

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
NOVEMBER 21, 2022**

9443

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, November 21, 2022, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Mayor, Michael J. Newhard, Trustees: Barry Cheney, Carly Foster, William Lindberg and Thomas McKnight. Also, present was DPW Supervisor Mike Moser, Village Clerk Raina Abramson and Village Attorney Stephen Gaba. Others present: Town of Warwick Police Chief John Rader.

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

Acceptance of Minutes

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Foster and carried for the Acceptance of Minutes: November 7, 2022

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Aye

Trustee McKnight Aye Mayor Newhard Aye

Acceptance of Reports

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Foster and carried for the Acceptance of Reports – October 2022 Clerk's Office, Tax Collection, Justice Department, Building Department, Department of Public Works and September and October 2022 Planning and Zoning.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Aye

Trustee McKnight Aye Mayor Newhard Aye

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$183,156.06.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Aye

Trustee McKnight Aye Mayor Newhard Aye

Police Report

Chief Rader stated that there was no report at this time.

Mayor Newhard congratulated the Youth Academy on the acknowledgement and award from the Chamber of Commerce that was given this past Saturday.

Chief Rader said that it was the efforts of the community to pull together all the daytrips and the SROs that really had the imagination to keep it interesting. Chief Rader stated that it was a great team.

Mayor Newhard said that for the first year it was a remarkable activity and attendance.

Chief Rader said that they will be continuing the program this summer.

Mayor Newhard said that he thinks it really makes a difference because when you engage youth at that age, it really makes an impression.

Chief Rader agreed and said that having the officers in the schools from kindergarten on up, they are already building trust, and this is just an extension in the summer to really build it up and teach them about the criminal justice system and hopefully guide a few their way or into the system somewhere.

Trustee Foster said that her six-year-old has had very positive experiences with Officer Cat and wants to be a police officer.

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.

No comments were made.

Motions

Return of Village Board Escrow, Village View Estates, LLC

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to return the Village Board escrow balance of \$2,296.90 to Village View Estates, LLC for the application of Village View Estates, LLC, for a special use permit authorizing creation of bonus density lots in a cluster development subdivision pursuant to Village Code 145-29(D)(4). All invoices have been paid as per Village of Warwick Attorney, Stephen Gaba.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Aye

Trustee McKnight Aye Mayor Newhard Aye

**RESOLUTION INTRODUCING A PROPOSED LOCAL LAW
TO AMEND THE VILLAGE ZONING CODE, MAKING REFERRALS,
AND SETTING A PUBLIC HEARING**

WHEREAS, the Village Board of the Village of Warwick has before it a draft local law entitled: "A local law to amend the Village Code by revising the Table of Uses in the Zoning Code to add 'residential apartments above commercial space' as a permitted use in the Light Industrial ('LI') District conditional upon Planning Board approval"; and

WHEREAS, the Village Board has caused Part 1 of an Environmental Assessment Form ("EAF") under the State Environmental Quality Review Act ("SEQRA") to be prepared; and

WHEREAS, in order to act on the proposed local law it is necessary for the Village Board to introduce the proposed local law, conduct SEQRA review, make certain referrals, and hold a public hearing;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the movant of this resolution does hereby introduce the said proposed local law, a copy of which is attached hereto; and

2. That the Village Board, as the sole involved agency in SEQRA review of the proposed local law, declares itself to be Lead Agency, determines that the proposed local law is an Unlisted Action under SEQRA, and approves the EAF Part 1 and authorizes the Mayor to sign it; and

3. That a copy of this resolution, along with the proposed local law and the SEQRA EAF shall be submitted to the Village Planning Board pursuant to Village Code §145-170 and to the Orange County Planning Department pursuant to General Municipal Law §239-m; and

4. That a public hearing on the proposed local law is set for December 19, 2022 at 7:30 o'clock p.m. and that due notice of the same is directed to be given by publication and posting; and

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

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

William Lindberg, Trustee, voting Aye

Michael Newhard, Mayor, voting Aye

Village of Warwick Assistant Summer Concert Coordinator - WITHDRAWN

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg to appoint Michael Gurvich as Village of Warwick Assistant Summer Concert Coordinator.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Lindberg ____
Trustee McKnight ____ Mayor Newhard ____

Discussion

Mayor Newhard suggested that the title be ‘co-coordinator’ so that they are working a little bit more closely together.

Village of Warwick Summer Concert Co-Coordinator

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg to appoint Michael Gurvich as Village of Warwick Summer Concert Series Co-Coordinator.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Aye
Trustee McKnight Aye Mayor Newhard Aye

Discussion

Trustee Cheney asked if they must go back to make John Johansen a co-coordinator.
Mayor Newhard said no.

Warwick Lions Club – Bell Ringing

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg and carried to grant permission to the Warwick Lions Club to ring bells for the Salvation Army at the business locations of 33-37 Main Street on December 3, 4, 17, and 18, 2022 between the hours of 10:00 a.m. and 4:00 p.m. Proof of proper insurance has been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Aye
Trustee McKnight Aye Mayor Newhard Aye

Reports

Trustee Cheney's Report:

Trustee Cheney reported that the County Health Department has completed its review on the Well #3 design and has come up with a lot of minor things within the design, with changes here and there. Trustee Cheney said that he and Mayor Newhard had a call with the Village's Engineer, Pitingaro and Doetsch, and they agreed that everything was pretty much minor and easy to change. Trustee Cheney stated that there were two requirements; one is to do a seventy-two-hour pump test on the well and the second is to do some additional testing on the well for parameters that weren't tested for previously. Trustee Cheney said that initially the Village is going to try to resolve the seventy-two-hour pump test by providing a pretty detailed aquafer test that was done in approximately 2002 or 2003 by a consulting firm and if that doesn't satisfy their curiosity then the Village will go ahead with the seventy-two-hour pump test.

Trustee Foster's Report:

Trustee Foster said that last Monday was the first meeting of the Memorial Park Master Plan Stakeholder Advisory Group that was very well attended with approximately 30 people. Trustee Foster said that it was a really thoughtful group with great feedback about ways that they can better inform the process. Trustee Foster explained that they put together some maps of other park assets for them to think about the broader context, that they want to know what can change and what can't change and looked at the length of the Wawayanda for kayaking. Trustee Foster said that the group had really good feedback about the memorial role through the park, such as thinking about it being more engaged throughout the park. During the next meeting, the group is going to talk about goals and objectives and fill in some engagement gaps and do breakouts. Trustee Foster said that the group wanted to see representation from emergency services because of the helipad and also the role of the park as a staging area for the community, so they will be reaching out to the fire department, police department, and EMS. Trustee Foster explained that they want to increase the ethnic diversity of the group as well, so will be doing some additional outreach.

Mayor Newhard said that the meeting was excellent, and that Trustee Foster did an extraordinary job leading the meeting, keeping it on track and setting a tone.

Trustee Foster said that after the meeting one of the participants walked up and said that they all might have walked in golf players or tennis players, wanting to compete or jockey for their position, but they left on the same team. Trustee Foster said she felt it was really cool because they talked about how this is the community's park and really oriented the meeting around what does the community need and what have they've heard from others.

Trustee Foster provided an update to the NYSDOT work session that took place last Thursday. Trustee Foster felt it was very informative and that good action items came out of it, for example, the Village learned that in order to propose that NYS lowers speeds on the two state roads 17A and Route 94, and to request a change to Maple Avenue from a passing lane to no passing, the Village Board needs to pass a resolution. Trustee Foster explained that the Village also learned that the NYSDOT is planning to send the Village feedback by the end of the year about the previous request to change the speed limit between the Village and the Greenwood Lake, which was a Town request. Trustee Foster said that the Village also learned that the NYSDOT is intending to install a crosswalk at South Street Extension and that the Village needs to put in the receiving sidewalks on either side in order to make that happen.

Mayor Newhard said that the Village is working with Orange County Community Development to make that happen.

Trustee Foster said that the Village also learned that the NYSDOT is planning to move the design for the repaving of both 94 and 17A up to Bellvale forward for approval in Q1 and that they have not yet decided on their public engagement sessions. Trustee Foster felt that it was an action item for the Village to help encourage or push on. The Village also learned how the NYSDOT makes their funding decisions along with the definition between a single project and heavy reconstruction. The NYSDOT will not invest in heavy reconstruction related projects at this time because they don't have the budget for it, but they will invest in single maintenance projects. Trustee Foster said that as a Board, they need to learn more about the difference between those things because the line is more like a spectrum than a hard and fast barrier since the Village has some things, they would like integrated into those moves.

Trustee Foster said they have more work to do in terms of community engagement on other improvements that needs to be made around traffic and pedestrian safety in the Village, so the Comprehensive Plan Committee is going to need to meet again and form a transportation and safety focus group.

Trustee Lindberg said that the meeting was very enlightening and was a great opportunity to discuss the Village's situation with eight or nine professional planners.

Trustee Foster added that the Hello Warwick Valley Steering Committee met a few weeks ago and at the request of the committee, Trustee Foster drafted bylaws that are currently in review.

Trustee Lindberg's Report:

Trustee Lindberg provided a reminder that the annual tree lighting, sponsored by the Warwick Fire Department, will take place this Friday at Lewis Park at 6:30 p.m. with Santa Claus arriving on a fire truck.

Trustee Lindberg added that the Village is updating some of the Village Codes regarding fire alarms, false alarms, the ethics code, and is working on a short-term rental program. Trustee Lindberg explained that the Village worked on the short-term rental program in year's past and has been talking to the Town and have been engaged in what they're going through. The Town has an owner-absentee program, and the Village is possibly looking at owner-occupied but weighing both options.

Trustee McKnight's Report:

Trustee McKnight reported that the library will be closing at 3 p.m. on Wednesday through Thanksgiving, opening again on Friday morning. Also coming up on December 3rd at the library from 10 a.m. to 3 p.m. there will be the Friends of the Library Holiday Book Sale. People can bring a bag and fill the bag with new or almost new books for \$5 or buy an individual book for \$1 and children's books are two for one. Trustee McKnight also added that the library is in receipt of an award from New York State Senator Skoufis in the amount of \$15,000 to be applied towards youth programs.

Trustee McKnight reported that there were 380 police incidences in the month of October. The report is tracked month over month, across all different categories, basically every call. Trustee McKnight said that residents may see that the Village has one radar flashing speed sign that has been strategically placed around the Village every one to two weeks. Trustee McKnight thanked the DPW for their assistance with the removal and installation of the sign. Trustee McKnight said that the sign is saving the data to the cloud so the Village can do their own traffic study. The sign is allowing the Village to figure out where it can put in some traffic calming, where the most speeding violations are occurring, the time of day, and where the police can concentrate enforcement activities in those areas.

Trustee McKnight said that there will be a report when all is said and done that will include commuting hours and extra speed that's happening late at night. Trustee McKnight said they even put some near a school zone where you can see people going quite fast. Trustee McKnight explained that this will help the Village with a data driven approach. Several residents have said thank you for putting the radar sign on West Street, and then the Village took it away, but it's only because it needs to be used elsewhere. The Village will try to get more signs that can be permanently installed. Trustee McKnight thanked Chief Rader for his partnership with this project.

Trustee McKnight reported that there are several security cameras around the Village, and several have not been operational. At the end of the month, the camera company will be replacing the ones that aren't working and install a new one at the skatepark.

Trustee McKnight added that next Tuesday, November 29th, there will be a Climate Smart Community Task Force meeting at Village Hall at 7:30 p.m. to discuss the activities that the Village is undertaking to achieve the Climate Smart Communities Certification that NYS urges

municipalities to do. Trustee McKnight said that he imposed the goal of being the first municipality in Orange County, aside from the actual County Government, to be certified. Trustee McKnight said that the Village is well on its way with one or two more activities that when we wrap that up, we can announce it. Trustee McKnight explained that it's nice to have people who really do care about this and want to offer their talents and their time to better the Village. Trustee McKnight said that Carly Foster is one of the members and thanked her.

Mayor Newhard's Report:

Mayor Newhard reported that this coming Friday and Saturday will be the Wickham Works and Warwick Historical Society's Makers Market at Lewis Park.

Mayor Newhard wished everyone a very Happy and Blessed Thanksgiving. Mayor Newhard said that it's a great time to enjoy our families, enjoy our community, and enjoy coming downtown and getting engaged and involved with everything that happens here.

Mayor Newhard stated to the Board that is pleased with the work they are doing independently and individually because that's what it's all about and why they are elected. Mayor Newhard thanked the Board and offered his appreciation.

Final Comments from the Floor

No comments were made.

Final Comments from the Board

No comments were made.

Executive Session

A **MOTION** was made by Trustee Lindberg, 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 Lindberg Aye

Trustee McKnight Aye Mayor Newhard Aye

Exit Executive Session

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster 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 Lindberg Aye

Trustee McKnight Aye Mayor Newhard Aye

Adjournment

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Foster and carried to adjourn the regular meeting at approximately 8:30 p.m.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Lindberg Aye

Trustee McKnight Aye Mayor Newhard Aye

Village Clerk, Raina M. Abramson