

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
November 4, 2019**

8424

The regular bi-monthly meeting of the Board of Trustees of the Village of Warwick was held on Monday, November 4, 2019 at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present were: Mayor, Michael J. Newhard, Trustees: Barry Cheney, William Lindberg, Eileen Patterson and George McManus. Also, present was: Village Deputy Clerk, Maryann Benedict. Others present: Katie Bisaro, Joseph Irace, Kim Gabelmann, Willa Speiser, Barbara Bald, Francesco Martinez, Matias Rodriguez and others, with approximately fourteen attendees in total.

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

Acceptance of Minutes

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried to accept the Minutes of October 21, 2019.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Authorization to Pay All Approved and Audited Claims

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried for the authorization to pay all approved and audited claims #20000788 - 20000860 in the amount of \$206,504.73.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Correspondence

1. Letter regarding Pulpit Rock Inn Development – Positive SEQR Declaration.
2. Letter from Albert Wisner Public Library.
3. Letter from Warwick Valley Chamber of Commerce.

Discussion

1. Terms of Office.

Mayor Newhard informed the public that normally elections are on odd years or even years and in our situation, because of changes of terms, we went from two-year terms to four-year terms. The Board discussed having five-year terms and will talk to Stephen Gaba. This topic will be put on the November 15, 2019 agenda and will be discussed during the work session.

2. Petition for a Zone Change, Warwick Feed & Grain Building – Irace Architecture. *Plans on file in the Clerk's office.

There was a question that came before the Village Board of Trustees about previous Zone change requests and Mayor Newhard read a letter from our council, Stephen Gaba.

Privilege of the Floor

(Please limit your comments to **five (5)** 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.

1. Joseph Irace spoke about the petition for a Zone Change to the Warwick Feed & Grain Building.
2. Matias Rodriguez and Francesco Martinez thanked the Village Board of Trustees for all their help with Municipal ID's.

Return of Planning Board Escrow – Armando Ferraro WITHDRAWN

MOTION to return the Planning Board escrow balance of \$1,230.00 to Armando Ferraro for the Site Plan Approval located at 72 South Street. All invoices have been paid as per the email from Village Engineer, Dave Getz and Planning Board Attorney, Robert Dickover.

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

Replacement of Bank Street Bridge

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to grant consent to the Orange County Legislature to serve as Lead Agency under SEQRA in relation to the removal and replacement of the Bank Street Bridge located in the Village of Warwick pursuant to the request of L. Stephen Brescia, Chairman of the Orange County Legislature dated October 18, 2019 and authorize the Mayor to sign the same.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Sludge Conveyor System Project – Increase Scope of Work - Change Order #3

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson and carried to increase the scope of work for the Sludge Conveyor System Project contracted with J Squared Construction Corp. in the amount of \$1,425, increasing the total cost to \$160,055 and to authorize the Mayor to sign Change Order #3 dated October 18, 2019 per the recommendation of Village Engineer, David Getz.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

2020 F-350 4x4 Mason Dump- WITHDRAWN

MOTION to purchase a 2020 F-350 4x4 chassis with reading 9' mason dump from Leo Kaytes Ford for \$45,799.50 in accordance with state bid pricing per the recommendation of DPW Supervisor, Mike Moser. Price excludes NYS Motor Vehicle fees.

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

Vacation Carry Over Request – James Quackenbush

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to grant permission to Village Employee, James Quackenbush, to carry over six (6) vacation days.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Vacation Carry Over Request – Mike Finelli

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to grant permission to Village Employee, Mike Finelli, to carry over two (2) vacation days.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

RESOLUTION ACCEPTING DEDICATION OF EASEMENT

WHEREAS, American Legion Auxiliary, Nicholas P. Lesando Jr., Unit #214 Inc. ("American Legion") and Forester Avenue, LLC ("Forester") own adjoining properties in the Village of Warwick ("Warwick"); and

WHEREAS, Forester wishes to construct install and dedicate to the Village drainage facilities within the American Legion property; and

WHEREAS, the Village has been provided with the annexed Easement Agreement describing the permanent access easement over a portion of the American Legion property described on annexed Schedule A for the maintenance, repair and replacement of the said drainage facilities after the same are accepted for dedication by the Village;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board hereby accepts donation of the annexed Easement Agreement for the maintenance, repair and replacement of the drainage facilities therein described; and

2. That the Village Board hereby authorizes the Mayor to sign any and all documents related to this permanent access easement.

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

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting	Aye
William Lindberg, Trustee, voting	Aye
Eileen Patterson, Trustee, voting	Aye
George McManus, Trustee, voting	Aye
Michael Newhard, Mayor, voting	Aye

Warwick Feed & Grain at 15 Elm Street - Petition for a Zone Change

A **MOTION** was made by Trustee Patterson, seconded by Trustee McManus and carried to acknowledge the receipt of a petition for a zone change from Light Industrial to Central Business at the Warwick Feed & Grain property located at 15 Elm Street, to set an escrow of \$5,000, and to refer the application to the Village's engineering consultant and attorney for review and comment.

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

Trustee Cheney Nay Trustee Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

RESOLUTION FOR THE UNPAID VILLAGE OF WARWICK FY 2019-2020 TAX COLLECTION

Whereas; according to Real Property Tax Law § 1436, on or before November 1, the tax collecting officer must deliver an account of the unpaid taxes to the Board of Trustees; and

Whereas; attached is an account describing each parcel of real property upon which taxes are unpaid, the person or persons in whose name the property is assessed, and the amount of unpaid tax totaling \$58,517.90 for the FY 2019-2020 Village of Warwick tax collection; and

Whereas; the Village Board of Trustees has compared the Village Clerk's account of the FY 2019-2020 unpaid taxes with the original FY 2019-2020 tax roll, and has determined that the account is accurate; and

Whereas; each member of the Village Board shall execute the attached certificate which recites that the account and the tax roll have been compared and found to be correct and that the total amount of taxes unpaid for FY 2019-2020 is \$58,517.90; and

Whereas; the signed certificate and account describing each parcel of real property upon which taxes are unpaid, the person or persons in whose name the property is assessed, and the amount of unpaid tax totaling \$58,517.90 for the FY 2019-2020 Village of Warwick tax collection will be returned to the Orange County Commissioner of Finance's Office prior to November 15th in the year in which the levy is made; and

Whereas; these facts must also be included in the official minutes of the Village of Warwick; and

Whereas; within 15 days of the tax collecting officer delivering an account of the unpaid taxes to the Board of Trustees, the Board must file the tax roll and warrant in the office of the Village Clerk. A copy of the tax roll must be permanently retained as a public record.

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

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting Aye

William Lindberg, Trustee, voting Aye

George McManus, Trustee, voting Aye

Eileen Patterson, Trustee, voting Aye

Michael Newhard, Mayor, voting Aye

Chamber of Commerce - Home for the Holidays

A **MOTION** was made by Trustee Patterson, seconded by Trustee Lindberg and carried to grant permission to the Warwick Valley Chamber of Commerce to hold their Home for the Holidays event and to allow the traditional horse & buggy rides to take place by the same fully insured company (Dun Dreaming Farms, Sean Geary) as last year during the holidays in the Village of Warwick. The rides will be offered during the following dates: November 24, December 7, 8, 14, 15, 21 and 22, 2019. The times for the ride will be approximately 11 a.m. until 4 p.m. The route will be the same as last year starting on Railroad Avenue and continuing to Main Street, then onto South Street, ending back at Railroad Avenue. 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 Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Chamber of Commerce- Free Parking- AMENDED

MOTION to grant permission that free parking be put in place for the period between November 24, 2019 and January 1, 2020. The policy has been much appreciated by our Village merchants in the past and the Chamber is happy to support it. The Warwick Valley Chamber of Commerce would also like to decorate the parking meters as in the past and will coordinate with the DPW if necessary.

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

A **MOTION** was made by Trustee Patterson, seconded by Trustee McManus and carried to grant permission that free parking be put in place for the period between November 24, 2019 and January 1, 2020. The policy has been much appreciated by our Village merchants in the past and the Chamber is happy to support it. The Warwick Valley Chamber of Commerce is allowed to decorate the parking meters with the agreement of the DPW.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Chamber of Commerce- Santa Visit

A **MOTION** was made by Trustee Patterson, seconded by Trustee Lindberg and carried to grant permission to the Warwick Valley Chamber of Commerce to have Santa visit the sleigh in Railroad Green on Saturday, December 14, 2019 with a rain date of December 15, 2019 between the hours of 12 p.m. to 2 p.m. The Village to install the sleigh on Railroad Green again this year. 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 Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Chamber of Commerce – Home for the Holidays

A **MOTION** was made by Trustee Patterson, seconded by Trustee Lindberg and carried to grant permission to the Warwick Valley Chamber of Commerce to have Non-Profits such as Warwick Valley School District organizations, Warwick Historical Society, Playground Dreams, etc. to sell items such as hot chocolate, warm cider and snacks on Railroad Green on the following days: December 7, 8, 14, 15, 21 & 22, 2019 during the Home for the Holidays event. 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 Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Veterans Day Parade

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to rescind the motion made on October 21, 2019 granting permission to the Veterans of Foreign Wars Post No. 4662 to hold a Veterans Day Parade on November 11, 2019, including the closure Forester Avenue.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Veterans Day Parade - AMENDED

MOTION to grant permission to the Veterans of Foreign Wars Post No. 4662 to hold a Veterans Day Parade Monday, November 11, 2019 as per their letter and parade map dated October 21, 2019. Parade lineup will take place in front of Village Hall at 10:30 a.m. with step-off beginning at 11:11 a.m. The parade will culminate with a ceremony at Veterans Memorial Park at approximately 12:00 p.m. The Town of Warwick Police Department have been notified. Proof of proper insurance has been received.

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

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried to grant permission to the Veterans of Foreign Wars Post No. 4662 to hold a Veterans Day Parade Monday, November 11, 2019 as per their letter and parade map dated October 21, 2019. Parade lineup will take place at High Street at 10:30 a.m. with step-off beginning at 11:11 a.m. The parade will culminate with a ceremony at Veterans Memorial Park at approximately 12:00 p.m. As approved by the Town of Warwick Police Department. Proof of proper insurance has been received.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Albert Wisner Public Library- Children's Book Festival

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried to grant permission to the Albert Wisner Public Library to hold their Children's Book Festival on Railroad Green on Saturday, October 10, 2020 from 11 a.m. to 4 p.m. including permission to tie balloons on nearby parking meters the morning of October 10, 2020 as per their letter dated October 29, 2019. 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 Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Albert Wisner Public Library- Children's Book Festival

A **MOTION** was made by Trustee Patterson, seconded by Trustee Lindberg and carried to close Railroad Avenue for the benefit of the Children's Book Festival on Saturday, October 10, 2020 from 5:30 a.m. to 6:00 p.m. to allow for tent set-up and removal.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Wastewater Treatment Plant- Contract 1G PK Songer Plumbing

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to award the contract for Wastewater Treatment Plant UV Disinfection Improvements- Contract 1G- General Construction to PK Songer Plumbing in the amount of \$412,000.00 based on the recommendation of Barton & Loguidice in their letter dated November 1, 2019.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Wastewater Treatment Plant- Contract 1E O'Connell Electric, Inc.

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus and carried to award the contract for Wastewater Treatment Plant UV Disinfection Improvements- Contract 1E- Electrical Construction to O'Connell Electric, Inc. in the amount of \$98,185.00 based on the recommendation of Barton & Loguidice in their letter dated November 1, 2019.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Final Comments from the Board

Trustee Lindberg gave an update about the Warwick Skatepark Initiative Public Forum and the new proposed skatepark. They are looking for volunteers to be on the committee and for fundraising, advertising, etc. It will be a big project and residents are invited to meetings that are held each Wednesday at 6:30 p.m. in Village Hall, 77 Main Street, Warwick, NY.

Trustee McManus announced that the Warwick Historical Society is going to present on Sunday, November 10, 2019 at 4:00 p.m. at the Old School Baptist Meeting House, 25 High Street, Warwick, to remember the service and sacrifices of veterans, share stories and family legacies and to build community. Humorous or somber, on domestic or foreign soil, everyone is invited to participate and share a personal military experience. Call 845-986-3236 if you plan on attending and for more information.

Adjournment

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

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Maryann Benedict
Deputy Village Clerk