

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
JULY 3, 2023**

9711

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, July 3, 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 Thomas McKnight. Also, present was Deputy Village Clerk Jennifer Mante and Warwick Fire Chief Michael Contaxis. Others present: Donna Douglas, Gail Hoffer-Loibl, Dennis Williams, Lisette Coisines-Brown, and Tim Brown.

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

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura, and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$265,905.52.

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

Presentation

1. Convergent Energy to brief the Village Board on the Church Street battery storage unit event.

The battery storage unit event that occurred at the Convergent Energy and Powin sites raised concerns about safety in the community. The Warwick Fire Department responded quickly and appropriately, evacuating nearby areas like the school district as a precaution. Chief Contaxis explained how the fire department did not apply water to the fires, knowing that was not the best approach for lithium-ion battery fires. The fire department monitored air quality with help from the HAZMAT team to ensure it remained safe for the public. An investigation into the cause of the fires is ongoing. The batteries that malfunctioned were supplied by Powin and Trustee McKnight raised concern that the original design that was approved by the Village should have contained GE batteries. Convergent Energy and Powin had been slow to communicate with the Village and provide information regarding the incident, which frustrated Chief Contaxis and the board. The Village Board and fire department wanted to ensure proper safety measures were in place if the sites were to be operational again. They were seeking more information from Convergent Energy and Powin to understand what caused the fires and how a recurrence could be prevented. The fire department acted professionally and with the community's safety in mind during their response to the incident.

Announcement

1. Warwick Skatepark Initiative is continuing in its efforts to make the Skate Park a reality and will be entering into an Agreement with Pillar Design Studios for further design and construction plan work. The Village Board can expect to receive draft plans soon.

Trustee Foster explained that the skatepark was part of the Comprehensive Master Plan and still needed to be approved by the board before it could move forward. She then thanked Mayor Newhard and former Trustee Lindberg for their work on submitting a grant application which resulting in receiving a grant for the full cost.

Mayor Newhard added that the Warwick Skatepark Initiative was paying for the construction plan work.

Correspondence

1. Letter from Lauren Beers regarding the Village Noise Ordinance.

Regarding landscapers on Saturday morning, Ms. Beers suggested changing the start time to 9:00 a.m. Village code currently states they may begin work at 8:00 a.m. on weekends and 7:00 a.m. on weekdays.

The board discussed the topic and decided that due to excessive heat during the summer months, it was safer for landscapers to begin work during the current Village Code's timeframe.

Discussion

1. RAISE funding.
2. Safe Streets for All funding.

Trustee Foster explained how the Village applied for the RAISE funding grant, which was unfortunately not awarded, but how information was gained to apply for a different grant. Trustee Foster explained in detail the scope developed for the RAISE grant, and discussed how the loss of the grant would cause the scope to be scaled down.

A detailed discussion ensued regarding the scaling down of the proposed scope. The Board concluded that promotion for the Dial-A-Bus could be achieved at little cost and discussed reaching out to the Orange County Transportation Council for funding.

The board concluded to reduce the scope to the following: The Townwide Transportation Plan, the Slow Down Warwick Demonstration Projects, the design project for West Street and Galloway, the conceptual design project for South Street Extension, and the sidewalks accessibility improvements.

3. Comprehensive Plan Implementation Progress and Task Forces.

Trustee Cheney explained the history behind the Comprehensive Plan and how there would be five taskforces created to help move the Masterplan forward: the Climate Smart Committee (which was previously created), Transportation, Inclusion, Zoning, and the Broadband Taskforce. The taskforces would be meeting in the coming months to engage in discussion and Trustee Cheney encouraged residents to input their thoughts into the virtual suggestion box or by contacting Village Hall.

Mayor Newhard stated that the Consolidated Funding Application (CSA) serves as a platform for various agencies offering grants and explained how the Village plans to pursue a Zoning Grant through this system, as it aligns well with the ideas presented in the acclaimed Comprehensive Master Plan. This choice is seen as a fitting way to put into action some of the strategies from the plan.

Trustee Cheney announced that the Village has been granted \$575,000 through the Bipartisan Infrastructure Law for assessing water service lines and explained that the funding was aimed at identifying lead and galvanized service lines, along with connection taps, within the Village. The objective was to eliminate lines that pose risks to residents' health. Initially focused on removal, the law expanded its scope to include an inventory and investigation due to the uncertainty surrounding the location of such issues. Trustee Cheney expressed optimism about starting this work promptly.

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 were made.

Motions

Resolution Amending Schedule of Fees to Change Building Fees

WHEREAS, Village of Warwick Code §64-1 provides that a comprehensive schedule of fees, including Building Department fees, be approved by the Village Board; and

WHEREAS, in order to amend the Village's Schedule of Fees to change the Building Department fees it is necessary for the Village Board to adopt a resolution; and

NOW, THEREFORE, BE IT RESOLVED that the Village's Schedule of Fees is hereby amended as follows:

In the Schedule of Fees, under heading “Building Department” the following fees shall be deleted:

Category	Sub-Category	Type of Fee	Amount
Building Department	Building Permit	Construction cost in excess of \$200,000	1% of construction cost
Building Department	Building Permit	Minimum, up to a construction cost of \$200,000	\$75.00 Plus 0.75 per square foot for conditioned space (includes additions, alterations and renovations)

; and

In the Schedule of Fees, under heading “Building Department” the following fees shall be added:

Category	Sub-Category	Type of Fee	Amount
Building Department	Building Permit	Commercial Construction and Residential of greater than 2 units	\$4,000.00 plus 0.5% of Construction Cost over \$200,000 with Construction Cost provided by a NY Licensed Architect or Engineer.
Building Department	Building Permit	Residential 1 and 2 Family for Interior Space (New construction and additions)	\$1,000.00 plus \$0.75 per square foot over 1000 square foot conditioned space.
Building Department	Building Permit	Interior Alterations and Renovations; Exterior; Solar Panels Without Energy Storage	\$150.00
Building Department	Building Permit	Pool Inground	\$300.00
Building Department	Building Permit	Solar Panels with Energy Storage	\$200.00

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

Mayor Newhard inquired whether the fees were related to permits and oversight. Trustee Cheney explained that he had consulted the building inspector and provided a detailed explanation for the fee changes.

Trustee McKnight expressed satisfaction with separate fees for residential and commercial purposes.

Mayor Newhard requested a review of recent changes to the Schedule of Fees, specifically to understand the cost breakdown for constructing a new home from scratch. Trustee Cheney noted that similar reevaluation occurred with water and sewer fees, emphasizing that undertaking projects within the Village wasn't inexpensive. He highlighted the savings in building fees for future residential projects, while noting increases in water and sewer connections if the Village was involved.

Trustee Foster questioned the differing fee structures for residential (per square foot) and commercial (percentage of construction costs) properties. Trustee Cheney explained this was consistent with past practices and the challenges of determining square footage, especially for multi-unit buildings.

The conversation then shifted to discussing sidewalks.

South Street Sidewalk Replacement Project – Payment #1, TAM Enterprises

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster, and carried to approve payment #1 in the amount of \$2,850 to TAM Enterprises, Inc. for the submittal of bond and insurance information for the South Street sidewalk replacement project, per the recommendation of Village Engineer, David Getz. Funds are appropriated in budget code A5110.4400 in the FY2023-24 budget.

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

Employee Handbook Section, Holidays – Juneteenth - WITHDRAWN

MOTION to amend the Employee Handbook Section 7.1 Holidays to include Juneteenth as an additional holiday and amend the handbook as follows:

Designated Holidays – All full-time employees shall receive the following fifteen (15) holidays as paid leave days:

- | | |
|--------------------------------|----------------------------|
| 1. New Year's Day | 8. Columbus Day |
| 2. Martin Luther King, Jr. Day | 9. Veteran's Day |
| 3. President's Day | 10. Employee's Birthday |
| 4. Good Friday | 11. Thanksgiving Day |
| 5. Memorial Day | 12. Day after Thanksgiving |
| 6. Independence Day | 13. Christmas Day |
| 7. Labor Day | 14. Anniversary Date |
| | 15. Juneteenth |

Holidays During a Weekend – In the event a designated holiday occurs on a Saturday, the holiday shall be observed on the preceding Friday. In the event a designated holiday occurs on a Sunday, the holiday will be observed on the following Monday.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____
Trustee McKnight ____ Mayor Newhard ____

Facility Use – Stanley-Deming Park, Christ Church

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to grant permission to Christ Church to use the baseball field at Stanley-Deming Park for a kickball game on Tuesday, July 25, 2023, from 6:45 p.m. to 9:00 p.m. Completed park permit, proof insurance, 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

Budget Modification

A **MOTION** was made by Trustee Collura, seconded by Trustee McKnight, and carried to approve the budget modification request as per the Village Treasurer's memo dated June 29, 2023.

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 – *Non-Agenda Items*

Donna Douglas addressed the Board regarding community solar progress.

Trustee McKnight responded, mentioning Juul Community Power's presentation on Community Choice Aggregation, where municipalities collectively negotiate with power companies for lower rates. He discussed potential benefits and challenges, such as unpredictable energy rate fluctuations. New York State endorses the program, but community engagement is crucial. Participants would be automatically enrolled, able to opt out. Those with private solar agreements aren't eligible.

Mayor Newhard highlighted the advantages of townwide participation for effectiveness.

Trustee Foster introduced the Greenhouse Gas Reduction Fund, funded by the Inflation Reduction Act (IRS), providing tax incentives for emission-reducing actions, now extended to municipalities. The Elective Pay or Direct Pay system reimburses up to 30% of costs, available for a decade. Trustee Foster suggested planning for this opportunity, considering options like fleet electrification and solar work and considered reaching out to Orange & Rockland for their input on the matter.

Final Comments from the Board

Trustee McKnight addressed concerns about the Summer Rec Program's signup process, and the problem was identified as a software bug that has been fixed. He expressed the need for a more thorough review of the signup procedure before next year's program to ensure fairness.

Mayor Newhard suggested a rolling administration approach to accommodate varying durations for participation.

Trustee Collura highlighted the importance of translating the signup website since the main Village website was already translatable.

The Board unanimously agreed on the necessity of making this change.

Trustee Cheney provided an update on the Village reservoirs, explaining the recent actions taken to manage water levels due to depletions in the lower reservoir and storms that helped recharge it. He urged residents to conserve water, fix leaks, and avoid unnecessary lawn watering to ensure responsible water usage.

Trustee Collura announced an event by the Warwick Historical Society at Overlook Farm that would be occurring the week of July 6th and gave details regarding the event.

Adjournment

A **MOTION** was made by Trustee Cheney seconded by Trustee Foster, and carried to adjourn the regular meeting at approximately 9:50 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 Village Clerk