

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
JULY 5, 2022**

9309

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Tuesday, July 5, 2022, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Mayor, Michael J. Newhard, Trustees: Barry Cheney, Corey Bachman, Carly Foster, and Tom McKnight. Also, present was Deputy Village Clerk, Jennifer Mante. Others present: Jason Pitingaro and Bo Kennedy.

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

Introduction by Mayor Newhard.

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Bachman, seconded by Trustee Cheney, and carried for the authorization to Pay all Approved and Audited Claims in the amount of \$206,444.36.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Aye

Trustee McKnight Aye Mayor Newhard Aye

Presentation

1. Pitingaro & Doetsch Consulting Engineers - Well #3 Water Treatment Plant Final Design.

Jason Pitingaro, of Pitingaro & Doetsch Consulting, explained the purpose and prospects for Well #3. Mr. Pitingaro presented the finalized design before the Board and went into detail regarding the project and other municipalities that his company has worked on.

The Board asked Mr. Pitingaro many questions in regard to cost, backwash, filters, equipment, design elements, and SCADA. Mr. Pitingaro answered the questions to the Board's satisfaction.

Mr. Pitingaro suggested several grants and funding opportunities in which the Village could apply to help fund the project.

Correspondence

1. Letter from Jay R. Myrow of Blustein, Shapiro, Frank & Bartone, LLP requesting a zone change for 13 Forester, LLC.

2. Letter from Hello Warwick Valley thanking Mayor Newhard for his support.

Mayor Newhard said that the initiative had been an incredible creation that started from the ground up and how it had an impact on the community and helped with tourism.

Trustee Foster gave details about the purpose of Hello Warwick Valley and explained how it connected communities together.

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.

Bo Kennedy:

Mr. Kennedy explained how he was involved in the 13 Forester LLC project and said that he would like the project to move forward. Mr. Kennedy described his vision of the potential retail space being occupied by businesses that would help residents with current everyday needs, such as a butcher, baker, and a market. Mr. Kennedy explained how small affordable apartments above retail stores would benefit the community, especially those who work within the Village.

Trustee Foster:

Trustee Foster had questions regarding the first floor uses and explained how she wanted to ensure the compatibility of uses moving forward as to make sure that the Village didn't end up with intensive use incompatible with residential use.

Mayor Newhard:

Mayor Newhard said that the Planning Board would need to look at it in many ways as to the impacts it would have towards parking and existing neighborhoods.

Bo Kennedy:

Mr. Kennedy explained how it was difficult to find a use for the second story above retail shops, especially since offices were no longer in demand and how apartments would fill a need.

Mayor Newhard:

Mayor Newhard said that it was interesting and as a Board would need more details. Mayor Newhard continued that he would hate to wait until after the comprehensive

master plan because it would be a year and how that he saw a strong need. Mayor Newhard asked the Board what their thoughts were.

Trustee Cheney:

Trustee Cheney said that it appeared that what was being asked was for the Board to consider the light industrial zone to allow second story apartments to approved commercial buildings and how that would not necessarily be a zone change for the property. Trustee Cheney continued saying that it would be a change in the zoning in what was allowed in the zoning throughout the light industrial zone and how to craft that would need to be figured out. Trustee Cheney suggested structuring the change to allow apartments only in conjunction with certain other uses, such as they could not be put above a car mechanic. Trustee Cheney said that there were a lot of examples along Main Street.

Trustee Foster:

Trustee Foster said that it could be a missed opportunity if not explored.

Trustee McKnight:

Trustee McKnight said that he was open to address it holistically, but as a one-off project, as it would be the path of least resistance and would address an immediate need without having to think about the entire light industrial zone, which would be a much broader discussion.

Much discussion proceeded between the Board and Mr. Kennedy regarding the details of Mr. Kennedy's intention for the apartments.

Bo Kennedy:

Mr. Kennedy shared that the apartments would most likely be one bedroom to keep it more affordable and would fit the character of the Village regardless of how many stories.

Trustee Bachman:

Trustee Bachman questioned if the proposed buildings ran through the historic district.

Mayor Newhard and Trustee Bachman reviewed a map and did not think the historic district would be impacted and that the area in question was more industrial.

Mayor Newhard:

Mayor Newhard asked Trustee Cheney and Trustee McKnight to look into this and report back to the Board.

Trustee Cheney and Trustee McKnight agreed.

Mayor Newhard:

Mayor Newhard said that this was the direction the master plan was headed as people were no longer looking for industrial usage in the Village. Mayor Newhard explained that the needs of the Village had changed over the years.

Motions

Bid Award for Skyward Electric, Inc. – Hilltop Pump Station Generator Project

A **MOTION** was made by Trustee Cheney, seconded by Trustee Bachman, and carried to accept the bid from Skyward Electric, Inc. in the amount of \$69,975.00 for the Hilltop Pump Station Generator Project as per the recommendation of Village Engineer, Matthew Blake, Blake Engineering, PLLC.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Aye

Trustee McKnight Aye Mayor Newhard Aye

Discussion

Trustee Foster explained that the Village Treasurer had said the original budgeted amount was \$50,000 and how there will have to be some moving of budget around.

Trustee McKnight was concerned that there were only two bids as one was almost double than the other.

Trustee Cheney said that the bid had been sent out to a fairly large list and a number of them declined. Trustee Cheney explained that Skyward knows what the other bid was and would have reached out claiming an honest mistake if that was the case. Trustee Cheney explained that the higher bid could have been a bidding tactic in order to make more profit. Trustee Cheney assured the Board that there were design specification that would have to be met and that he did not see any major downside to awarding the bid.

Mayor Newhard said that Skyward was a reputable firm.

Trustee Bachman asked if the Village had used them before. Mayor Newhard said the Town had used them.

Vacation Carry Over – Jennifer Mante

A **MOTION** was made by Trustee Bachman, seconded by Trustee Cheney, and carried to grant permission to Village of Warwick Employee, Jennifer Mante, to carry over 2 vacation days.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Aye

Trustee McKnight Aye Mayor Newhard Aye

Facility Use – Veterans Memorial Park Pavilion, *We the People Warwick*

A **MOTION** was made by Mayor Newhard, seconded by Trustee Bachman, and carried to grant permission to *We the People Warwick* to use the Veterans Memorial Park Pavilion for an event on Sunday, July 17, 2022, from 12:00 p.m. to 6:00 p.m. Request includes use of restrooms and Village-owned tables and chairs. Completed park permit, security deposit, and proof of proper insurance have been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Aye

Trustee McKnight Aye Mayor Newhard Aye

Facility Use – Stanley-Deming Park, Christ Church

A **MOTION** was made by Mayor Newhard, seconded by Trustee Bachman, and carried to grant permission to Christ Church to use the baseball field at Stanley-Deming Park for a kickball game on Tuesday, July 26, 2022, from 6:45 p.m. to 9:00 p.m. Completed park permit, proof of proper insurance, and security deposit have been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Aye

Trustee McKnight Aye Mayor Newhard Aye

Final Comments From the Board

Mayor Newhard said that the closure of Bank Street needed to be resolved and explained how last weekend's Farmers Market was reconfigured with cones along the interior of the sidewalk keeping the market contained as if the street was open, even though it remained closed just to see how it would work. Trustee McKnight stated that the cones didn't seem to be where the group had envisioned. Mayor Newhard agreed and said that Mike Moser had come to set it out and had gotten some pushback and that it was the farmers that put out the cones. Trustee McKnight thought that it was worth while to have a trial period and open Bank Street provided that there can be enough orange barricades in order to leave enough room for a one-way street width for cars to come down, which would also leave full access to the pedestrian walkway. Trustee McKnight also wanted a large visible sign on South Street that could make it clear that it was one-lane only and not to enter. Trustee Cheney wanted to know where the Warwick Police Department stood on this subject and explained that the closure of Bank Street was initiated through discussions with them. Trustee Foster said due to the holiday there wasn't an opportunity to meet with the police department or Chief Rader. Mayor Newhard agreed and went on to mention how the Market had not yet reached its peak and wouldn't until another three or four weeks and said that it was something that needed to be considered carefully. Mayor Newhard agreed that if it were to reopen it would be a trial and said that it was critical to get the police's input. Trustee Foster suggested blocking off a few parking spots on Main Street close to Bank Street for customer parking for Pecks and the real estate office. Mayor Newhard expressed that it would be difficult to make the intention of the parking clear enough for those to see while navigating a busy main street, but that it was worth investigating. Trustee Foster also brought up that it would be taking parking spots away from Main Street, and that a lot of due diligence was needed. Trustee Foster said that she and Trustee McKnight had the action items to bring to the police. Trustee Bachman said that he liked the idea of a compromise but thought that more people needed to participate.

Trustee Cheney spoke about the two sewer backups that occurred over the last few days. Trustee Cheney said that the cause of both backups were primarily wipes and other similar types of material that had come together and formed the blockage. Trustee Cheney continued to say that both blockages were removed with the use of mechanical equipment. Trustee Cheney stated that one of the blockages required additional equipment in which outside sources had to be called in, which was an added cost to the Village. Trustee Cheney stressed the importance of not flushing wipes, especially non flushable wipes, and that how even though they may say flushable, they were not helpful to Village's system. Trustee Cheney added that fats, oils, and grease that are found in the kitchen should never be poured down the drain, that oily pots and pans should be wiped down. Trustee Cheney said that these types of blockages have consequential problems as a result, such as overtime and the potential environmental impact if the overflow is significant enough to come out of the manhole and get into the storm sewers or creeks. Mayor Newhard said that there was some information on the Village's website.

Trustee Foster said that earlier in the week she, along with Mayor Newhard, met with Karen Thomas with the Community Center and spoke about doing a workshop with the Leadership Academy this summer about the Memorial Park Master Plan.

Trustee McKnight stated that with regards to crosswalks, that it is a state law to stop for pedestrians and how that on Main Street people fly up on their phones not looking while families/children try to cross the street. Trustee McKnight stressed for people to pay attention. Mayor Newhard said that his thought when approaching the business district zone was to step back and slow down due to there being so much activity so that he can be ready for anything. Trustee Cheney said to be alert and how that applies to pedestrians as well. Trustee Cheney explained that when he crosses the street, he makes sure to make eye contact with the car that is immediately coming in each direction before proceeding. Mayor Newhard said that he believed the DOT was going to look kindly on the request for more parking spots. Trustee McKnight asked if it was about making the lane narrower. Mayor Newhard said it was to create parking spots in front of Duncan Donuts and how there is no parking there currently so that if someone is stopped at the crosswalk to let pedestrians go by, someone in back could swing around on the right-hand side and cause havoc, which happened to Trustee Foster. Mayor Newhard said currently there was no striping and no parking, that it was just an open lane. Mayor Newhard explained that a request was made to the DOT to meter that area and how the Village Intern measured out the area and sent the DOT the specifications.

Adjournment

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to adjourn the regular meeting at approximately 8:35 p.m.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Bachman Aye

Trustee McKnight Aye Mayor Newhard Aye

Deputy Village Clerk, Jennifer Mante