

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
MAY 1, 2023**

9615

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, May 1, 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 Village Attorney Stephen Gaba. Others present: Fran Sinclair, Neil Sinclair, Linda Moser, Cheryl Rogowski, Stefanie Keegan, Kim Corkum, and Jeremy L. Havens.

The Mayor called the meeting to order and led in the Pledge of Allegiance.
The Mayor asked for a moment of silence in honor of former ZBA Attorney, Robert Fink.
The Deputy Village Clerk held the roll call.

Acceptance of Minutes

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried for the Acceptance of Minutes: April 3, 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

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight, and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$200,675.58.

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. Warwick Cares Community Event - Saturday, May 6, 2023, from 12 p.m. to 4 p.m. at Railroad Green in honor of May Mental Health Awareness Month.
2. The Village of Warwick is designated as a Bronze Certified Climate Smart Community for planning and implementation of actions that reduce greenhouse gas emissions and improve community resilience to the worsening impacts of climate change.

3. Village of Warwick receives the New York Planning Federation Comprehensive Plan Award for an outstanding and/or innovative comprehensive plan update.
4. The Village of Warwick is selected as recipient of the annual Comp Alliance G. Jeffrey Haber Leadership Award in recognition of the village's dedication to creating a safe workspace for its employees.
5. The Village of Warwick is awarded \$1.6 million dollars for the Well #3 Treatment System as part of a new Community Project Funding initiative through the office of Congressman Patrick Ryan.

Correspondence

1. Letter of resignation from Shade Tree Commission Member, Robert Scheuermann.

Discussion

1. Safe Streets for All Grant Funding.

Trustee Foster explained the details of the US DOT grant and the scope of work that would be involved.

Trustee Foster informed the Board that the Village of Warwick was considered in the 77th percentile of disadvantaged communities for transportation insecurity, whereas transportation insecurity was defined as being unable to move from place to place in a safe and timely manner due to the lack of material, economic, or social resources necessary to do so. Trustee Foster explained the three different categories of transportation insecurity: transportation access, transportation cost burden, and transportation safety. Trustee Foster highlighted additional US DOT statistics, with the Village of Warwick being in the 82nd percentile and Greenwood Lake in the 93rd percentile in the transportation access category.

Trustee Foster stated that the Federal grant was designed to support planning, infrastructure, behavioral, and operative initiatives to prevent death and serious injury on roads and streets and includes all roadway users, such as pedestrians, bicyclists, public transport, micro mobility, motorists, and commercial vehicle operators.

Trustee Foster said there were two different types of projects that could be funded through the grant: planning and implementation. Trustee Foster explained that planning

grants had a cost cap of between \$100,000 and \$10 million, which could be used to develop an action plan, conduct additional planning, enhance an existing action plan, demonstration activities, or update an action plan. Trustee Foster explained implementation grants had a range from \$2.5 million to \$5 million and that they could have planning and demonstration elements, and how each applicant could only submit one application with an action plan already in place, or at least elements that were substantially leaning towards an action plan.

Trustee Foster said that the grant would cover 80% of the cost and then the Village would need to come up with the remaining 20%, which could be done through in-kind match, such as volunteer services or through staff time.

Trustee McKnight asked if the grant only pertained to planning.

Trustee Foster explained that you must be able to self-certify and thinks a lot of the information required for the application had already been completed, but there was more work to do.

Trustee Foster went over the scope of work if the Village were to go for an implementation grant and how it was possible that only the planning elements would be funded and help fill gaps in the existing plan. Trustee Foster suggested hiring a transportation planner who could review the work that had already been done. Trustee Foster stated that much of the information had already been gathered from different locations, such as data that was gathered for the Comprehensive Plan and the RAISE grant, but the information needed to be sewed together.

Trustee Foster said she would like to submit demonstration projects for speed slowdown and traffic calming. Trustee Foster said speed information throughout the Village had already been gathered with speed detectors, and the results of that information indicated a lot of people go over 40 mph on Village Streets. Trustee Foster explained that was behavioral and how an outreach campaign would occur this year, but physical things could be done as well to get people to go slower.

Trustee Foster went on to explain implementation perspectives, such as sidewalks accessibility improvements and how there were open questions about whether a cost estimate could be developed by June.

Trustee McKnight said that some cost estimates were completed and could be used as a starting point.

Trustee Foster agreed and added that the Village engineer could help with unit costs and how some budget has been set aside for permanent community signage to help with behavioral.

Mayor Newhard said it was a great scope and how a traffic calming campaign had been talked about for about a year and this could lead the Village to that place.

Mayor Newhard asked if accessibility meant ADA compliancy.

Trustee Foster said it did.

Trustee McKnight asked Trustee Foster her thoughts regarding the information in the grant which strongly suggested the partnership of other municipalities. Trustee McKnight thought the scope that had been discussed was focused on the Village and asked how the Village could partner with other municipalities in a meaningful way.

Trustee Foster said the program did encourage applications to involve multi-jurisdictional partnerships and due to Warwick's high vulnerability for transportation access, it may be worth having a discussion with Greenwood Lake, Florida, and the Town to see if something could be done jointly.

A discussion amongst the Board ensued regarding the feasibility of partnering with the other municipalities. The Board agreed that it would benefit all the municipalities to have a united front on traffic calming, although concerns were stated about still being able to meet the deadline for the grant.

Trustee Foster said the plan would be to reach out to the mayors and start discussions within the next couple of weeks. Trustee Foster stated that if they were to partner up with the other municipalities, a cohesive project opportunity would have to be assembled, along with cost estimates, and the sidewalk improvements by June, which would be aggressive.

Trustee Foster went into detail regarding the next steps such as organizing a community meeting to engage public perception.

Mayor Newhard asked if the focus would be on sidewalks or speeding, as the Villages of Florida and Greenwood Lake share the same concerns as the Village in regard to sidewalks, but how the Town would be more focused on the speeding issues.

A discussion ensued and resulted in a suggested meeting to be set up with Supervisor Sweeton.

Trustee Foster suggested working both tracks and to start figuring out what it would take to cost out the sidewalks in case the other municipalities were not on board with jointly applying for the grant, and either way the public outreach could still be scheduled for June.

Trustee Foster explained the support help that was needed for the grant and distributed the workload to the Mayor, Trustees, and Village Hall staff.

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.

Fran Sinclair stated her concerns about children walking on West Street towards the schools and how she did not feel they had a safe place to walk. Ms. Sinclair asked the Board if they were looking into the issue.

Trustee Foster answered that this concern was submitted under the RAISE grant and the Board did not want to double up on any scope under this current grant because it was going to the same agency. Trustee Foster stated that the Village would find out if they were awarded the RAISE grant in June and how it included funding to do the detailed design for sidewalks along West Street, Galloway, and to do planning walkability along South Street Extension. Trustee Foster added the scope also included planning for a multiuse trail that would connect the Village to Shoprite, as well as to inventory and plan long term state of good repair for all the sidewalks in the Village, which was about \$2.5 million.

Mayor Newhard added that it was just for the planning piece.

Neil Sinclair brought up concerns about activity around his household, particularly regarding the restaurant, and asked the Board if they had any knowledge about the activity.

Mayor Newhard suggested Mr. Sinclair contact the building department and speak to the code enforcement officer.

Motions

Village of Warwick Board of Trustees Rules of Meeting Procedure - AMENDED

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura to adopt the Village of Warwick Board of Trustees Rules of Meeting Procedure effective May 1, 2023.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard ____

Discussion

Trustee Cheney asked Village Attorney, Steven Gaba, what latitude the presiding officer had if a speaker becomes verbally abusive towards a member of the audience or a member of the Board.

Mr. Gaba answered that it would be fact-specific, and that the bottom line was that if someone became profane or violent, then that person could be asked to leave. Mr. Gaba added that if someone exceeded the time limit and refused to leave the floor or was disrupting the meeting, then that person could be asked to leave. Mr. Gaba said if the person refused to leave, the police could then be called and have them physically ejected. Mr. Gaba could not tell the Board of a particular word or a particular tone of voice the public could not use, and that as much leeway as possible should be given to the public, as it was a public forum, however, if there became a point where the meeting could no longer be conducted, whether due to threatening people or members of the Board, or saying things that were just so outrageous, that's when you would have the right to have them removed.

Trustee Cheney asked for clarification on comments and asked if the second public comments section, which was more broadly open, would need to stick with Village issues as opposed to non-Village issues.

Mr. Gaba answered that when it was an open session, anything could be talked about.

Trustee Cheney asked if comments could include personal issues with someone else in the audience or a Board member.

Mr. Gaba said they would have to address whoever was running the meeting, and that either the Mayor or the Deputy should constantly direct people to please address their comments to the Board, as back-and-forths could get out of hand rather quickly. Mr. Gaba added that if the person refused to listen and became too disruptive, that person could be asked to leave. Mr. Gaba said that if the Board sticks to the three-minute limit, then that would keep some control of the meeting.

Mr. Gaba brought up concerns over the phrase 'speakers must step up to the front of the

room where the microphone...’ and stated that the room did not have a microphone.

Trustee Cheney said that the intent of stepping forward was for people to be addressing the Board and not the audience.

Mr. Gaba said that the main thing was to be consistent, in a small meeting, people could speak from their seats, in a packed room, you may want people to step forward.

Trustee Foster said that it looked like the statement, ‘speakers must address the Board’ was removed. Trustee Foster reminded the Board that it had originally stated ‘speakers must address the entire board and not an individual member’, but how the Board had decided it was okay if an individual member was addressed, but it appeared the entire line was struck.

Mr. Gaba suggested putting the line back in.

A discussion ensued. It was decided that the phrase ‘all public comments must be addressed to the Board’ would be amended into the motion.

Village of Warwick Board of Trustees Rules of Meeting Procedure

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to adopt the Village of Warwick Board of Trustees Rules of Meeting Procedure effective May 1, 2023, as amended.

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

Rescind Motion – Village of Warwick FY 2023-24 Tax Relevies & Errors and Omissions – Amount Correction

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to rescind the motion made on April 17, 2023, to relevy on the Village of Warwick 2023-24 tax bills unpaid water and sewer fees and alarm fines to properties listed on the attached document,

including Errors and Omissions – RPTL 520 Prorated Taxes, as per the Village Assessor, with a total relevy amount of \$1,281.36.

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

Village of Warwick FY 2023-24 Tax Relevies & Errors and Omissions

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to relevy on the Village of Warwick 2023-24 tax bills unpaid water and sewer fees and alarm fines to properties listed on the attached document, including Errors and Omissions – RPTL 520 Prorated Taxes, as per the Village Assessor, with a total relevy amount of \$1,271.36.

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

2023 Summer Recreation Staff and Salaries

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to approve the 2023 Summer Recreation staff and salaries as per the enclosed list, per the recommendation of Village of Warwick Recreation Director, Ron Introini.

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

Vacation Carry Over – Raina Abramson

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to grant permission to Village Clerk, Raina Abramson, to carry over 3.79 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

No Parking Meter Covers – Warwick Cares Event

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura, and carried to allow ‘No Parking’ meter bags to be placed on the meters in front of Railroad Green between the hours of 9:00 a.m. and 4:00 p.m. on Saturday, May 6, 2023, for the benefit of the Warwick Cares event.

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 how he discussed with the Mayor his concerns about the street not being closed, but the parking spaces were being left unoccupied and how that created an opportunity for pedestrians to be chaotically crossing at any point in time. Trustee Cheney explained how including barriers would allow for better pedestrian control.

Trustee McKnight asked who would set up the barriers.

Trustee Cheney answered that the DPW would set them up.

Mayor Newhard added that DPW would already be working that day doing various tasks.

Trustee Foster asked if the intent of the barriers were to protect pedestrians from cars or to provide encouragement to cross at the appropriate locations, because the orange barriers were not enough to protect pedestrians from cars.

A discussion ensued regarding the barriers and how the DPW’s hours could best be structured for the needs of the event.

Facility Use Request – Railroad Green, Boy Scout Troop 38 Plant Sale

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura, and carried to grant permission to Boy Scout Troop 38 to use Railroad Green for a fundraiser plant sale on Saturday, May 13, 2023, from 8:00 a.m. to 2:00 p.m. 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 Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Warwick Pride Celebration - Stanley Deming Park, The Warwick Valley Community Center

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura, and carried to grant permission to The Warwick Community Center to use Stanley-Deming Park for a Warwick Pride Celebration event on Sunday, June 11, 2023. Event set-up to begin at 10:00 a.m., with the event taking place between 2:30 p.m. and 4:30 p.m. Clean-up to be complete by 6:30 p.m. Request includes use of the restrooms, electricity, bandshell and pavilion and lawn area in between, the set-up of tents, permission to hang a banner on the South Street side of Stanley-Deming from May 29, 2023 through June 12, 2023 and use of the lawn area to the left of the basketball courts in coordination with the Village of Warwick DPW Supervisor, Mike Moser, for overflow parking. DPW to provide 4 (four) garbage cans, 200 (two hundred) chairs, and 4 (four) large tables. Approval is contingent upon proof of permission from the Warwick Valley Central School District to use the Park Avenue School for parking. Completed park permit, security deposit, and proof of insurance 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

Warwick Pride Celebration – Parade, The Warwick Valley Community Center

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to grant permission to the Warwick Community Center to hold the Warwick Pride Parade on Sunday, June 11, 2023. The parade will step off at 1:30 p.m., with lineup beginning at the Community Center per the letter received on April 20, 2023. The parade route will be as follows: Hamilton Avenue, Orchard Street, left onto Oakland Avenue/Main Street, proceed up Main Street, right on South Street, left on Park Way arriving at Stanley-Deming Park at approximately 2:30 p.m. for the Warwick Pride Celebration event. Completed facility use permit, security deposit and proof of insurance have been received. The Town of Warwick Police Department will assist with vehicle and pedestrian traffic control during the event.

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

Facility Use Request – Stanley-Deming Park, Park Avenue Elementary First-Grade Picnic

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to grant permission to Park Avenue Elementary to hold a first-grade class picnic in Stanley-Deming Park on Wednesday, May 31, 2023, between 11:00 a.m. to 2:30 p.m. with a rain date of Wednesday, June 14, 2023. Request includes use of restrooms. 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 Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Facility Use Request – Stanley-Deming Park, Park Avenue Elementary Third-Grade Picnic

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight, and carried to grant permission to Park Avenue Elementary to hold a third-grade class picnic in Stanley-Deming Park on Thursday, June 15, 2023, between 12:00 p.m. and 3:00 p.m. with a rain date of Tuesday, June 20, 2023. 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 Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Facility Use Request – Stanley-Deming Park, Monroe Presbyterian Preschool

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura, and carried to grant permission to Monroe Presbyterian Preschool to hold an end of year gathering in Stanley-Deming Park on Friday, June 2, 2023, between 9:30 a.m. and 12:00 p.m. with a rain date of Friday, June 9, 2023. Request includes use of restrooms. Event is in coordination with Sanfordville Elementary's fourth grade picnic taking place the same day from 12:45 p.m. to 1:45 p.m. 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 Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Discussion

Trustee Cheney's major concern was the parking situation.

A discussion ensued regarding enforcing the event times, the alternative areas to park, and the possibility of encouraging carpooling.

Facility Use Request – Memorial Park Pavilion, Rebecca Bank

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura, and carried to grant permission to Rebecca Bank to hold a family gathering at the Veterans Memorial Park Pavilion on Sunday, May 14, 2023, between 8:00 a.m. and 9:00 p.m., with clean-up completed by 10:00 p.m. Request includes the use of Village owned tables and chairs, use of electricity, and use of restrooms. 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 Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Road Closure - Park Avenue Elementary School Events

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to close Park Avenue between Galloway and Burt Street on the following days for the benefit of Park Avenue Elementary School events: Friday, May 19, 2023, from 4:00 p.m. to 7:00 p.m. with a rain date of Tuesday, May 23, 2023; Friday, June 2, 2023, from 4:00 p.m. to 8:30 p.m. with a rain date of Friday, June 9, 2023; Monday, June 5, 2023, from 9:00 a.m. to 3:15 p.m. with a rain date of Tuesday, June 6, 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

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 April 26, 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

Budget Transfer – FY2022-23 Budget

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to approve the year end FY 2022-23 budget transfer request as per the Village Treasurer's memo dated April 19, 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

Final Comments from the Board

Trustee Cheney reported that hydrant flushing had been completed last Thursday and that it took a little longer due to flushing only once last year as opposed to twice and sometimes three times a year.

Trustee Cheney added that the Village of Warwick was seeking an engineering intern for the summer. Trustee Cheney went on to explain the preferred requirements and duties of the position.

Final Comments from the Floor

Neil Sinclair thanked the Board. Pleasantries were exchanged.

Executive Session

A **MOTION** was made by Trustee Collura, seconded by Trustee McKnight, and carried to enter into Executive Session for discussion regarding proposed, pending or current litigation.

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

Adjournment

A **MOTION** was made by Trustee Collura, seconded by Trustee Knight, and carried to exit Executive Session, resume the regular Village Board meeting and adjourn 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

Jennifer Mante, Deputy Village Clerk