Facility Use – Veterans Memorial Park & Stanley Deming Park, Warwick Little League**

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg, and carried to grant permission to the Warwick Little League to use Veterans' Memorial Park and Stanley Deming ballfields for the 2023 Little League season which will extend from March 1, 2023, through November 19, 2023, and to use the Veterans' Memorial Park pavilion and the surrounding area to hold Picture Day and Ceremonies on Saturday, April 15, 2023, from 8:00 a.m. to 6:00 p.m. Completed park permit, security deposit and proof of insurance has been received. Approval is pending NYMIR's confirmation of acceptable insurance coverage.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Discussion**

Mayor Newhard asked if the Stanley-Deming fields would be used for games. Trustee Cheney clarified that it would be used for practice, usually by the tee ball teams.

**Parade – Warwick Little League**

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg, and carried to grant permission to the Warwick Little League to hold their Opening Day Parade on Saturday, April 15, 2023. The parade will step off promptly at 10:00 a.m. with lineup beginning at 9:30 a.m. on High Street. The parade route will be Main Street, Railroad Avenue, South Street, Parkway, Park Lane, and then crossing Forester Avenue into Memorial Park. Town of Warwick Police Department approval, completed park permit, proof of insurance and security deposit have been received.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Road Closure – High Street & Parking Space Closure – Main Street**

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg, and carried to close High Street on Saturday, April 15, 2023, starting at 9:00 a.m. for the benefit of the Little League parade. Barriers to be provided by the Department of Public Works. The parking spaces on the east side of Main Street between High and Church Streets to be designated as "No Parking" so they can be used for drop-off of participants.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Parade – St. Patrick's Day, Warwick Division 3 Ancient Order of Hibernians**

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to grant permission to the Warwick Division 3 Ancient Order of Hibernians McGuinness-McDonald Division, to hold a St. Patrick's Day Parade on Saturday, March 18, 2023, with lineup at 10:30 a.m. and step off at 11:00 a.m. The parade will lineup in the St. Anthony Community Hospital

parking lot, proceed east bound on Grand Street, south down Main Street/Oakland Avenue, turn east, and end mid-block on Railroad Green. Town of Warwick Police Department approval, St. Anthony Community Hospital approval, and completed park permit, and security deposit have been received. Approval is pending proof of insurance.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Facility Use – Railroad Green, Warwick Division 3 Ancient Order of Hibernians**

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to grant permission to the Warwick Division 3 Ancient Order of Hibernians McGuinness-McDonald Division, to use Railroad Green on Saturday, March 18, 2023, for a St. Patrick's Day celebration between the hours of 11:00 a.m. and 1:00 p.m. Completed park permit and security deposit have been received. Approval is pending proof of insurance.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Budget Modification**

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to approve the budget modification request as per the Village Treasurer's memo dated February 13, 2023.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Agreement for Repayment of Water & Sewer Charges – 25 Elm Street, Unit 5**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney, and carried to

authorize the Mayor to enter into an Agreement for Repayment of Water and Sewer Charges with the tenant and property owner of 25 Elm Street, Unit 5, Warwick, NY in the amount of \$1,290.10 to be paid in 4 quarterly installments of \$322.53 and authorize the Mayor to sign the same.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

#### **Grant Application - Records Management**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Foster, and carried to submit a 2023-2024 Local Government Records Management Improvement Fund (LGRMIF) grant application to support a comprehensive Inactive and Active Records Inventory and Planning Project for the Offices of the Village Clerk & Village Treasurer and authorize the Mayor so sign the same.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

#### **Discussion**

Mayor Newhard recognized Village Clerk, Raina Abramson, for all her hard work taking on the grant.

#### **Gallego Information Services – Records Inventory and Planning Project**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney and carried, to hire Gallego Information Services to conduct a Records Inventory and Planning project for the Offices of the Village Clerk & Village Treasurer at a cost not to exceed \$15,000 per the recommendation of Village Clerk/Records Management Officer, Raina Abramson. Project is subject to the award of a 2023-24 NYS Archives Local Government Records Management Improvement Fund grant. Funds will be budgeted in the FY2023-24 budget.

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

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

**Advertise – Village of Warwick Office Intern**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney, and carried to advertise for the position of Village of Warwick Office Intern at a pay rate of \$16.50 per hour at 20 hours per week for approximately twelve (12) weeks.

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

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

**Village of Warwick Justice Court Audit**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Lindberg, and carried to acknowledge that Michael Vernieri, Auditor for the Village of Warwick, performed an internal audit of the Village of Warwick Justice Court as of December 31, 2021, to comply with section 2019-a of the Uniform Justice Court Act and has found that all reporting and record keeping is being completed in a timely manner and the reports are in compliance with the New York State requirements.

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

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

**Vacation Carry Over – Karen Vermillion**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney, and carried to grant permission to Village of Warwick Employee, Karen Vermillion, to carry over 4.65 vacation days.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**HDR Engineering – Consulting Service for RAISE Grant**

A **MOTION** was made by Trustee Foster, and seconded by Trustee Cheney, and carried to authorize HDR Engineering to provide consulting services for the 2023 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant application with a cost not to exceed \$5,000.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

**Reports**

**Trustee Cheney's Report:**

No report

**Trustee Foster's Report:**

Trustee Foster wanted to have a meeting with the Village's DPW regarding the Memorial Park Master Plan and go over the work the DPW would be able to do in order to get it in the budget.

**Trustee Lindberg's Report:**

No report

**Trustee McKnight's Report:**

No report

**Mayor Newhard's Report:**

Mayor Newhard again thanked Trustee Lindberg for his work on the Village's Short Term Rental Policy and the Village's Ethics Policy.

Trustee Foster added that there will be a work session scheduled to talk about sidewalks and traffic safety as well as fees.

Mayor Newhard said that he would have the Village Clerk reach out to the Trustees and others involved to schedule the meeting.

Mayor Newhard wanted to acknowledge the loss of, Bob Fletcher, who was an artist and, in some ways, a community biographer. Mayor Newhard said that he was a good soul and meant a lot to the community at large and he would be missed.

Trustee Cheney pointed out that the picture hanging on the wall was painted by Mr. Fletcher.

**Final Comments from the Floor**

No comments

**Final Comments from the Board**

**Executive Session**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney, and carried to enter into Executive Session for collective negotiations pursuant to Article 14 of the Civil Service Law.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye

In Executive Session: Michael Newhard, Mayor, and Trustees Barry Cheney, Bill Lindberg and Carly Foster. Also present, Village Attorney Stephen Gaba.

**Adjournment**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney, and carried to exit Executive Session, resume the regular Village Board meeting, and adjourn at approximately 9:45p.m.

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

Trustee Cheney Aye      Trustee Foster Aye      Trustee Lindberg Aye

Trustee McKnight Absent      Mayor Newhard Aye