

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
JULY 1, 2024**

10,175

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, July 1, 2024, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Mayor, Michael J. Newhard. Trustees: Barry Cheney, Carly Foster, Thomas McKnight, and Mary Collura. Also, present was Deputy Village Clerk, Jennifer Mante. Others present, Kyle Knapp.

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

Acceptance of Minutes

A **MOTION** was made by Trustee Collura, seconded by Trustee Foster and carried for the Acceptance of Minutes: June 17, 2024.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster, and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$225,014.07.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Public Comment - Agenda Items Only

GUIDELINES FOR PUBLIC COMMENT

The public may speak only during the meeting's Public Comment period and at any other time a majority of the Board allows. Speakers must be recognized by the presiding officer, step to the front of the room/microphone, give their name, residency, and organization, if any. Speakers must limit their remarks to three minutes (this time limit may be changed to accommodate the number of speakers) and may not yield any remaining time they may have to another speaker. Board members may, with the permission of the mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information. The Village Board is not required to accept or respond to questions from the public at meetings but may request that inquiries be submitted in writing to be responded to at a later date. All remarks must be addressed to the Board as a body and not to individual Board members. Interested parties or their representatives

may also address the Board by written communications.

No comments.

Vacation Carryover – Jason Makuch

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster, and carried to grant permission to Village of Warwick Employee, Jason Makuch, to carry over 5 vacation days.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Pro-Housing Community Intent of Participation

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura, and carried to authorize the Mayor to submit a letter of intent to participate in the Pro-Housing Community (PHC) program administered by the New York State Homes and Community Renewal (HCR).

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

New York State Consolidated Funding Application - Memorial Park Master Plan

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to submit a 2024 New York State Consolidated Funding Application for the Village of Warwick Veteran's Memorial Park Master Plan Implementation Project 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 Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Discussion

Trustee Cheney inquired about the application details.

Trustee Foster discussed two potential options currently under exploration. One option involves pursuing design work for pedestrian space near the Little League area, which would involve reconfiguring the parking lot to enhance traffic flow and pedestrian safety. This initiative would require dedicated funding and cannot be covered by in-kind services. The other option involves various pedestrian improvements, with detailed cost estimates being developed by Karen Arent. The final submission to Senator Skoufis's office for consideration will depend on these cost estimates, focusing either on the Patriot Pathway and ceremony space or extending the pedestrian space, all aimed at enhancing pedestrian-related infrastructure.

Trustee Foster mentioned that there is one more meeting scheduled before the submission deadline. During this meeting, the final scope of the project will be presented to the Board, allowing them an opportunity to provide feedback and comments.

Facility Use, Veterans Memorial Park – Luz Rosado

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura, and carried to grant permission to Luz Rosado to use the Veterans Memorial Park pavilion to hold a graduation party on Sunday, July 28, 2024, from 2:00 p.m. to 6:00 p.m. with setup to begin at 10:00 a.m. and cleanup to be completed by 8:00 p.m. Request includes use of alcohol in the park, use of restrooms, pavilion lights, electricity, (15) fifteen Village-owned tables, (65) sixty-five Village-owned chairs, and the Village-owned picnic tables. The request also includes a DJ to play music between the hours of 2:00 p.m. and 6:00 p.m. Completed park permit, insurance and Host Liquor Liability, and security deposit have been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

New York State Consolidated Funding Application - Smart Growth

A **MOTION** was made by Trustee McKnight, seconded by Trustee Cheney, and carried to submit a 2024 New York State Consolidated Funding Application as part of the Department of State Smart Growth Community Planning and Zoning Grant Program for the Village of Warwick Zoning Revision Project 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 Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Discussion

Mayor Newhard mentioned that the Village had applied for a grant the previous year and came close to receiving it. They are currently rewriting the application, including additional information on their plans for revising the zoning code, with hopes of securing the grant this time.

Trustee Foster clarified that there would be a need to add a motion because upon further review, they realized there would be three applications to submit, including one for the Climate Smart Communities, which they initially thought was related to another submission.

New York State Consolidated Funding Application - Climate Smart Communities

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to submit a 2024 New York State Consolidated Funding Application as part of the Climate Smart Communities Initiatives Projects, and to authorize the Mayor to sign the same.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

AFFF Multi-District Litigation no. 2873

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster, and carried to authorize the Mayor to “Register For Account “as part of the claims process for the Public Water System settlement program related to AFFF multi-district Litigation no. 2873.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Discussion

Trustee Cheney explained that the AFFF (Aqueous Film Forming Foam) settlement pertained to PFOA and PFOS chemicals, originating from manufacturers and users of the

product. The settlement focuses on public water supply systems in the US, with phase one targeting systems that have detected PFOA or PFOS in their source water. Registration for participation must be completed by July 12, 2023. The total settlement amount ranges from \$10.5 billion to \$12.5 billion. The Village has detected these chemicals in its water in three sampling years, occasionally exceeding the new action level of five parts per trillion. The Village is preparing to apply and provide necessary information for potential inclusion in the settlement.

Trustee Cheney credited NYCOM for their assistance, highlighting an expert who conducted a webinar in addressing the topic and offered to share the webinar link with the Board.

Change Order, No. 1, – South Street ADA Sidewalk Phase 3 - WITHDRAWN

MOTION to approve and authorize the Mayor to sign Change Order No. 1 for the South Street ADA Sidewalk Phase 3 Project with Jorrey Excavating, Inc. to remove from the scope of work the re-setting of the bluestone sidewalks and install all new concrete sidewalks and also incorporate the Landmarks Gray color additive per the village's request, decreasing the project cost by \$2,078.00 with a new contract price of \$177,822.00 as per the recommendation of Village Engineer, Keith Woodruff.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard ____

Discussion

Mayor Newhard explained that the motion would be back on the next meeting agenda.

**RESOLUTION INTRODUCING A PROPOSED LOCAL LAW
TO AMEND VILLAGE CODE CHAPTER 141 – "WATER"**

WHEREAS, the Village Board of the Village of Warwick has before it a local law entitled: "A local law amending Village of Warwick Village Code Chapter 141 – 'Water'"; and

WHEREAS, in order to enact the said local law it is necessary to formally introduce it and to hold a public hearing on it,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the movant of this resolution does hereby introduce the proposed local law, and
2. That a public hearing on the proposed local law be set for August 5, 2024 at 7:30 o'clock p.m. and that due notice of the same is directed to be given by publication and posting.

Trustee Cheney presented the foregoing resolution which was seconded by
Trustee Foster

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

Barry Cheney, Trustee, voting	<u>Aye</u>
Carly Foster, Trustee, voting	<u>Aye</u>
Thomas McKnight, Trustee, voting	<u>Aye</u>
Mary Collura, Trustee, voting	<u>Aye</u>
Michael Newhard, Mayor, voting	<u>Aye</u>

Discussion

Trustee Cheney mentioned that the matter being discussed should be familiar as it was previously brought up on May 20th. The decision was made to wait until his return before finalizing details. Since May 20th, minor feedback from the County Health Department has been received, primarily involving clarifications related to cross connection control. Additionally, adjustments are being made to construction and material requirements, and a formal policy giving property owners the option of sending bills directly to their tenants is being formalized.

Public Comment – *Non-Agenda Items*

Kyle Knapp, a lifelong resident of Warwick, expressed concern during the meeting about a recent development at 69 Colonial Avenue, where a large accessory structure had been permitted and constructed adjacent to his property. Mr. Knapp highlighted discrepancies in height and size compared to the surrounding structures and expressed dismay over the visual impact and potential property devaluation. He criticized the lack of architectural review for such structures in the Historic District and emphasized the financial burden of landscaping to mitigate the structure's impact. Mr. Knapp called for stricter regulations and onsite visits before issuing permits to prevent similar issues in the future.

Mr. Knapp showed the Board several photos of the newly constructed garage, highlighting the size, height, and proximity of the structure compared to his property. He detailed the cost burden he would incur to mitigate the impact, such as landscaping and fencing.

The Board was unclear why the project didn't go before any review board.

Mayor Newhard said he would do a site visit.

Mr. Knapp pointed out that although the structure complies with current height and setback regulations, it does not align with the character of the Historic District and has a noticeable impact on his property. He expressed resignation that nothing could be done at this point but urged the Board to consider amending the code to prevent similar issues for other residents in the future.

Mayor Newhard discussed efforts to secure funding to review the Zoning Code following the completion of the Comprehensive Master Plan. He thanked Mr. Knapp for bringing this to the Board's attention.

Final Comments from the Board

Trustee Foster provided a detailed overview of the recent stakeholder advisory group meeting for Veterans Memorial Park, highlighting significant progress and ongoing initiatives. Notable achievements included advancements in the McFarland Path and updates on the skate park, collaborative efforts with West Point to determine appropriate features, the Eagle Scout dog park project; including the Village's funding for the dog park's fencing. Progression also included the ongoing efforts in clearing space for the pump track, opening public bathrooms and the removal of the old bleachers.

Feedback gathered during the meeting informed upcoming funding applications, with specific scopes of work discussed and refined based on community input. Action items

resulting from the meeting included scheduling further discussions with the VFW and American Legion to establish consensus on memorial guidelines. Additionally, statistical data provided by local leagues regarding park usage was noted as crucial for future planning and assessment.

Safety concerns regarding the helicopter pad's location within the park were also addressed, prompting a review to ensure the safety and suitability of its current placement.

Trustee Foster circulated draft meeting minutes for review among stakeholders, and once approved, they will be posted on the website.

Trustee Collura announced an upcoming event on Friday, July 12, at 3 pm at the A.W. Buckbee Center, located at 2 Colonial Avenue. The event will celebrate the release and signing of "Old Stories from Our Past," a collection of 28 stories compiled by Jean Beattie May, who served as the Village Historian from 2010 to 2018. These stories were gathered from local families and archives. The event offers attendees the first opportunity to purchase the book for \$20.00, including tax, with all proceeds benefiting the Warwick Historical Society. The project is co-sponsored by the Village of Warwick.

Trustee McKnight confirmed the receipt of a \$10,000 New York State's Clean Energy Communities Program grant, which will cover slightly over half of the cost for installing heat pumps in the new DPW office facility. The grant stipulates that the funds must be used within a year, which Trustee McKnight noted shouldn't be an issue, as they plan to have the heat pumps operational before fall.

Mayor Newhard mentioned that preparations for the new barn are progressing swiftly.

Trustee McKnight noted that the next grant tier of \$50,000 was within reach and anticipated confirmation shortly. He emphasized the time-sensitive nature of the non-competitive grant, requiring project selection and quotes within three months. Trustee McKnight expressed hope to provide more details at the next meeting, recalling the stress of meeting similar deadlines in the past.

Trustee Foster mentioned that a list of projects had already been discussed in anticipation of receiving the next grant tier.

Trustee McKnight mentioned that the next grant tier opens the door to new opportunities for larger projects, including initiatives currently in progress that could qualify the Village for the next tier of \$100,000. He also noted that these different tiered grants must be distinct projects, as they are not permitted to be stacked.

Trustee Foster inquired about the flexibility of using the \$50,000 grant if the Climate Smart Communities (CFA) application for a Climate Vulnerability Assessment is unsuccessful. She suggested potential alternative uses such as funding the assessment or the Dial-a-Bus rebranding.

Trustee McKnight explained that such a project would fall under the category of a special project, noting that while it may involve a longer review process, it could present an intriguing opportunity.

Trustee Foster mentioned the previously discussed potential projects such as bike racks and the pollinator pathways.

Trustee McKnight highlighted that each of these initiatives contributes to creating a more walkable community.

Trustee Foster expressed enthusiasm for artist-fabricated bike racks and fun, enticing garbage cans as ideas to enhance community engagement and aesthetics.

The Board discussed potential locations for installing bike racks and considered reaching out to the City of Newburgh for guidance, noting their successful completion of a similar project.

Trustee Cheney mentioned that the South Street sidewalk project is set to commence in about two weeks, with initial demolition work and preparations for sidewalk installation starting soon. Property owners along South Street will receive notifications from both the contractor and the Village to ensure they are informed.

Trustee Cheney also discussed progress on the lead service line inventory. The Village is finalizing a postcard that will be sent out to residents, prompting them to provide information about the service lines entering their homes. The process is designed to be straightforward, with Village staff available to address any questions or concerns from residents. Trustee Cheney emphasized the importance of public participation in gathering this critical information to streamline future assessments and confirmations by the water department.

The Board agreed with Trustee Foster's suggestion of having a table set up at the Warwick Valley Farmers Market to showcase different examples of pipe materials. This will further assist residents in understanding the information the Village is looking for and encourage their participation. It was discussed that the pipe examples could be obtained by the Water Supervisor. Mayor Newhard suggested the table could also include public outreach for either DRI (Downtown Revitalization Initiative) or NY Forward.

Trustee Foster reported that on June 18, she and the Mayor met with the Chamber of Commerce's Executive Director to coordinate upcoming listening sessions with merchants and restaurant owners.

Mayor Newhard provided updates stating that the Chamber of Commerce's legal counsel is finalizing their rental contract, indicating they are nearing occupancy (of 75 Main Street).

Mayor Newhard also spoke in regard to the delays for the Robin Brae closing, which occurred due to the owner being out of the country; however, the necessary documents have now been signed, allowing progress to resume.

The Board discussed possible dates to meet with the School District; no date was determined.

Mayor Newhard reported attending the recent high school graduation as a guest, describing it as a lovely event. He extended best wishes on behalf of the Board to the Class of 2024, noting the event featured wonderful speakers including the valedictorian, salutatorian, and class president. Despite concerns about rain, the weather cooperated, making it a terrific occasion.

Adjournment

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

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Jennifer Mante, Deputy Clerk