

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
JULY 17, 2023**

**9720**

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, July 17, 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, Mary Collura, and Tom McKnight. Also, present was Village Clerk Raina Abramson and Village Attorney Stephen Gaba. DPW Supervisor Mike Moser was absent. Others present: Doug Dethmers.

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

Mayor Newhard expressed his thoughts and support for Officer Jordan Tetrault who was recently involved in a terrible accident on Route 94. On behalf of the board, Mayor Newhard wished Officer Tetrault the best in her recovery and said that the village is thinking of her and supporting her in spirit and love.

**Acceptance of Minutes**

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura and carried for the Acceptance of Minutes: June 5, 2023 Village Board Meeting.

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

**Acceptance of Reports**

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura and carried for the Acceptance of Reports – June 2023: Clerk’s Office, Tax Collection, Justice Department, Planning and Zoning, Building Department, and Department of Public Works.

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 Foster, seconded by Trustee Cheney and carried Authorization to Pay all Approved and Audited Claims in the amount of \$148,475.74.

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

### **Announcement**

1. Village of Warwick bulk trash pick-up.
2. Letter from Planning, Zoning, and AHDRB Secretary, Maureen Evens, announcing her retirement.

Mayor Newhard announced Maureen Evans' retirement from her role as Planning and Zoning and AHDRB Secretary. Mayor Newhard said that Maureen Evans has been working for the village for over 24 years and has been an incredible asset with her tremendous knowledge about the workings and mechanisms of their building and planning department. Mayor Newhard wished Maureen the best in her retirement and said that the village will miss her.

### **Correspondence**

1. Report from Village Attorney, Stephen Gaba, regarding the petition for a zone change at 4 Overlook Drive.
2. Report from Village Engineer, Dave Getz, regarding the petition for a zone change at 4 Overlook Drive.

Village Attorney, Stephen Gaba, recommended that the board consider whether they want to proceed with the zone change application or have the applicant seek a use variance from the zoning board. He pointed out issues like ensuring appropriate uses for the property, addressing outstanding development issues on the property, and requiring a site plan and restrictive covenant from the applicant. The board decided to wait to hear back from the applicant before making a decision.

3. Letter from Village Resident, Donna Roberts, regarding park and recreation facilities in the Town & Village of Warwick.

Mayor Newhard said that Donna Robert's letter about park and recreation facilities in the town and village of Warwick was beautiful. He said it was nice to hear someone

remarking on the true work that has been done to improve parks and recreation over the last 10 years, which Mayor Newhard thinks has been extraordinary.

### **Discussion**

1. Consolidated Funding Application.

Mayor Newhard discussed three grant applications the village is working on:

1. A water quality improvement project (WQIP) grant for a dam rehabilitation project. This is the first time dam projects have been eligible for this grant.
2. An application under the zoning and planning grant program for rewriting the village zoning document and exploring form-based zoning. Peter Fairweather is assisting with this application.
3. A feasibility study grant application for a multi-use trail parallel to Route 94. This would provide a safe route for village residents, farm workers, and recreation.

Trustee Foster added that the WQIP deadline has been extended to August 11. The multi-use trail was originally part of a larger federal grant application that the village did not receive, but they have done substantial work scoping the project.

4. Environmental Bond Act.

Trustee Foster brought to the board's attention the Environmental Bond Act that passed last year and provided \$8 billion for various project types across New York State. She mentioned:

- A portion of that money is going towards some of the grants the village is applying for.
- There is a listening tour to get feedback on what projects should be funded.
- There is a virtual meeting on July 26 that she would like to attend and invited the board to join.
- She circulated a form for the board to provide ideas for projects that could be funded.

5. Moratorium on battery storage units in the Village of Warwick.

The board discussed enacting a moratorium on battery storage units following the town's decision to impose a moratorium. Trustee Cheney asked what the basis for a moratorium would be since the village currently does not regulate battery storage.

Stephen Gaba said a moratorium would need to be enacted by local law, typically for 6 months. He said the village would need time to study the issue and put regulations in place governing where battery storage would be allowed and what requirements would apply.

Mayor Newhard brought up that some individual residences currently have battery storage for the utility company, so any moratorium would need to consider that. Stephen Gaba said exceptions could be written into the moratorium for those cases.

The board discussed having Stephen Gaba draft a local law imposing a moratorium. They agreed to consider the issue further and get more information.

6. Elective pay.

Trustee Foster explained that the Inflation Reduction Act created about \$280 billion in tax incentives, including some direct payments called "elective pay" or "direct pay" for tax-exempt entities like local governments. These elective pay credits will be available over the next decade for investing in certain activities and producing renewable energy.

She mentioned some of the elective pay opportunities:

- Up to 30% reimbursement for strategies to reduce greenhouse gas emissions by 20% (round 1 applications already missed but round 2 timing TBD)
- Credits for investing in hybrid and electric vehicles of up to \$40,000 for large vehicles and \$7,000 for smaller ones
- Investment tax credits for investing in solar and renewable energy generation
- Payments for the amount of energy produced

She said the village may need tax support to take advantage of these opportunities. She recommended the village think about upcoming investment plans and what projects could be expedited to qualify for the credits.

The board agreed investing in electric vehicles could be incentivized by the elective pay credits.

**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.

**Doug Dethmers:**

Doug Dethmers, a town resident for almost 35 years, offered his expertise regarding battery systems. He works for a battery manufacturer and deals with code issues related to energy storage. He made the following points:

- There are a lot of codes and standards from organizations like the Department of Energy (DOE) and FM Global that the village should be aware of regarding battery storage systems.
- Battery manufacturers, especially lithium battery manufacturers, are mostly based in Asia.
- It would help for the village to understand the application of the battery storage system and ensure it meets industry standards to ensure safety.
- He offered to send some documents to the village board to help them understand the relevant codes, standards, and terminology.
- He said GE is not actually a battery manufacturer, they make inverters and the battery system is likely used for demand management.
- It is important to know the application of the system and ensure the batteries meet standards to keep people safe.

He offered to send relevant documents to help the village board and said he would be happy to provide more resources. The village clerk's email address was provided for him to send the information.

### **Executive Session**

A **MOTION** was made by Trustee Collura, seconded by Trustee McKnight, and carried to enter into Executive Session to discuss 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 Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

### **Executive Session**

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to enter into Executive Session to seek the confidential advice of counsel and to discussed proposed acquisition, sale or lease of real property, or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

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

### **In Executive Session**

In Executive Session: Michael Newhard, Mayor, and Trustees Barry Cheney, Carly Foster, Mary Collura and Tom McKnight. Also present, Village Attorney Stephen Gaba and Village Clerk Raina Abramson.

**Exit Executive Session**

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight, and carried to exit executive session and resume the regular meeting.

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

**Motions**

**Award of Maintenance Plan for the Compressed Air System - Airmatic Carlstadt NJ**

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight, and carried to accept the proposal and authorize the Mayor to enter into a one-year contract at a total cost of \$4,269 with Airmatic Carlstadt NJ to provide a Preventative Maintenance Plan on the compressed air system at the Village of Warwick Micro Water Treatment Plant ('MWTP') located at 30 Memorial Park Drive as per the recommendation of Water System Operator, Keith Herbert and DPW Supervisor, Mike Moser. Funds are appropriated in budget code F-8330-4500.

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

**RESOLUTION CREATING BROADBAND TASK FORCE COMMITTEE**

WHEREAS, the Village of Warwick recently enacted a Comprehensive Plan Update; and

WHEREAS, the Comprehensive Plan Update contains provisions regarding community character and infrastructure improvements within the Village; and

WHEREAS, it is appropriate for the Village Board to consider the issue of Broadband service and infrastructure improvements within the Village in light of the provisions of the Comprehensive Plan Update; and

WHEREAS, in order to assist the Village Board in this task it would be helpful to create a Broadband Task Force Committee;

**NOW THEREFORE BE IT RESOLVED**, as follows:

1. That the Village Board hereby creates a Broadband Task Force Committee; and
2. The mission of the Broadband Task Force Committee shall be to consider issues pertaining to Broadband service, both from the perspective of improving internet service within the Village and from the perspective of avoiding aesthetic harm to community character from installation of Broadband infrastructure, and to render a report to the Village Board making recommendations regarding the same; and
3. That the Broadband Task Force Committee shall be governed by and shall operate under the attached Rules & Regulations; and
4. That the Chairman of the Broadband Task Force Committee shall be a Village Board member and that the Committee shall consist of such members as the Village Board may appoint; and
5. That all members of the Broadband Task Force Committee shall serve as volunteers without compensation; and
6. That the term of office for all members of the Committee shall be one calendar year commencing on January 1<sup>st</sup>. The terms of office for all Committee members appointed in 2023 shall expire at midnight on December 31, 2023.

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

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

Barry Cheney, Trustee, voting      Aye

Carly Foster, Trustee, voting      Aye

Thomas McKnight, Trustee, voting      Aye

Mary Collura, Trustee, voting      Aye

Michael Newhard, Mayor, voting      Aye



**Discussion**

Trustee Foster asked a question about the terms for the first task force committee members appointed in August or September, since their term would expire at the end of December. Steve Gaba responded that at the December board meeting, they could simply reappoint whoever they wanted to continue serving. The mayor agreed this was less confusing than tying it to the reorganization meeting. Steve Gaba also noted that the board could disband a task force by resolution if their report was completed before the end of their term.

**RESOLUTION CREATING INCLUSION TASK FORCE COMMITTEE**

WHEREAS, the Village of Warwick is committed to engaging and dialoguing with all of its residents to better serve the people of the Village of Warwick; and

WHEREAS, the task of determining how to best open lines of communication is a complex matter which requires substantial thought and outreach effort; and

WHEREAS, in order to assist the Village Board in the task of improving engagement and inclusion of all Village residents in governance of the Village it would be helpful to create an Inclusion Task Force Committee;

**NOW THEREFORE BE IT RESOLVED**, as follows:

1. That the Village Board hereby creates a Inclusion Task Force Committee; and
2. The mission of the Inclusion Task Force Committee shall be to research and propose potential outreach programs to residents, and to render a report to the Village Board making recommendations regarding the same; and
3. That the Inclusion Task Force Committee shall be governed by and shall operate under the attached Rules & Regulations; and
4. That the Chairman of the Inclusion Task Force Committee shall be a Village Board member and that the Committee shall consist of such members as the Village Board may appoint; and
5. That all members of the Inclusion Task Force Committee shall serve as volunteers without compensation; and

6. That the term of office for all members of the Committee shall be one calendar year commencing on January 1<sup>st</sup>. The terms of office for all Committee members appointed in 2023 shall expire at midnight on December 31, 2023.

Trustee Cheney presented the foregoing resolution which was seconded by

Trustee McKnight,

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

Barry Cheney, Trustee, voting Aye

Carly Foster, Trustee, voting Aye

Thomas McKnight, Trustee, voting Aye

Mary Collura, Trustee, voting Aye

Michael Newhard, Mayor, voting Aye

**RESOLUTION CREATING TRANSPORTATION TASK FORCE COMMITTEE**

WHEREAS, the Village of Warwick recently enacted a Comprehensive Plan Update; and

WHEREAS, the Comprehensive Plan Update contains provisions regarding improvement of Village streets, mobility, and general accessibility within the Village; and

WHEREAS, it is appropriate for the Village Board to consider potential transportation improvements and projects within the Village in light of the provisions of the Comprehensive Plan Update; and

WHEREAS, in order to assist the Village Board in this task it would be helpful to create a Transportation Task Force Committee;

**NOW THEREFORE BE IT RESOLVED**, as follows:

1. That the Village Board hereby creates a Transportation Task Force Committee;  
and

2. The mission of the Transportation Task Force Committee shall be to consider potential transportation improvements and projects which the Village might pursue in light of the provisions of the Comprehensive Plan Update and to render a report to the Village Board making recommendations regarding the same; and

3. That the Transportation Task Force Committee shall be governed by and shall operate under the attached Rules & Regulations; and

4. That the Chairman of the Transportation Task Force Committee shall be a Village Board member and the Committee shall consist of such members as the Village Board may appoint; and

5. That all members of the Transportation Task Force Committee shall serve as volunteers without compensation; and

6. That the term of office for all members of the Committee shall be one calendar year commencing on January 1<sup>st</sup>. The terms of office for all Committee members appointed in 2023 shall expire at midnight on December 31, 2023.

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

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

Barry Cheney, Trustee, voting      Aye

Carly Foster, Trustee, voting      Aye

Thomas McKnight, Trustee, voting      Aye

Mary Collura, Trustee, voting      Aye

Michael Newhard, Mayor, voting      Aye

**RESOLUTION CREATING ZONING TASK FORCE COMMITTEE**

WHEREAS, the Village of Warwick recently enacted a Comprehensive Plan Update; and

WHEREAS, it is appropriate for the Village to examine its Zoning Code in light of the terms and provisions of the Comprehensive Plan Update to determine if amendments and

revisions to the Zoning Code should be made to keep it consistent with the provisions of the Village's Comprehensive Plan; and

WHEREAS, in order to assist the Village Board in the task of examining the Village's Zoning Code in light of the terms and provisions of the Comprehensive Plan Update it would be helpful to create a Zoning Task Force Committee;

**NOW THEREFORE BE IT RESOLVED**, as follows:

1. That the Village Board hereby creates a Zoning Task Force Committee; and
2. The mission of the Zoning Task Force Committee shall be to examine the Village's Zoning Code in light of the terms and provisions of the Comprehensive Plan Update and to render a report to the Village Board making recommendations at to what changes, if any, should be made to the Zoning Code consistent with the provisions of the Village's Comprehensive Plan; and
3. That the Zoning Task Force Committee shall be governed by and shall operate under the attached Rules & Regulations; and
4. That the Chairman of the Zoning Task Force Committee shall be a Village Board member and that the Committee shall consist of such members as the Village Board may appoint; and
5. That all members of the Zoning Task Force Committee shall serve as volunteers without compensation; and
6. That the term of office for all members of the Committee shall be one calendar year commencing on January 1<sup>st</sup>. The terms of office for all Committee members appointed in 2023 shall expire at midnight on December 31, 2023.

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

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

Barry Cheney, Trustee, voting      Aye

Carly Foster, Trustee, voting      Aye

Thomas McKnight, Trustee, voting      Aye

Mary Collura, Trustee, voting Aye

Michael Newhard, Mayor, voting Aye

**Vacation Carry Over – Jennifer Mante**

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to grant permission to Village of Warwick Employee, Jennifer Mante, to carry over 3 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

**Advertise - Full-Time Secretary to the Planning Board - TABLED**

**MOTION** to advertise for a Full-Time Secretary to the Planning Board in accordance with Civil Service requirements.

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

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Collura \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_

**Bipartisan Infrastructure Law Lead Service Line Replacement Funding Acceptance**

A **MOTION** was made by Trustee Collura, seconded by Trustee Cheney, and carried to accept the Federal Fiscal Year 2022 Bipartisan Infrastructure Law Lead Service Line Replacement (BIL-LSLR) funding through the Drinking Water State Revolving Fund (DWSRF) for the Village of Warwick's Lead Service Line Inventory project in the amount of \$575,770 and to authorize the Mayor to sign the Acknowledgement and Acceptance of BIL-LSLR Funding Award.

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

## **Reports**

### **Trustee Cheney's Report:**

Trustee Cheney reported during his comments that while the recent rain has caused damage elsewhere in the county, the village of Warwick has been lucky not to experience any. He noted that the one good thing the rain has brought is that the village reservoirs are now full. Mayor Newhard agreed and added that they are very lucky they do not have the level of damages that have occurred throughout the rest of their county due to the rain.

### **Trustee Foster's Report:**

Trustee Foster provided an update on the village's Safe Streets for All funding application. She said they had submitted the application and were excited to have it completed and off their desks. They will hear about approval in either October or December. She thanked the mayor, Barry, Mary, Tom, and the village intern for their contributions to developing the application. Barry helped with cost estimates for sidewalk improvements, the Clerk's office provided letters of support, Tom assisted with writing the application, and the intern supported scoping work. Trustee Foster expressed appreciation for everyone's work on the application.

### **Trustee Collura's Report:**

Trustee Collura announced that this Saturday, July 22nd, the Historical Society of Warwick is holding their annual George Washington 5K run from 8:30-11AM. She noted that registration is still open and that roads will be closed from 8:30AM until around noon for the route of the 5K. She also mentioned that from noon to 3PM, the Historical Society will be offering tours of their properties. Finally, she stated that the annual senior citizen picnic will be on Tuesday, August 2nd with a rain date of August 23rd.

Trustee Collura discussed the progress of the "Slow Down Warwick" campaign, aimed at enhancing driver and pedestrian safety and cultivating a culture of safety in the village of Warwick. The campaign's launch is planned for late August or early September, strategically coinciding with the back-to-school season and increased traffic. Collaborative discussions were held with Melissa Shaw Smith regarding potential initiatives, including painting crosswalks to establish slow zones. The campaign's main focus areas encompass three key crosswalk locations: one on Galloway Street, another on West Street leading to Wheeler Avenue, and the crosswalks

at the intersections of South Street and High Street as well as Wheeler, Cherry and Spring Street. In total, four crosswalks will be targeted for safety enhancements as part of this initiative.

Trustee Collura continued the discussion about the gateways and signage project. During a meeting a meeting with Melissa Shaw Smith, it was agreed that street paintings should be practical and long-lasting. It was suggested that using color blocking or geometric designs would make maintenance easier, while more artistic concepts could be reserved for signs. The idea of a yard sign campaign, similar to what "Warwick Cares" did, was discussed, possibly involving a contest. Approvals from the Village Board, ARB, DPW, and police, along with budget considerations, are next steps.

Trustee Foster presented ideas related to building a narrative around data for the campaign. They discussed data concerning speeding and the causes of crashes, highlighting that a significant portion of village crashes are linked to driver behavior and inattention. Trustee Foster referred to a book they read called "Influence," which explored scientific studies on social influence and behavior change. They mentioned a study on reducing energy consumption and how comparing one's energy use to that of their neighbors was particularly effective in driving behavior change. This example was proposed as a potential strategy to consider for the campaign. Trustee Foster also acknowledged the discussions on different approaches, ranging from emotional appeals to highlighting the risks of speeding.

Trustee Collura discussed the village newsletter. The final template for the newsletter has been prepared and further content will be solicited from various individuals. Trustee Collura also mentioned plans to reach out to another printer for a quote. She said that during the next meeting, the final proof of the newsletter will be reviewed, allowing the process to move forward with a target release date in the middle of August.

**Trustee McKnight's Report:**

No report this evening.

**Mayor Newhard's Report:**

No report this evening.

**Public Comment – Non-Agenda Items**

No comments were made.

**Final Comments from the Board**

No comments were made.

**Adjournment**

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to adjourn the regular meeting at approximately 10:30 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

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Raina M. Abramson, Village Clerk