

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
OCTOBER 7, 2024
AGENDA**

**LOCATION:
VILLAGE HALL
77 MAIN STREET, WARWICK, NY
7:30 P.M.**

**Call to Order
Pledge of Allegiance
Roll Call**

1. Introduction by Mayor Newhard.
2. Acceptance of Minutes: September 23, 2024

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

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

3. Authorization to Pay all Approved and Audited Claims in the amount of
\$_____.

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

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

Presentations

1. Barton & Loguidice – Wastewater Treatment Plant Progress.

Announcements

1. All Things Halloween in the Village of Warwick.
2. Village of Warwick Fall Leaf Pickup.

Discussions

1. Schedule of Fees Parking Fines/Violations.
2. 2024 NY Forward Revitalization Initiative Grant.

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.

Motions

Trustee Cheney's Motions

1. **MOTION** to grant permission to Village of Warwick Employee, Michael Finelli, to carry over 5 vacation days.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard ____

2. **MOTION** to authorize the Mayor to enter into a contract with Joseph Warren Electrical, LLC for the electrical contract of the Well #3 Water Treatment Plant Project in the amount of \$99,800 as per the recommendation of Village Engineer, Pitingaro & Doetsch Consulting Engineers, P.C. Funds are appropriated in budget code F.8330.2350 Purification - Equip/Machinery in the FY24-25 budget. The award of bid was previously approved at the August 5, 2024, Village Board Meeting.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard ____

3. **MOTION** to authorize the Mayor to enter into a contract with TAM Enterprises, Inc. for the general contract of the Well #3 Water Treatment Plant Project in the amount of \$1,196,000 as per the recommendation of Village Engineer, Pitingaro & Doetsch Consulting Engineers, P.C. Funds are appropriated in budget code F.8330.2350 Purification - Equip/Machinery in the FY24-25 budget. The award of bid was previously approved at the August 5, 2024, Village Board Meeting.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard

4. **MOTION** to approve payment #2 in the amount of \$185,599.59 to Jorrey Excavating, Inc. for the South Street Sidewalk ADA Improvements – Phase 3 project per the recommendation of Village Engineer, Keith Woodruff. Funds are appropriated in budget code A5110.4400. The contracted project work, including demobilization, was completed by the contractor on September 9, 2024.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard ____

5. **MOTION** to advertise and receive bids for the relocation of the Maple Avenue Booster Station project.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard ____

6. **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
MUTUAL TERMINATION AGREEMENT BETWEEN THE
VILLAGE OF WARWICK AND THE NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**

WHEREAS, the Village of Warwick (the "Village") has before it a Mutual Termination Agreement (the "Agreement") prepared by the New York State Environmental Facilities Corporation (the "Corporation") to terminate the Grant Agreement dated September 12, 2024,

for the NYS Drinking Water State Revolving Fund Bipartisan Infrastructure Law Lead Service Line Replacement Funds DWSRF Project No. 19370 (the "Grant Agreement"); and

WHEREAS, the Village has not drawn any of the funding offered pursuant to the Grant Agreement; and

WHEREAS, the Village and the Corporation have mutually agreed to terminate the Grant Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Warwick that the Mayor of the Village of Warwick is hereby authorized to enter into the Mutual Termination Agreement with the New York State Environmental Facilities Corporation, substantially in the form attached hereto as Exhibit A, to terminate the Grant Agreement dated September 12, 2024, for Project Number 19370.

_____ presented the foregoing resolution which was
seconded by _____,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting _____

Carly Foster, Trustee, voting _____

Thomas McKnight, Trustee, voting _____

Mary Collura, Trustee, voting _____

Michael Newhard, Mayor, voting _____

**7. RESOLUTION APPROVING NYS DOT
LAND ACQUISITION BY EMINENT DOMAIN**

WHEREAS, the New York State Department of Transportation ("DOT") is undertaking a highway improvement project in the Village of Warwick; and

WHEREAS, the DOT has commenced eminent domain proceedings (Proceeding 15373, PIN 8002.24.201, S.H. 9318, Map 2, Parcel 2) to acquire certain small portions of Oakland Avenue, Main Street and on Maple Avenue identified as Map 2 Parcel 2 on the Appropriation Map from the Village; and

WHEREAS, in regard to the said proceedings, DOT has made an Offer of Settlement to the Village of Eight Thousand Nine Hundred and Fifty and 00/100 Dollars (\$8,950); and

WHEREAS, the Village Board finds that the proposed taking is for a public purpose and that the Offer of Settlement constitutes fair and adequate compensation for DOT's acquisition of title to the property at issue.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board accepts the Offer of Settlement received from the DOT in regard to the said portions of Oakland Avenue, Main Street and on Maple Avenue; and
2. That the Mayor is hereby authorized to execute the Agreements for the acquisition of title to the said property by DOT through eminent domain and any documents necessary to carry out their provisions and to secure payment for the Village.

_____ presented the foregoing resolution which was
seconded by _____,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting _____

Carly Foster, Trustee, voting _____

Thomas McKnight, Trustee, voting _____

Mary Collura, Trustee, voting _____

Michael Newhard, Mayor, voting _____

**8. Resolution of the Board of Trustees of the Village of Warwick
Authorizing the Submission of the NY Forward Grant Application**

WHEREAS, the Village of Warwick is committed to enhancing the quality of life for its residents and improving the community; and

WHEREAS, the NY Forward Grant program provides an opportunity for municipalities to secure funding for projects that promote economic development, community revitalization, and overall sustainability; and

WHEREAS, the Village of Warwick Board of Trustees recognizes the importance of this grant and supports the application process; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Warwick hereby supports the application for the NY Forward Grant and authorizes Mayor Newhard to submit the application on behalf of the Village.

FURTHER RESOLVED, that the Mayor and/or Village Clerk are hereby authorized to take any necessary actions to fulfill the intent of this resolution.

_____ presented the foregoing resolution which was
seconded by _____,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting	_____
Carly Foster, Trustee, voting	_____
Thomas McKnight, Trustee, voting	_____
Mary Collura, Trustee, voting	_____
Michael Newhard, Mayor, voting	_____

Trustee Foster's Motions

9. **MOTION** to hire special event staff at a rate of \$15.00 per hour for the following events: 10-12 staff members for the Halloween Parade, 8-10 staff members for the Christmas Eve Service, and 10-12 staff members for the Easter Egg Hunt per the recommendation of Village of Warwick Recreation Director, Ron Introini.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard ____

10. **MOTION** to grant permission to the Veterans of Foreign Wars Post No. 4662 to hold a Veterans Day Parade Saturday, November 11, 2024, as per their facility use application and parade map received October 3, 2024. The parade lineup will take place on 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. The parade route has been approved by the Town of Warwick Police Department. Completed park permit, security deposit and proof of insurance have been received.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard ____

11. **MOTION** to grant permission to the Knights of Columbus to hold a coin toss on Saturday, October 19, 2024, from 10:00 a.m. to 2:00 p.m. on Forester Avenue, north of the intersection with Burt Street to benefit anyone affected by Hurricane Helene. Completed facility use permit, proof of proper insurance, and security deposit have been received. Participants must wear reflective safety vests. The Warwick Police Department have no objection to the location of the event.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard ____

12. **MOTION** to grant permission to the Warwick Valley Chamber of Commerce to hold the Home for the Holidays event and to allow the traditional horse & buggy rides to take place by Dun Dreaming Farms, Sean Geary, as previous years during the holidays in the Village of Warwick. The rides will be offered during the following dates: November 24, 29, 30, December 1, 7, 8, 14, 15, 21, and 22, 2024. The times for the rides will be approximately 11 a.m. to 4 p.m. The route will be the same as in past years, 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 insurance from the Chamber of Commerce have been received. Approval pending proof of insurance from Dun Dreaming Farms, Sean Geary.

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

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

13. **MOTION** to approve the implementation of free parking for the period of November 27, 2024, through January 1, 2025, per the request of the Warwick Valley Chamber of Commerce and to grant permission to the Warwick Valley High School FFA to hang ribbons on the meters after November 27, 2024, in coordination with the Village of Warwick DPW. Proof of insurance has been received from the Warwick Valley Central School District.

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

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

14. **MOTION** to grant permission to the Warwick Valley Chamber of Commerce to have Santa visit the sleigh on Railroad Green on Sunday, November 24, 2024 & Sunday, December 15, 2024, between the hours of 12:00 p.m. and 2:00 p.m. The Village of Warwick DPW to install the sleigh on Railroad Green. Completed park permit, security deposit and proof of insurance have been received.

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

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

15. **MOTION** to grant permission to the Warwick Valley Chamber of Commerce to have non-profit groups, including Warwick Valley School District organizations, sell items such as hot chocolate, warm cider, and snacks on Railroad Green on the following dates: November 24, 29, 30, December 1, 7, 8, 14, 15, 21, and 22, 2024, during the Home for the Holidays event. Request includes use of electricity. Completed park permit, security deposit, proof of insurance, including insurance from the Warwick Valley Central School

District, have been received. Pending proper insurance requirements from additional non-profit groups that participate in this event.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard

Trustee Collura's Motions

16. **Resolution of the Board of Trustees of the Village of Warwick**
Authorizing the Application for a Grant through the
NYS Unified Court System Justice Court Assistance Program

WHEREAS, the Village of Warwick recognizes the importance of maintaining an efficient and effective justice system; and

WHEREAS, the NYS Unified Court System offers the Justice Court Assistance Program (JCAP) to provide financial support to local justice courts for improvements and enhancements; and

WHEREAS, the Village of Warwick Court seeks to enhance its operations and services to better serve the community; and

WHEREAS, the Board of Trustees has identified potential projects and improvements that could be funded through the JCAP grant; and

WHEREAS, the 2024-25 grant cycle presents an opportunity for the Village of Warwick Court to secure funding to support these initiatives;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Warwick authorizes the Village of Warwick Court to apply for a JCAP grant in the 2024-25 grant cycle up to \$30,000.

FURTHER RESOLVED, that the Clerk to the Justice Court is hereby authorized to execute any necessary documents related to this application and to take any actions necessary to fulfill the intent of this resolution.

_____ presented the foregoing resolution which was
seconded by _____.

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting _____

Carly Foster, Trustee, voting _____

Thomas McKnight, Trustee, voting _____

Mary Collura, Trustee, voting _____

Michael Newhard, Mayor, voting _____

17. **MOTION** to grant permission to the Village of Warwick Recreation Department to hold a Halloween Parade on Thursday, October 31, 2024. The lineup will be at 4:30 p.m. on High Street. The parade will start at 5:00 p.m. and proceed down Main Street to Railroad Avenue, ending on Railroad Green for a Costume Contest. The Warwick Police have been notified and will assist with the event.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard ____

18. **MOTION** to close Oakland Court, Welling Avenue, Orchard Street, and Linden Place on Thursday, October 31, 2024, from 4:00 p.m. until 9:00 p.m. and to close High Street from 4:00 p.m. to 5:00 p.m. on October 31, 2024, for parade lineup.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard ____

19. **MOTION** to impose a Halloween curfew for all persons under the age of 18 unless accompanied by a parent or guardian on all Village streets and parks and other public areas in the Village of Warwick between the hours of 9:00 p.m. on Wednesday, October 30, 2024, to 6:00 a.m., Thursday, October 31, 2024, and again on Thursday, October 31, 2024, from 9:00 p.m. to 6:00 a.m., Friday, November 1, 2024.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard ____

Trustee McKnight's Motions

20. **MOTION** to advertise and request proposals for the following professional services for FY2025-26: IT Services, Accountant, and Counsel to the Village Board.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard ____

21. RESOLUTION ADOPTING THE PRO-HOUSING COMMUNITIES PLEDGE

WHEREAS, the Village of Warwick believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State's economic growth and community well-being; and

WHEREAS, the Village believes that the housing crisis has negative effects at regional and local levels, and that every community must do its part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities; and

WHEREAS, the Village believes that supporting housing production of all kinds in its community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities; and

WHEREAS, the Village believes that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and

WHEREAS, the Village believes that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping its community strong and vibrant;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Village of Warwick, in order to take positive steps to alleviate the housing crisis, adopts the Pro-Housing Communities pledge, under which it will endeavor to take the following important steps:

1. Streamline permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing;

2. Adopt policies that affirmatively further fair housing;
3. Incorporate regional housing needs into planning decisions;
4. Increase development capacity for residential uses;
5. Enact policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

_____ presented the foregoing resolution which was seconded
by _____,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting _____
Carly Foster, Trustee, voting _____
Thomas McKnight, Trustee, voting _____
Mary Collura, Trustee, voting _____
Michael Newhard, Mayor, voting _____

22. **MOTION** to acknowledge receipt of a Petition in connection with a proposed change in zoning classification for a portion of the premises located at 42 Orchard Street in the Village of Warwick, to set an escrow at \$2,000, and refer the Petition to the Village Attorney and Village's Engineering Consultant for review and comment.

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

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

23. **MOTION** to acknowledge receipt of a petition for a change in zoning classification for premises located at 4 Overlook Drive and 1 Galloway Heights Road and to refer the petition to the Village's Attorney and the Village's Engineering Consultant for review and comment. Escrow in the amount of \$2,000 has been received.

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

Trustee Cheney ____ Trustee Foster ____ Trustee Collura ____

Trustee McKnight ____ Mayor Newhard

Public Comment – *Non-Agenda Items*

Final Comments from the Board

Executive Session, if applicable

Adjournment



VILLAGE OF WARWICK
INCORPORATED 1867

ALL THINGS HALLOWEEN IN THE VILLAGE OF WARWICK

HALLOWEEN PARADE & COSTUME CONTEST

The Village of Warwick Recreation Department and the Warwick Lions Club will be hosting a spooktacular Halloween Costume Parade on Thursday, October 31st. Line-up will take place at 4:30 p.m. on High Street. The Parade will start at 5:00 p.m. and proceed down Main Street to Railroad Ave. A Costume Contest with prizes will take place on Railroad Ave.

This years' Costume Contest will include the following categories: Most Original, Scariest, Best Group/Family and Cutest. The contest will be divided into the following age groups: 0-5, 6-9, 10-14, adult and family ensemble.

Refreshments are sponsored by ShopRite of Warwick.

We can't wait to see you in your Halloween best!

VILLAGE RESIDENTS INVITED TO "SCARE THE MAYOR"

Village residents are invited to try their best to Scare the Mayor for the Village's Eighth Annual "Scare the Mayor" Contest. This is a contest for the scariest, most frightful, scream-worthy Halloween decorated house in the Village of Warwick. The contest is free to enter, and Village of Warwick residents are eligible to participate. If your home won first prize the previous year you are ineligible to win first prize this year but can still participate in the contest. To register your house, please call Village Hall at (845) 986-2031 or email clerk@villageofwarwick.org by Monday, October 28, 2024.

On Wednesday, October 30, 2024, starting at 7:00 p.m., all participants will receive a visit from Village of Warwick Mayor, Michael Newhard, and guest judges who will deem the ghouls and ghosts who scare them the most.

First, Second, and Third Prize winners will be posted on the Village's website and earn bragging rights that, "I Scared the Mayor." Additionally, one select home will receive, "The Karl Scheible Award for Exemplary Skill and Thematic Creativity" in honor of late Village of Warwick Planning Board Member, Karl Scheible who created the original 'Haunted House' on Oakland Court. Winners will be announced on Facebook. So, string those purple and orange lights with care, spread cobwebs as far as they can bear, creepy skulls and candy corn too, anything spooky really will do. The Mayor anticipates the delights from all the scary frights, and they look forward to celebrating the best that residents can offer.

VILLAGE OF WARWICK HALLOWEEN HOUSE SELF-GUIDED TOUR

This year the Village of Warwick will be compiling a list of Halloween decorated homes to be shared with the public as a self-guided tour. If you wish to participate, please email Trustee Mary Collura at collura@villageofwarwick.org by Tuesday, October 15 to include your home (address only will be shared). Once completed, maps will be available on the Village's Facebook and at Village Hall.

HALLOWEEN CURFEW & ROAD CLOSURES

There is a Halloween curfew for all persons under the age of 18 unless accompanied by a parent or guardian on all Village streets and parks and other public areas in the Village of Warwick between the hours of 9:00 p.m. on Wednesday, October 30, 2024, to 6:00 a.m., Thursday, October 31, 2024, and again on Thursday, October 31, 2024, from 9:00 p.m. to 6:00 a.m., Friday, November 1, 2024.

The Village will once again close off Oakland Court, Welling Avenue, Orchard Street, and Linden Place on Thursday, October 31, 2024, from 4:00 p.m. until 9:00 p.m. High Street will be closed on October 31, 2024, from 4:00 p.m. to 5:00 p.m. for the parade lineup.

Village of Warwick Fall Leaf Pickup

Now that fall is here the Village of Warwick will begin picking up leaves on November 1. Leaves must be placed at the curb in paper bags. The last pickup will be during the week of **December 9th**. To ensure a final pickup, leaves must be placed at the curb prior to **December 13th**.

Village residents may also bring bagged leaves to the Village Brush Pile, located at the Village of Warwick Department of Public Works site in Veterans Memorial Park, which is open every Saturday and Sunday in **October and November from 12-4pm**.

CONTRACT

THIS AGREEMENT, made this _____ day of _____ 2024, by and

between the _____ **Village of Warwick** _____, herein called "Owner,"
(Corporate Name of Owner)

acting herein through its _____ **Mayor** _____, and
(Title of Authorized Official)

Joseph Warren Electrical, LLC
14 West Lake Road
Warwick, NY 10990

(Name and Address of Contractor)

hereinafter called "Contractor."

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the Owner, the Contractor hereby agrees with the Owner to commence and complete the construction described as follows:

WARWICK WELL #3 WATER TREATMENT PLANT – ELECTRICAL CONTRACT

hereinafter called the Project, for the sum of **Ninety-nine Thousand Eight Hundred Dollars and 00/100 (\$99,800.00)** and all extra work in connection therewith, under the terms as stated in the General and Special Conditions of the Contract; and at his (its or their) own proper cost and expense to furnish all the materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and other accessories and services necessary to complete the said Project in accordance with the conditions and prices stated in the Proposal, the General Conditions, Supplemental General Conditions and Special Conditions of the Contract, the plans, which include all maps, plats, blueprints, and other drawings and printed or written explanatory matter thereof, the specifications and contract documents therefore as prepared by Pitingaro & Doetsch Consulting Engineers, P.C., herein entitled the Engineer and as enumerated in Paragraph 1 of the Supplemental General Conditions, all of which are made a part hereof and collectively evidence and constitute the Contract.

LIQUIDATED DAMAGES

The Contractor hereby agrees to commence work under this Contract on or before a date to be specified in a written "Notice to Proceed" of the Owner and to fully complete the Project within **300** consecutive calendar days thereafter ("Contract Time"). The Contractor acknowledges and recognizes that the Owner is entitled to full and beneficial occupancy and use of the completed project following expiration of the Contract Time and that the Owner has entered into, or will enter into, binding agreements with 3rd parties based upon the Contractor achieving Substantial Completion of the Work within the Contract Time. The Contractor further acknowledges and agrees that if it fails to achieve Completion of any portion of the Work within the Contract Time, as further set forth in the General Conditions, the

Owner will sustain extensive damages and possible loss of funding, as well as other serious losses as a result of such failure. The exact amount of such damages will be extremely difficult to ascertain. Therefore, the Owner and the Contractor agree that if the Contractor fails to achieve Completion within the Contract Time, the Owner shall be entitled to retain or recover from the Contractor, as liquidated damages and not as a penalty, the following per diem amount commencing upon the first day following the expiration of the Contract Time and continuing until the date that the Contractor achieves Completion of the entire Work. Such liquidated damages are hereby agreed to be a reasonable pre-estimate of damages the Owner will incur as a result of delayed completion of the Work: \$1000.00.

The Owner agrees to pay the Contractor in current funds for the performance of the Contract, subject to additions and deductions, as provided in the General Conditions of the Contract, and to make payments on account thereof as provided in the "Payments to Contractor" section of the General Conditions.

IN WITNESS WHEREOF, the parties to these presents have executed this Contract in four counterparts, each of which shall be deemed an original, in the year and day first above mentioned.
(Seal)

ATTEST:

(Secretary)

(Witness)

(Seal)

(Secretary)

Andrew Burns
(Witness)

Village of Warwick
(Owner)

By _____

Mayor
(Title)

Joseph Warren Electrical, LLC

(Contractor)
By Joseph D. Warren

owner
(Title)

14 West Lake Road
Warwick, NY 10990
(Address)

NOTE: Secretary of the Owner should attest.
If Contractor is a corporation, Secretary should attest.

ACKNOWLEDGMENT BY THE VILLAGE OF WARWICK

STATE OF NEW YORK

S.S.

COUNTY OF ORANGE

On this ____ day of _____, 20____, before me personally appeared Michael Newhard of the Village of Warwick, who by me being duly sworn did depose and say that he is the Mayor for which he executed the foregoing Instrument that he signed his name thereto pursuant to a Resolution of the Board of Trustees, _____.

Notary Public

ACKNOWLEDGMENT BY PRINCIPAL, IF A CORPORATION

STATE OF NEW YORK

S.S.

COUNTY OF ORANGE

On this 23rd day of September 2024 before me personally came Joseph Warren to me known, who being by me duly sworn, did depose and say that he resides in Warwick, NY; that he is the OWNER of Joseph Warren Electrical, the corporation described in and which executed the foregoing Instrument; that he knew the seal of said Corporation; that the seal affixed to said Instrument was such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

Linda A. Kump
Notary Public
LINDA A. KUMP

NOTARY PUBLIC-STATE OF NEW YORK
No. 01KU6273152

ACKNOWLEDGMENT BY INDIVIDUAL

Qualified In Orange County
My Commission Expires 12-03-2024

STATE OF NEW YORK

S.S.

COUNTY OF ORANGE

On this ____ day of _____, 20____, before me personally came _____ to me known and known to be the same person described in and who executed the foregoing Instrument and he acknowledged to me that he executed the same for the purposes therein mentioned.

Commissioner of Deeds or Notary Public

CONTRACT

THIS AGREEMENT, made this _____ day of _____ 2024, by and

between the _____ **Village of Warwick** _____, herein called "Owner,"
(Corporate Name of Owner)

acting herein through its _____ **Mayor** _____, and
(Title of Authorized Official)

TAM Enterprises, Inc.
114 Hartley Road
Goshen, NY 10924

(Name and Address of Contractor)

hereinafter called "Contractor."

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the Owner, the Contractor hereby agrees with the Owner to commence and complete the construction described as follows:

WARWICK WELL #3 WATER TREATMENT PLANT – GENERAL CONTRACT

hereinafter called the Project, for the sum of **One Million One Hundred Ninety-six Thousand Dollars and 00/100 (\$1,196,000.00)** and all extra work in connection therewith, under the terms as stated in the General and Special Conditions of the Contract; and at his (its or their) own proper cost and expense to furnish all the materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and other accessories and services necessary to complete the said Project in accordance with the conditions and prices stated in the Proposal, the General Conditions, Supplemental General Conditions and Special Conditions of the Contract, the plans, which include all maps, plats, blueprints, and other drawings and printed or written explanatory matter thereof, the specifications and contract documents therefore as prepared by Pitingaro & Doetsch Consulting Engineers, P.C., herein entitled the Engineer and as enumerated in Paragraph 1 of the Supplemental General Conditions, all of which are made a part hereof and collectively evidence and constitute the Contract.

LIQUIDATED DAMAGES

The Contractor hereby agrees to commence work under this Contract on or before a date to be specified in a written "Notice to Proceed" of the Owner and to fully complete the Project within **300** consecutive calendar days thereafter ("Contract Time"). The Contractor acknowledges and recognizes that the Owner is entitled to full and beneficial occupancy and use of the completed project following expiration of the Contract Time and that the Owner has entered into, or will enter into, binding agreements with 3rd parties based upon the Contractor achieving Substantial Completion of the Work within the Contract Time. The Contractor further acknowledges and agrees that if it fails to achieve Completion of any portion of the Work within the Contract Time, as further set forth in the General Conditions, the

Owner will sustain extensive damages and possible loss of funding, as well as other serious losses as a result of such failure. The exact amount of such damages will be extremely difficult to ascertain. Therefore, the Owner and the Contractor agree that if the Contractor fails to achieve Completion within the Contract Time, the Owner shall be entitled to retain or recover from the Contractor, as liquidated damages and not as a penalty, the following per diem amount commencing upon the first day following the expiration of the Contract Time and continuing until the date that the Contractor achieves Completion of the entire Work. Such liquidated damages are hereby agreed to be a reasonable pre-estimate of damages the Owner will incur as a result of delayed completion of the Work: \$1000.00.

The Owner agrees to pay the Contractor in current funds for the performance of the Contract, subject to additions and deductions, as provided in the General Conditions of the Contract, and to make payments on account thereof as provided in the "Payments to Contractor" section of the General Conditions.

IN WITNESS WHEREOF, the parties to these presents have executed this Contract in four counterparts, each of which shall be deemed an original, in the year and day first above mentioned.

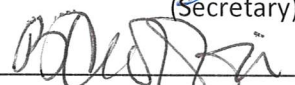
(Seal)

ATTEST:

(Secretary)

(Witness)

(Seal)

(Secretary)


(Witness)

Village of Warwick
(Owner)

By _____

Mayor
(Title)

TAM Enterprises, Inc.
(Contractor)

By  _____

Vice President
(Title)

114 Hartley Road
Goshen, NY 10924
(Address)

NOTE: Secretary of the Owner should attest.
If Contractor is a corporation, Secretary should attest.

ACKNOWLEDGMENT BY THE VILLAGE OF WARWICK

STATE OF NEW YORK

S.S.

COUNTY OF ORANGE

On this ____ day of _____, 20____, before me personally appeared Michael Newhard of the Village of Warwick, who by me being duly sworn did depose and say that he is the Mayor for which he executed the foregoing Instrument that he signed his name thereto pursuant to a Resolution of the Board of Trustees, _____.

Notary Public

ACKNOWLEDGMENT BY PRINCIPAL, IF A CORPORATION

STATE OF New York

S.S.

COUNTY OF Orange

On this 20 day of September, 2021, before me personally came Brian Cutler to me known, who being by me duly sworn, did depose and say that he resides in Goshen NY; that he is the V.P. of FAH Enterprises the corporation described in and which executed the foregoing Instrument; that he knew the seal of said Corporation; that the seal affixed to said Instrument was such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

Notary Public

CHRISTINA MARIE VASQUEZ
NOTARY PUBLIC-STATE OF NEW YORK
No. 01VA6440222
Qualified in Orange County
My Commission Expires 09-06-2026

ACKNOWLEDGMENT BY INDIVIDUAL

STATE OF _____

S.S.

COUNTY OF _____

On this ____ day of _____, 20____, before me personally came _____ to me known and known to be the same person described in and who executed the foregoing Instrument and he acknowledged to me that he executed the same for the purposes therein mentioned.

Commissioner of Deeds or Notary Public



Montgomery Office:

71 Clinton Street
Montgomery, NY 12549

Goshen Office:

262 Greenwich Ave, Ste B
Goshen, NY 10924

(845) 457 - 7727

www.EngineeringPropertiesPC.com

September 26, 2024

**VILLAGE OF WARWICK BOARD OF TRUSTEES
77 MAIN STREET
WARWICK, NY 10990**

ATT: MAYOR MICHAEL NEWHARD

**RE: SOUTH STREET SIDEWALK ADA IMPROVEMENT – PHASE 3
THIRD STREET TO LAWRENCE AVENUE
W.O. #1804.13**

Dear Mayor Newhard and Trustees:

We have reviewed the Application and Certificate for Payment #2, dated 09/09/24, from Jorrey Excavating, Inc. for the South Street Sidewalk ADA Improvements – Phase 3 project. We recommend the approval of the requested payment of \$185,599.59. The contracted project work, including demobilization, was completed by the contractor on 09/09/24.

The balance amount to close the project, including retainage, is \$10,092.45. This balance amount is consistent with the revised contract price of \$201,848.99, approved with Change Orders #1 & #2.

We have enclosed a signed copy of the payment application form.

Sincerely,

Engineering & Surveying Properties, PC, Village Engineers

Keith Woodruff, CPESC, CPSWQ
Senior Engineer

APPLICATION AND CERTIFICATE FOR PAYMENT

TO: Village of Warwick
77 Main Street
Warwick, New York 10990

PROJECT: South Street Sidewalk Project

FROM CONTRACTOR:
Jorrey Excavating Inc.
160 Bart Bull Rd.
Middletown, NY 10941-3802

Owner: Village of Warwick

JEI Document 702

APPLICATION NO: 2
PERIOD TO: 9-Sep-24
PURCHASE ORDER NO: B-23-UC-36
Distribution to:
☒ OWNER
☐ ARCHITECT
☐ CONTRACTOR
☐ ENGINEER
☐

CONTRACT DATE: 5/30/2024
Our Job #: 24-16

CONTRACT FOR:**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet, JEI Document JEI703, is attached.

1. ORIGINAL CONTRACT SUM	\$ 179,900.00
2. Net change by Change Orders	\$ 21,948.99
3. CONTRACT SUM TO DATE (Line 1+ 2)	\$ 201,848.99
4. TOTAL COMPLETED & STORED TO DATE	\$ 201,848.99
5. RETAINAGE:	
a. 5% of Completed Work (Columns D+E on JEI 703)	\$ 10,092.45
b. 5% of Stored Material (Column F on JEI 703)	\$ -
Total Retainage (Line 5a+5b or Total in Column I of G703)	\$ 10,092.45
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)	\$ 191,756.54
7. LESS PREVIOUS CERTIFICATED FOR PAYMENT (Line 6 from previous invoice)	\$ (6,156.95)
8. CURRENT PAYMENT DUE	\$ 185,599.59
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$ 10,092.45

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$ 21,948.99	
Total approved this Month	\$ -	
TOTALS	\$ 21,948.99	
NET CHANGES by Change Order	\$ 21,948.99	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due

CONTRACTOR: Jorrey Excavating Inc.

By:

Date: 09-Sep-24

State of: New York
County of: Orange
Subscribed and sworn to before me
September 9, 2024

TIRZAH JORREY
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ORANGE COUNTY
COMMISSION EXPIRES 01/09/2028
NO. 6253954

Notary Public:

My Commission expires: 01/09/28

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, base on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: \$ 185,599.59
(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this application and on the Continuation Sheet that are changed to conform to the amount certified).

ARCHITECT:

By:

Date: 09/10/24

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

Payment Breakdown

Job #: 24-16

[illegible]

MUTUAL TERMINATION AGREEMENT

This Mutual Termination Agreement (the “Agreement”) is dated as of September 27, 2024 (the “Effective Date”), by and among the Village of Warwick (the “Village”) and the New York State Environmental Facilities Corporation (the “Corporation”).

WHEREAS, the Village and the Corporation entered into that certain Grant Agreement dated as of September 12, 2024, for Project Number 19370 (the “Grant Agreement”); and

WHEREAS, the Village has not drawn any of the funding offered pursuant to the Grant Agreement; and

WHEREAS, the Village and the Corporation have mutually agreed to terminate the Grant Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, do hereby agree as follows:

1. Capitalized terms used herein that are not otherwise defined shall have the meanings as given to them in the Grant Agreement.

2. The Grant Agreement is hereby terminated as of the Effective Date.

3. The Village hereby releases the Corporation, its officers, employees, directors, agents and representatives from and against any and all claims, losses, damages, liabilities, demands, costs and expenses attributable to, or arising out of, the Grant Agreement.

4. This Agreement is governed by and construed in accordance with the laws of New York State.

5. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute one and the same instrument. The exchange of copies of signature pages by scanned portable document format (“.pdf”) e-mail attachment shall constitute effective execution of this Agreement, and .pdf copies of this Agreement shall have the same force and effect as an original.

6. The Agreement states the entire agreement among the parties hereto concerning the termination of the Grant Agreement, and supersedes all and all prior agreements, commitments, communications, negotiations, offers (whether in writing or oral), representations, statements, understandings and writings pertaining thereto, and may not be amended or modified except by written instrument duly executed and delivered by all of the parties hereto.

{Space Intentionally Left Blank/Signature Page Follows}

IN WITNESS WHEREOF, the parties have each caused this Agreement to be executed and delivered as of the date first written above.

NEW YORK STATE ENVIRONMENTAL
FACILITIES CORPORATION

VILLAGE OF WARWICK

By: _____
Maureen A. Coleman
President and CEO

By: _____
Michael J. Newhard
Mayor



Department of Transportation

KATHY HOCHUL
Governor

MARIE THERESE DOMINGUEZ
Commissioner

LANCE MacMILLAN, P.E.
Regional Director

July 30, 2024

Village of Warwick
77 Main Street
P.O. Box 369
Warwick, NY 10990-1328
Attn: Mayor Michael Newhard

RECEIVED

SEP 03 2024

VILLAGE OF WARWICK
CLERK'S OFFICE

Subject Property: Railroad Avenue, Warwick, NY 10990

Re: PIN 8002.24.201
SH 9318; Warwick Village: Oakland Avenue
Main Street and Maple Avenue
Map(s): 2
Parcel(s): 2
Town of Warwick
Orange County

Dear Village of Warwick:

The Department is progressing the above captioned project and we are now able to extend an offer of just compensation to you for the above-referenced acquisition as described in the enclosed map(s). **Our offer, based on the amount of our highest approved appraisal, is \$8,950.00 (Eight Thousand Nine Hundred and Fifty no/100 dollars).** To assist you with your review of our offer, please find the following documents:

- 1) Explanation of Acquisition and Offer Settlement
- 2) How Property is Acquired by the Department of Transportation
- 3) Acquisitions Fact Sheet
- 4) Description of Project

5) Appropriation Map - This map depicts the areas and interests the Department is acquiring. The map became official upon filing with the Department of Transportation on **August 19, 2024**. After you have had a reasonable opportunity to consider the offer stated above, we will record this map with the County Clerk's Office where the property is located whereupon title will transfer from you to the State of New York; you will be notified of this by personal service or certified mailing of a Notice of Appropriation and map.

6) Agreements - By law, you may receive your compensation either as an advance payment on your claim by signing and returning the enclosed Agreement for Advance Payment, or as a full settlement of your claim by signing an Agreement of Adjustment and Release of Owner (which will be provided upon request).

(a) ***If you sign the enclosed Agreement for Advance Payment***, you may collect the amount stated on the agreement, plus applicable interest, and negotiate for additional compensation, if warranted and justified. The Agreement for Advance Payment provides you with the right to file a claim with the Court of Claims, within a three-year period from the date the Department delivers you a Notice of Appropriation. Your failure to file a claim in the Court of Claims within the three years shall be automatically deemed an acceptance of the amount paid as full settlement of your claim.

(b) ***If you sign the Agreement of Adjustment and Release of Owner***, this settles your claim for the offered amount, plus applicable interest, and waives your right to file a claim in the Court of Claims. Please note that this agreement is not included in this offer package but is available upon request.

For either type of agreement, please execute **all four (4) originals** in the presence of a notary public. Keep one original for your file and return the other three (3) in the enclosed postpaid envelope.

7) Interest Supplement to Agreement (ROW 21-8) – This is an informational sheet explaining how interest is calculated on the offered amount and will be attached to the agreements if applicable to your specific appropriation.

8) Request for Taxpayer Identification Number and Certification (W-9) – This form is used to collect your Social Security/Tax Payer Identification number.

9) Resolution – to be completed by designated officer(s) or proper part(ies) to execute the agreements and closing papers on your behalf.

10) Self Addressed Stamped Envelope (SASE) for return of the signed agreements and other completed documents.

Please be advised that before we can issue a check for your property, the following steps must be completed:

(a) The Department must take title to the property by recording the appropriation map with the County Clerk where the property is located.

(b) The Department must receive three (3) copies of the signed agreement from you containing original signatures, signed in the presence of a notary (retain one (1) for your records). The agreement must be approved by the Commissioner or his/her designee and, in certain instances, the Office of the New York State Comptroller.

(c) IRS Form W-9 must be properly executed and returned.

(d) Closing documents required by the New York State Attorney General's Office, which represents the Department for the closing, must be completed and returned. Any additional required documents needed to issue payment not already included in this package will be provided to you after the Department receives a signed agreement, including:

- i. Claim for Payment Vouchers
- ii. Affidavit of Title (must be notarized)

(e) The Department must verify payment of taxes for Tax Map Parcel **211-6-1.211**. Note that if a tax was a lien on the date of vesting, proof of payment of all installments is required.

This offer of compensation has been developed in accordance with accepted appraisal standards by qualified personnel. The Department works under a single offer system and, by law, we must provide you with the amount of our highest approved appraisal.

Please contact me to confirm that you have received this package as well as to discuss the materials enclosed and any questions you may have. I can be reached at 845-437-5156 or by e-mail at charlene.laday-hill@dot.ny.gov . Thank you.

Sincerely,



Charlene L. LaDay-Hill
Real Estate Specialist 1

Enclosures

cc: Acquisitions Management Bureau, POD 41

NEW YORK STATE DEPARTMENT OF TRANSPORTATION
OFFICE OF RIGHT OF WAY
REGION 8

EXPLANATION OF ACQUISITION/OFFER OF SETTLEMENT

PIN: 8002.24.221 **PROC#:** 15373 **DECL:** 1462
SH: 9318 **PROJECT:** Warwick Village: Oakland Avenue, Main Street & Maple Avenue
COUNTY: Orange **TOWN/CITY:** Warwick **VILLAGE:** Warwick
MAP(S): 2 **PARCEL(S):** 2
CLAIMANT(S): Village of Warwick

EXPLANATION OF ACQUISITION

Map 2 Parcel 2 is a FEE with an area of 447± square feet (sf) (0.010± acre). Near triangle in shape, the FEE area is located on the corner of Route 94/17A (Oakland Ave.) & Railroad Ave. The FEE area starts from the Point of Beginning (P.O.B) at the corner, then extends north 33± feet (ft), then angles southeast two equal distances of 19± ft, shifting southwest 28± ft back to the P.O.B. The FEE is needed for a highway improvement. See Page 2 for detailed explanation.

Offer of Settlement

1. Direct Damages	\$ 8,950.00
2. Indirect Damages	\$0.00
3. Rental Value - Temporary Easement	\$0.00
<i>Total Damages - Just Compensation</i>	<u>\$ 8,950.00</u>

The above value represents the amount of our highest approved appraisal, developed in accordance with appraisal standards as defined by the Uniform Standards of Professional Appraisal Practice (USPAP). If you are satisfied with our explanation of the acquisition and wish to settle your claim with the State, you may request that we send you the Agreement of Adjustment and Release of Owner for execution. If you wish to leave your claim open and still collect the offered compensation, you may execute all three of the enclosed Agreement for Advance Payment documents, keeping one for your records and returning two in the self-addressed envelope provided. Once we receive your signed agreement and the closing papers have been completed and processed, payment can be made to you.

Please note that, in making this offer and any subsequent payment, the Commissioner of Transportation and the State of New York reserve certain rights, as explained in this paragraph. If, in the course of the construction of this project or the use or occupation of the property by the State or its authorized agents, it is discovered that hazardous or contaminated materials are present on any portion of the property in which the State is acquiring an interest, and such condition requires remediation by the Department of Transportation and/or some other State agency, the Commissioner and the State shall have the right to assert any claim, fine or penalty authorized by law against you or any other person or entity who owned, occupied or used the property, or caused such contamination, prior to the State's acquisition. This includes the right to assert a claim against any payment made pursuant to either of the enclosed Agreements or any subsequent payment, including any court award or settlement.

NEW YORK STATE DEPARTMENT OF TRANSPORTATION
OFFICE OF RIGHT-OF-WAY

AGREEMENT FOR ADVANCE PAYMENT

PIN 800224201 PROC 15373

PROJECT SH 9318, Warwick Village: Oakland Avenue, Main Street and Maple Avenue

MAP(S) 2 PARCEL(S) 2

COUNTY Orange TOWN/CITY Warwick VILLAGE Warwick

THIS AGREEMENT, made this day of , between

Village of Warwick
77 Main Street
PO Box 369
Warwick, NY 10990

hereinafter referred to as "Claimant," and the COMMISSIONER OF TRANSPORTATION FOR THE PEOPLE OF THE STATE OF NEW YORK, hereinafter referred to as "the State,"

WITNESSETH:

WHEREAS, pursuant to statute, the State is appropriating or has appropriated, for the purpose of the above identified project, certain property shown and described on the above designated map(s), and

WHEREAS, the Claimant represents that Claimant is or was at the time of said appropriation the owner of the property affected by said appropriation or of some right, title, or interest therein, and

WHEREAS, the value of the property appropriated and legal damages caused by said appropriation, as set forth in paragraph numbered 1 below, cannot be agreed upon, and

WHEREAS, the State is willing to pay an amount equal to the amount determined by the Commissioner of Transportation to be the value of all claims for the property appropriated and legal damages caused by said appropriation, as so set forth in paragraph numbered 1 below, on the terms and conditions hereinafter stated,

NOW, THEREFORE, it is understood and agreed by and between the parties as follows:

1. The State will pay to the Claimant the sum of **Eight Thousand Nine Hundred Fifty and 00/100 Dollars (\$8,950.00)**, the amount hereby determined by the Commissioner of Transportation to be the value of all claims for the property appropriated and legal damages caused by such appropriation, including all damages incurred by virtue and during the pendency of said appropriation proceedings, and including all damages to the remainder of said affected property, if any, of which the appropriated area formed a part, whether caused by said appropriation or by the use of said appropriated property, excepting the aggregate value, if any, of claims hereinafter specifically excluded.
2. The Claimant agrees, as a prerequisite to such advance payment, to execute and deliver, or cause to be executed and delivered, to the Attorney General, all title papers or other papers reasonably necessary to effect a valid transfer of title, authorize payment, and secure to the State a full release of all claims (other than the claim of Claimant) existing by reason of the aforementioned appropriation, including such claims existing by reason of any estate or interest in the streams, lakes, drainage and irrigation ditches or channels, streets, roads, highways, or public or private rights of way, if any, adjacent to or abutting the above-mentioned property required for the purposes of said project. The State will identify such title papers or other papers reasonably necessary, upon written request for this information by Claimant.
3. Payment is to be made hereunder only upon approval of this Agreement by the Comptroller of the State of New York or the Director of Office of Right of Way and upon certificate of the Attorney General of the State of New York as required by law.
4. This Agreement is exclusive of the claims, if any, of persons other than owners of the appropriated property, their tenants, mortgagees, and lienors, having any right or interest in any stream, lake, drainage and irrigation ditch or channel, street, road, highway, or public or private right of way, or the bed thereof, within the limits of the appropriated property or contiguous thereto.
5. This Agreement is exclusive of the rights, if any, of others by virtue of all oil and gas leases, mines, minerals, mineral ore, quarries and petroleum deposits.
6. This Agreement is also exclusive of claims, if any, (other than the claim of Claimant) for the value of or damage to easements and appurtenant facilities for the construction, operation, and maintenance of publicly owned or public service electric, telephone, telegraph, pipe, water, sewer, and railroad lines.
7. The Claimant hereby reserves the right to file a claim with the Court of Claims, or, if a claim has been filed, reserves the right to prosecute said claim, it being understood, however, that such reservation shall not extend or affect in any way the time limit for the filing of such claim as provided for in the Eminent Domain Procedure Law.

**NEW YORK STATE DEPARTMENT OF TRANSPORTATION
OFFICE OF RIGHT OF WAY
PROPERTY ACQUIRED BY APPROPRIATION
INTEREST SUPPLEMENT TO AGREEMENT**

Lawful interest will be paid on the amount you are entitled to receive under this Agreement. State law governs the amount of interest you are entitled to and how that interest is calculated.

Interest payments are determined as follows:

1. Interest shall begin to accrue on the amount payable to you under this Agreement from the earlier of:
 - a. The transfer of title to the State by the filing of an appropriation map in the office of the County Clerk in the County where the property is located; or
 - b. The date upon which the State or its contractors enter the property for construction purposes, if title has not been already transferred to the State by the filing of the appropriation map as in a. of this paragraph.
2. Interest shall be paid at a rate established by statute. Current law applying to your claim requires that, unless the State has deposited the amount you are entitled to receive under this Agreement into a Special Eminent Domain Account (the "Special Account"), the State will pay interest at a rate not to exceed 9 per cent per annum (simple interest and not compounded). If your money has been deposited into the Special Account, you will be paid interest at a rate to be determined by the State Comptroller based upon the rate of interest earned by the Special Account during the period of deposit. Please note that the rate of interest earned by the Special Account may be significantly less than 9%.
3. The State is not required to pay interest, and interest will be suspended on the amount due under this Agreement, if:
 - a. You notify the State in writing that you reject the offer of compensation contained in this Agreement; or
 - b. You fail to notify the State in writing within 90 days from the date upon which you receive this Agreement that you accept the offer of compensation under the terms contained in this Agreement; or
 - c. You fail to return the agreement and/or the closing papers provided to you, or the other proofs required by the State (collectively, the closing papers and other proofs are hereafter referred to as the "Closing Papers") within 90 days from the date upon which you receive the Closing Papers, and your failure is unreasonable.
4. The interest suspensions described in paragraph 3. of this supplement shall continue until such time as you accept the State's offer, or you return the Agreement and/or all of the Closing Papers supplied to you, properly executed in a manner satisfactory to the State, whichever is applicable.

Field Survey Records and Control Report are on file in the Regional Office of NYSDOT.

All that piece or parcel of property hereinafter designated as Parcel No. 2, situate in the Village of Warwick, Town of Warwick, County of Orange, State of New York, as shown on the accompanying map and described as follows:

Beginning at a point on the easterly boundary of the existing Warwick Village : Oakland Avenue, Main Street and Maple Avenue highway at the intersection of the said boundary with the northerly boundary of the existing Railroad Avenue, said point being 53± feet distant easterly, measured at right angles, from station 62+03± of the hereinafter described survey baseline for the reconstruction of the Warwick Village : Oakland Avenue, Main Street and Maple Avenue, State Highway No. 9318; thence easterly along the last mentioned boundary of said existing Railroad Avenue, 28± feet to a point 80± feet distant easterly, measured at right angles, from station 62+10± of said baseline; thence through the property of Village of Warwick (reputed owner) the following two (2) courses and distances: (1) North 51°-31'-12" West, 19± feet to a point 65.88 feet distant easterly, measured at right angles from station 62+22.47 of said baseline; and (2) North 51°-31'-12" West, 19± feet to a point on the easterly boundary of said existing highway, the last mentioned point being 52± feet distant easterly, measured at right angles, from station 62+35± of said baseline; thence southerly along the last mentioned boundary of said existing highway 33± feet to the point of beginning; being 447 square feet or 0.010 acre more or less.

The above mentioned survey baseline is a portion of the 2022 survey baseline for the reconstruction of the Warwick Village : Oakland Avenue, Main Street and Maple Avenue, State Highway No. 9318, as shown on a map and plan on file in the Office of the State Department of Transportation and described as follows:

Beginning at station 58+48.365; thence North 05°-14'-44.5" West to station 63+87.616.

All bearings referred to TRUE NORTH at the 74 - 30' MERIDIAN of WEST LONGITUDE.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

DATE: JULY 31, 2023

Mark J. Tiano
MARK J. TIANO, REGIONAL DESIGN ENGINEER
FOR THE REGIONAL DIRECTOR OF TRANSPORTATION
REGION 8

Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law.

I hereby certify that this map was prepared in accordance with current NYSDOT policies, standards and procedures.

DATE: JULY 11, 2023

Vincent A. Dibello
VINCENT A. DIBELLO, LAND SURVEYOR
P.L.S. LICENSE NO. 051070



VILLAGE OF WARWICK
(Reputed Owner)

Map of property which the Commissioner of Transportation deems necessary to be acquired by appropriation in the name of the People of the State of New York in fee for purposes connected with the highway system of the State of New York pursuant to Section 30 of the Highway Law and the Eminent Domain Procedure Law.

There is excepted from this appropriation all the right, title and interest, if any, of the United States of America in or to said property.

Pursuant to the statute(s) set forth above and the authority delegated to me by Official Order of the Commissioner of Transportation, this acquisition map is hereby approved and filed in the main office of the New York State Department of Transportation.

Date: August 19, 2024

Kenneth Elyer
Office of Right of Way

I have compared the foregoing copy of the map with the original thereof, as filed in the Office of the State Department of Transportation, and I do hereby certify the same to be a true and correct copy of the original and of the whole thereof.

Kenneth Elyer
Office of Right of Way

2024-2025 Special Event Recreation Staff

Matt Daly
Skyler Blanton
Tyler DeLucia
Corey DeLucia
Doug Luciano
Amy Introini
Alyssa Nealon
Bridgette Jackel
Nina Cirillo
Rosalie Mountford

Mandy Blanton
Sierra Blanton
Marlin Pita
Savanna DeLucia
Patrick Kemp
Sydney Introini
Taylor Hall
Isabella Constansas
Rylee Mendrzyck

77 Main Street
Post Office Box 369
Warwick, NY 10990
www.villageofwarwick.org



(845) 986-2031
FAX (845) 986-6884
mayor@villageofwarwick.org
clerk@villageofwarwick.org

VILLAGE OF WARWICK

INCORPORATED 1867

Facility Use Request Form For Gatherings of Less Than 200 People

ONLY USE THIS FORM IF YOUR EVENT WILL HAVE 200 PEOPLE OR LESS

Date Request Submitted: Oct 3, 2024

Title of Event: VETERANS DAY PARADE

Purpose of Event: TO HONOR ALL VETERANS

SECTION 1: REQUESTED VILLAGE-OWNED PROPERTY

☐ Railroad Green ☐ Stanley-Deming Park ☐ Lewis Woodlands

☒ Veterans Memorial Park ☐ Veterans Memorial Park Pavilion

**Please use the attached map to indicate the specific area(s) to be used within each park.*

Village of Warwick Parking Lots - check all that apply:

☐ South Street Lot ☐ 1st Street Lot ☐ Chase Lot (non-permit only)
☐ Spring Street Lot ☐ Wheeler & Spring St. Lot ☐ Upper CVS Lot ☐ Lower CVS Lot

Village of Warwick Streets: HIGH ST. MAIN ST. OAKLAND AVE
RAILROAD AVE, SOUTH ST, PARK WAY, PARK LANE

SECTION 2: DATE AND TIME REQUESTED

Date(s) Requested: 11/11/2024 Rain Date Requested: N/A

Arrival Time: 10:30 AM Departure Time: 1 PM

Event Start Time: 11:11 AM Event End Time: 1 PM

SECTION 3: APPLICANT INFORMATION

Check one: ☒ Non-Profit Organization ☐ Commercial/Business Organization ☐ Family

**For-profit activities are prohibited.*

Applicant's Name/Responsible Party: CARMINE GARRITANO

**Person of responsibility representing the organization must be a Town of Warwick resident.*

Mailing Address of Responsible Party: 4 HILLTOP LANE WARWICK, NY
 Email Address: WARWICKVFW4662@GMAIL.COM Cell Phone: 845 988-8387
 Proof of Town of Warwick Residency of Responsible Party: ☒ Driver's License ☐ Utility Bill
 Name of Organization (if Applicable): WARWICK VALLEY VFW POST 4662
 Name of Organization's Director(s)/Officer(s): JOSE' MORALES
 Organization's Phone: 845 988-8387 Email Address: WARWICKVFW4662@GMAIL.COM
 Mailing Address of Organization: P.O. BOX 261 WARWICK, NY 10990
 Physical Address of Organization: 154 RT 94 S WARWICK, NY 10990

SECTION 4: EVENT INFORMATION

Maximum Number of People Intended at the Event: 300
 * If greater than 200 people, at any given time DO NOT complete this form. See instructions.
 # of Adults: 250 # of People Under 18: 50
 Expected Number of Vehicles Intended at the Event: 15 (FIRE, POLICE, AMBULANCE)
 Please explain the parking plan for the event: ONLY FOR OFFICIAL VEHICLES

WILL YOUR EVENT INCLUDE:

CHECK YES OR NO

Greater than 200 people at any given time <i>If yes, DO NOT complete this form. Please complete form: FACILITY USE PERMIT APPLICATION FOR GATHERINGS GREATER THAN 200 PEOPLE</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Music / Loudspeakers / Sound System <i>If yes, explain:</i> <u>POSSIBLE SOUND SYSTEM</u> <i>Location of Music/Loud Speakers/ Sounds System:</i> _____	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Parade, walk, road race, etc. <i>Request must include in writing a clear layout of the intended route AND a letter from the Warwick Police Department approving the route and police resources.</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Tent(s) <i>Include a map detailing the placement of the tent(s).</i> Date & time tent will be set up: _____ Date & time tent will be removed: _____	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

RVs, Campers, Food Trucks, etc. If yes, explain: _____	Yes _____ No <input checked="" type="checkbox"/>
Admission Fee to Be Charged If yes, please list the admission fee: _____	Yes _____ No <input checked="" type="checkbox"/>
Alcohol Host Liquor Liability Insurance is required.	Yes _____ No <input checked="" type="checkbox"/>
Food will be served or sold If yes, explain the method of food distribution and disposal of trash: _____ _____ _____ <small>*A permit is required from the Orange County Department of Health when offering or selling any food to the public. It is the applicant's responsibility to contact the Orange County Department of Health to obtain necessary permits. Contact the Orange County Department of Health for further information. *Applicants must provide a drawing to scale showing where the food will be served/sold and where trash will be disposed.</small>	Yes _____ No <input checked="" type="checkbox"/>
Rides: Mechanical Carnival Rides, Bounce House, Inflatable Slide, etc. If yes, explain: _____ Additional contract(s) and/or insurance is required.	Yes _____ No <input checked="" type="checkbox"/>
Animals: (Example, horses, pony rides, petting zoo, etc.) If yes, explain: _____	Yes _____ No <input checked="" type="checkbox"/>
Portable Toilets Placement of portable toilets must be detailed on the map that is required with the application.	Yes _____ No _____
Other Please explain: _____	Yes _____ No _____

SPECIAL REQUESTS:
CHECK YES OR NO

Road Closure <u>HIGH ST.</u> List road(s): _____ Closed between the hours of <u>10 AM</u> and <u>11:30 AM</u> Number of 'No Parking' meter bags requested, if applicable: _____	Yes <input checked="" type="checkbox"/> No _____
Use of Village-owned tables and chairs Veterans Memorial Park Pavilion Only. No. of Tables _____ No. of Chairs _____	Yes _____ No <input checked="" type="checkbox"/>
Use of Electricity	Yes _____ No <input checked="" type="checkbox"/>
Use of Memorial Park Football/Over 35 Field Lights Additional fee required for use of field lights.	Yes _____ No <input checked="" type="checkbox"/>

Use of Memorial Park Pavilion Lights	Yes _____ No <u>✓</u>
Use of Village of Warwick Restrooms <i>Memorial Park and Stanley Deming Park only.</i>	Yes _____ No <u>✓</u>
Other <i>Please explain:</i> _____	Yes _____ No _____

SECTION 5: FEES/SECURITY DEPOSIT

Fees and Security Deposit are Due Upon Application / Checks payable to: The Village of Warwick

☒ \$200 Security Deposit - (Must be a Separate Payment)

☐ Memorial Park Football/Over 35 Field Lights (circle one) - \$10 per day or \$300 per season

TOTAL FEES: \$ 200 (excluding security deposit)

SECTION 6: INDEMNITY & HOLD HARMLESS

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the Village of Warwick for the use and care of the facilities. He/she, on behalf of WARWICK VALLEY VFW (Name of Organization) does hereby covenant and agree to defend, indemnify and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of Village's property, facilities and/or services by WARWICK VALLEY VFW Post 4662 (Name Organization).

CARMINE GARRITANO

Printed Name of Applicant/Responsible Party

Carmine Garritano

Signature of Applicant/Responsible Party

10/3/24

Date

Office Use Only:

Security Deposit Check # 1010

Fees Received ✓

DPW Pre-Approval _____

Certificate of Insurance ✓

Park Map(s) _____

Facility Use Calendar ✓

Host Liquor Liability NA

Police Dept. Approval ✓

Parade Calendar ✓

Permit Holder. Applicants are urged to bring extra plastic garbage bags to facilitate cleanup.

17. Any organization with youths under 18 years old requires the presence of adequate adult supervision at all times.
18. Supervision and parking are the responsibility of the applicant organization/individual.
19. Permits may be revoked at any time.
20. All posted rules must be adhered to.
21. No field or building alterations (lining of fields, erecting goal posts or structures, etc.) are allowed without prior approval.
22. The emergency telephone number for police is 911 or 986-5000; fire and ambulance 911.
23. Prior to the start of the event, an announcement should be made to your group regarding emergency evacuation procedures, for example pointing out posted procedures, direction for exiting, procedures for emergency helicopter landing, etc. Need pamphlet to hand out to applicants.
24. In the event of an accident, please notify the Village Clerk at (845) 986-2031 before the end of the next business day.
25. The Village of Warwick does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

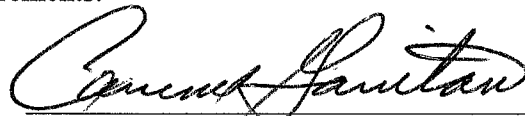
INDEMNITY & HOLD HARMLESS

FACILITY USER does hereby covenant and agree to defend, indemnify, and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of the Village of Warwick property, facilities and/or services.

I have read and understand the Facilities Use Requirements:

CARMINE GARRITANO

Printed Name of Applicant/Responsible Party

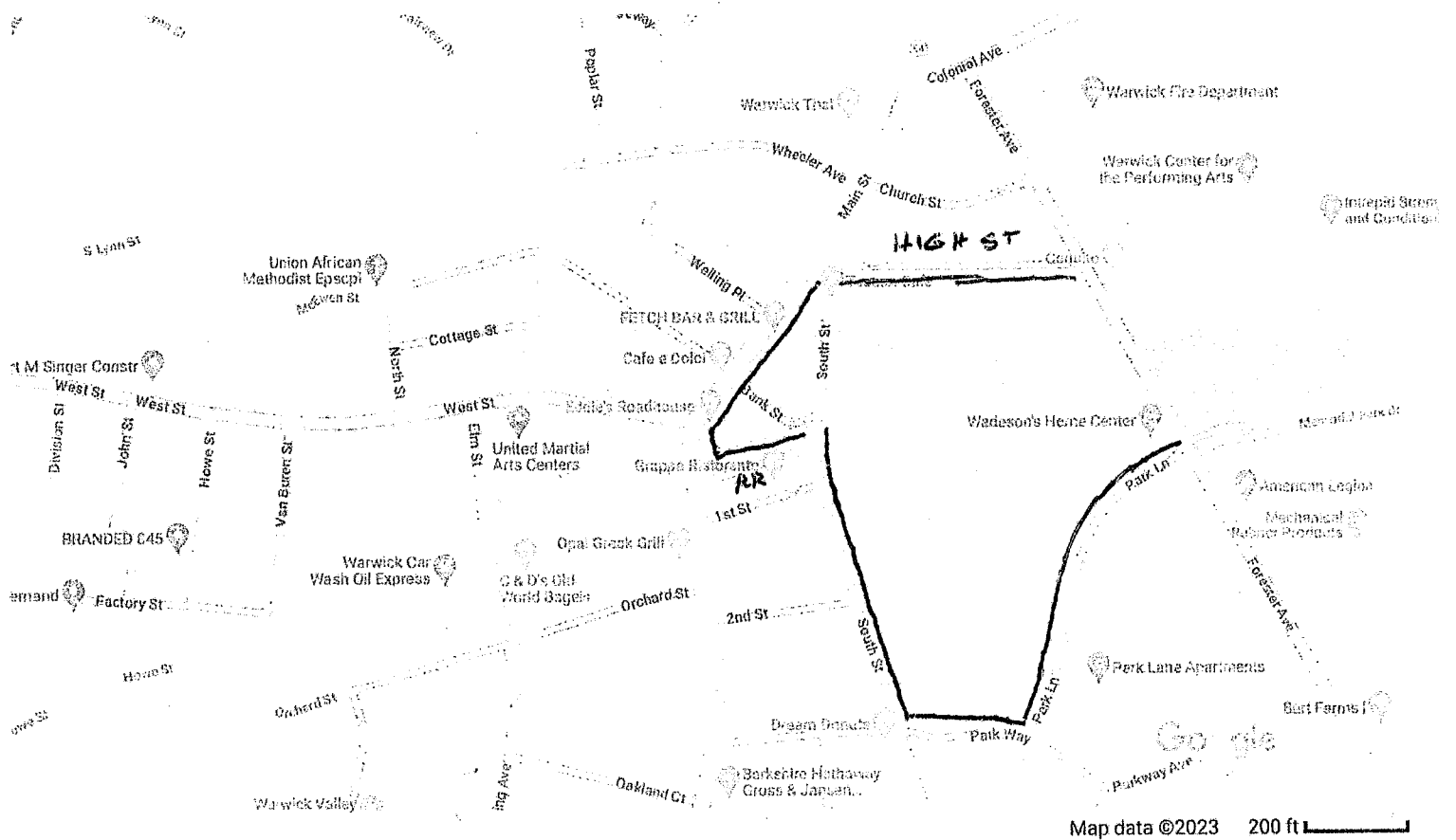


Signature of Applicant/Responsible Party

Date

10/3/24

Google Maps Warwick





Outlook

Re: Veterans Day Parade Route

From John Rader <jrader@townofwarwickpd.org>

Date Wed 10/2/2024 2:06 PM

To Raina Abramson <clerk@villageofwarwick.org>

The route is acceptable. We will provide traffic control to assist with the parade.

On 10/02/2024 1:56 PM EDT Raina Abramson <clerk@villageofwarwick.org> wrote:

Hi Chief Rader,

The VFW will be submitting their application to hold the Veterans' Day Parade on 11/11 with parade lineup to be on High Street at 10:30 a.m. with step-off beginning at 11:11 a.m., followed by a ceremony at Veterans Memorial Park at approximately 12:00 p.m.

Is the attached parade route acceptable? It's the same as last year.

Thank you,

Raina

Raina M. Abramson, RMC

Village Clerk

Village of Warwick

77 Main Street/P.O. Box 369

Warwick, NY 10990

Phone: (845) 986-2031 x102

Fax: (845) 986-6884

clerk@villageofwarwick.org

www.villageofwarwick.org

77 Main Street
Post Office Box 369
Warwick, NY 10990
www.villageofwarwick.org



(845) 986-2031
FAX (845) 986-6884
mayor@villageofwarwick.org
clerk@villageofwarwick.org

VILLAGE OF WARWICK

INCORPORATED 1867

Facility Use Request Form For Gatherings of Less Than 200 People

ONLY USE THIS FORM IF YOUR EVENT WILL HAVE 200 PEOPLE OR LESS

Date Request Submitted: 9/27/24

Title of Event: Coin Drop

Purpose of Event: Fundraiser for charitable orgs. / Knights of Columbus

SECTION 1: REQUESTED VILLAGE-OWNED PROPERTY

☐ Railroad Green ☐ Stanley-Deming Park ☐ Lewis Woodlands

☐ Veterans Memorial Park ☐ Veterans Memorial Park Pavilion

**Please use the attached map to indicate the specific area(s) to be used within each park.*

Village of Warwick Parking Lots - check all that apply:

☐ South Street Lot ☐ 1st Street Lot ☐ Chase Lot (non-permit only)
☐ Spring Street Lot ☐ Wheeler & Spring St. Lot ☐ Upper CVS Lot ☐ Lower CVS Lot

Village of Warwick Streets: Forester Avenue
South Street & Railroad Ave

SECTION 2: DATE AND TIME REQUESTED

Date(s) Requested: October 19, 2024 Rain Date Requested: _____

Arrival Time: 10:00 Departure Time: 14:00

Event Start Time: 10:00 Event End Time: 14:00

SECTION 3: APPLICANT INFORMATION

Check one: ☒ Non-Profit Organization ☐ Commercial/Business Organization ☐ Family

**For-profit activities are prohibited.*

Applicant's Name/Responsible Party: Kevin G. Dauwalter

**Person of responsibility representing the organization must be a Town of Warwick resident.*

Mailing Address of Responsible Party: Warwick Valley KOC PO Box 325
Warwick, NY 10990

Email Address: grandknight4952@ststephenchurchwarwick.org Cell Phone: 917-796-8201

Proof of Town of Warwick Residency of Responsible Party: ☒ Driver's License ☐ Utility Bill

Name of Organization (if Applicable): Knights of Columbus Council 4952

Name of Organization's Director(s)/Officer(s): Kevin G. Dauwalter Grand Knight / Stephen
Jack Ellis - Treasurer / Paul Gurda - Chancellor Mandracchia
Deputy GK

Organization's Phone: 917-796-8201 Email Address: grandknight4952@ststephenchurchwarwick.org

Mailing Address of Organization: P.O. Box 325 Warwick, NY 10990

Physical Address of Organization: St. Stephen's RC Church, #73 Sanfordville Rd
Warwick NY 10990

SECTION 4: EVENT INFORMATION

Maximum Number of People Intended at the Event: 12
** If greater than 200 people, at any given time DO NOT complete this form. See instructions.*
 # of Adults: _____ # of People Under 18: _____

Expected Number of Vehicles Intended at the Event: 0

Please explain the parking plan for the event: Walk in

WILL YOUR EVENT INCLUDE:

CHECK YES OR NO

Greater than 200 people at any given time <i>If yes, DO NOT complete this form. Please complete form: FACILITY USE PERMIT APPLICATION FOR GATHERINGS GREATER THAN 200 PEOPLE</i>	Yes _____ No <u>✓</u>
Music / Loudspeakers / Sound System <i>If yes, explain: _____</i> <i>Location of Music/Loud Speakers/ Sounds System: _____</i>	Yes _____ No <u>✓</u>
Parade, walk, road race, etc. <i>Request must include in writing a clear layout of the intended route AND a letter from the Warwick Police Department approving the route and police resources.</i>	Yes _____ No <u>✓</u>
Tent(s) <i>Include a map detailing the placement of the tent(s).</i> <i>Date & time tent will be set up: _____</i> <i>Date & time tent will be removed: _____</i>	Yes _____ No <u>✓</u>

RVs, Campers, Food Trucks, etc. If yes, explain: _____	Yes _____ No <input checked="" type="checkbox"/>
Admission Fee to Be Charged If yes, please list the admission fee: _____	Yes _____ No <input checked="" type="checkbox"/>
Alcohol Host Liquor Liability Insurance is required.	Yes _____ No <input checked="" type="checkbox"/>
Food will be served or sold If yes, explain the method of food distribution and disposal of trash: _____ <i>*A permit is required from the Orange County Department of Health when offering or selling any food to the public. It is the applicant's responsibility to contact the Orange County Department of Health to obtain necessary permits. Contact the Orange County Department of Health for further information. *Applicants must provide a drawing to scale showing where the food will be served/sold and where trash will be disposed.</i>	Yes _____ No <input checked="" type="checkbox"/>
Rides: Mechanical Carnival Rides, Bounce House, Inflatable Slide, etc. If yes, explain: _____ Additional contract(s) and/or insurance is required.	Yes _____ No <input checked="" type="checkbox"/>
Animals: (Example, horses, pony rides, petting zoo, etc.) If yes, explain: _____	Yes _____ No <input checked="" type="checkbox"/>
Portable Toilets Placement of portable toilets must be detailed on the map that is required with the application.	Yes _____ No <input checked="" type="checkbox"/>
Other Please explain: _____	Yes _____ No <input checked="" type="checkbox"/>

SPECIAL REQUESTS:
CHECK YES OR NO

Road Closure List road(s): _____ Closed between the hours of _____ and _____ Number of 'No Parking' meter bags requested, if applicable: _____	Yes _____ No <input checked="" type="checkbox"/>
Use of Village-owned tables and chairs Veterans Memorial Park Pavilion Only. No. of Tables _____ No. of Chairs _____	Yes _____ No <input checked="" type="checkbox"/>
Use of Electricity	Yes _____ No <input checked="" type="checkbox"/>
Use of Memorial Park Football/Over 35 Field Lights Additional fee required for use of field lights.	Yes _____ No <input checked="" type="checkbox"/>

Use of Memorial Park Pavilion Lights	Yes _____ No <u>✓</u>
Use of Village of Warwick Restrooms Memorial Park and Stanley Deming Park only.	Yes _____ No <u>✓</u>
Other Please explain: _____	Yes _____ No <u>✓</u>

SECTION 5: FEES/SECURITY DEPOSIT

Fees and Security Deposit are Due Upon Application / Checks payable to: The Village of Warwick

☒ \$200 Security Deposit - (Must be a Separate Payment)

☐ Memorial Park Football/Over 35 Field Lights (circle one) - \$10 per day or \$300 per season

TOTAL FEES: \$ _____ (excluding security deposit)

SECTION 6: INDEMNITY & HOLD HARMLESS

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the Village of Warwick for the use and care of the facilities. He/she, on behalf of Knights of Columbus 4952 (Name of Organization) does hereby covenant and agree to defend, indemnify and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of Village's property, facilities and/or services by

Knight of Columbus 4952 (Name Organization).

Kevin G. Danwalter
Printed Name of Applicant/Responsible Party

KD Danwalter
Signature of Applicant/Responsible Party

9/27/24
Date

Office Use Only:

Security Deposit Check # 533
Fees Received ✓
DPW Pre-Approval NA

Certificate of Insurance ✓
Park Map(s) NA
Facility Use Calendar NA

Host Liquor Liability NA ✓
Police Dept. Approval ✓
Parade Calendar NA

Permit Holder. Applicants are urged to bring extra plastic garbage bags to facilitate cleanup.

17. Any organization with youths under 18 years old requires the presence of adequate adult supervision at all times.
18. Supervision and parking are the responsibility of the applicant organization/individual.
19. Permits may be revoked at any time.
20. All posted rules must be adhered to.
21. No field or building alterations (lining of fields, erecting goal posts or structures, etc.) are allowed without prior approval.
22. The emergency telephone number for police is 911 or 986-5000; fire and ambulance 911.
23. Prior to the start of the event, an announcement should be made to your group regarding emergency evacuation procedures, for example pointing out posted procedures, direction for exiting, procedures for emergency helicopter landing, etc. Need pamphlet to hand out to applicants.
24. In the event of an accident, please notify the Village Clerk at (845) 986-2031 before the end of the next business day.
25. The Village of Warwick does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

INDEMNITY & HOLD HARMLESS

FACILITY USER does hereby covenant and agree to defend, indemnify, and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of the Village of Warwick property, facilities and/or services.

I have read and understand the Facilities Use Requirements:

Kevin G. Dauwalter

Printed Name of Applicant/Responsible Party

K. G. Dauwalter

Signature of Applicant/Responsible Party

Date 9/27/24



Outlook

Re: Review of Proposed Coin Toss Location

From John Rader <jrader@townofwarwickpd.org>

Date Wed 10/2/2024 1:50 PM

To Raina Abramson <clerk@villageofwarwick.org>

I have no objection. They should wear reflective safety vests.

On 10/02/2024 1:35 PM EDT Raina Abramson <clerk@villageofwarwick.org> wrote:

Good afternoon, Chief Rader.

I hope this email finds you well.

The Knights of Columbus submitted a request to hold a coin toss on Saturday, October 19, 2024, from 10:00 a.m. to 2:00 p.m. on Forester Avenue, north of the intersection with Burt Street.

Do you feel that this location is acceptable? If not, please provide me with a location on Forester that you feel would work best.

Thank you,
Raina

Raina M. Abramson, RMC

Village Clerk

Village of Warwick

77 Main Street/P.O. Box 369

Warwick, NY 10990

Phone: (845) 986-2031 x.102

Fax: (845) 986-6884

clerk@villageofwarwick.org

www.villageofwarwick.org



WARWICK VALLEY CHAMBER OF COMMERCE INC.

25 SOUTH STREET • WARWICK, NY 10990

PHONE: 845-986-2720 • FAX: 845-986-6982

WEB ADDRESS: www.warwickcc.org • E-mail: info@warwickcc.org

October 1st, 2024

Mayor Michael Newhard
Village of Warwick Trustees
Village Hall
77 Main Street
Warwick, NY 10990

RECEIVED

OCT 01 2024

VILLAGE OF WARWICK
CLERK'S OFFICE

Dear Mayor Newhard and Trustees:

The holiday season is fast approaching and on behalf of the Warwick Merchants Collective, the Warwick Valley Chamber of Commerce would like to once again ask for permission to hold the following events throughout the village:

- We would like to formally request permission to allow the traditional horse and buggy rides to take place by the same fully insured company (Sean Geary) during the holidays in the Village of Warwick. The rides will be offered during the following dates: November 24th, November 29th, November 30th, December 1st, December 7th, December 8th, December 14th, December 15th, December 21st and December 22nd, 2024. The times for the rides will be approximately 11:00 a.m. to 4 p.m. the route will be the same as past years, starting on Railroad Avenue and continuing to Main Street then onto South Street ending back at Railroad Avenue. Sean Geary from Dun Dreaming Farm will be providing the Village with copies of his insurance policy.
- We would like to formally request that free parking be put in place for the period between November 21st, 2024 and January 1st, 2025. 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 would also like to decorate the parking meters as we have in the past and will coordinate with DPW as necessary.
- We would like to formally request that students from Warwick Valley High School FFA hang ribbons on the meters at some point in Mid-November. As soon as we know we will update the village with this information.
- We would like to formally request the Village install the sleigh in the village green again this year. We would like permission to have Santa fly in from the North Pole and visit the sleigh on November 24th and December 15th from 12:00 p.m. until 2:00 p.m.
- We would like to formally request permission for non-profits and groups from the school district, based on availability, to sell items such as hot chocolate, warm cider and snacks on Railroad Green the following dates: November 24th, November 29th, November 30th, December 1st, December 7th, December 8th, December 14th, December 15th, December 21st and December 22nd, 2024. As we make plans with these non-profits/groups, we will have them send the Village the required insurance.

We are looking forward to a thrilling holiday season for our Village. Please do not hesitate to reach out to the Chamber with any further questions.

Thank you so much in advance.

Warmest Regards,

Stefanie Keegan, Executive Director
Warwick Valley Chamber of Commerce

77 Main Street
Post Office Box 369
Warwick, NY 10990
www.villageofwarwick.org



(845) 986-2031
FAX (845) 986-6884
mayor@villageofwarwick.org
clerk@villageofwarwick.org

VILLAGE OF WARWICK

INCORPORATED 1867

Facility Use Request Form For Gatherings of Less Than 200 People

ONLY USE THIS FORM IF YOUR EVENT WILL HAVE 200 PEOPLE OR LESS

Date Request Submitted: 10/1/23

Title of Event: Home for the Holidays

Purpose of Event: Promote Shopping Local & Horse and buggy Rides

SECTION 1: REQUESTED VILLAGE-OWNED PROPERTY

☒ Railroad Green ☐ Stanley-Deming Park ☐ Lewis Woodlands

☐ Veterans Memorial Park ☐ Veterans Memorial Park Pavilion

**Please use the attached map to indicate the specific area(s) to be used within each park.*

Village of Warwick Parking Lots - check all that apply:

☐ South Street Lot ☐ 1st Street Lot ☐ Chase Lot (non-permit only)
☐ Spring Street Lot ☐ Wheeler & Spring St. Lot ☐ Upper CVS Lot ☐ Lower CVS Lot

Village of Warwick Streets: Railroad Ave, Main St, South St. (Horse & Buggy)

SECTION 2: DATE AND TIME REQUESTED

Date(s) Requested: 11/24, 29, 30, 12/1, 7, 8, 14, 15 ^{21, 22, 2024} Rain Date Requested: _____

Arrival Time: 11 am Departure Time: 4 pm

Event Start Time: 11 am Event End Time: 4 pm

SECTION 3: APPLICANT INFORMATION

Check one: ☒ Non-Profit Organization ☐ Commercial/Business Organization ☐ Family
**For-profit activities are prohibited.*

Applicant's Name/Responsible Party: Stefanie Keegan, Warwick Valley Chamber
**Person of responsibility representing the organization must be a Town of Warwick resident.*

Mailing Address of Responsible Party: 75 Main Street

Email Address: info@warwickcc.org Cell Phone: 347 432 9017

Proof of Town of Warwick Residency of Responsible Party: ☐ Driver's License ☒ Utility Bill

Name of Organization (if Applicable): Warwick Valley Chamber / Merchants
collective

Name of Organization's Director(s)/Officer(s): Stefanie Keegan

Organization's Phone: 845 986 2720 Email Address: info@warwickcc.org

Mailing Address of Organization: 75 Main Street 10990

Physical Address of Organization: 75 Main Street 10990

SECTION 4: EVENT INFORMATION

Maximum Number of People Intended at the Event: _____

** If greater than 200 people, at any given time DO NOT complete this form. See instructions.*

of Adults: _____ # of People Under 18: _____

Expected Number of Vehicles Intended at the Event: _____

Please explain the parking plan for the event: _____

WILL YOUR EVENT INCLUDE:

CHECK YES OR NO

Greater than 200 people at any given time <i>If yes, DO NOT complete this form. Please complete form: FACILITY USE PERMIT APPLICATION FOR GATHERINGS GREATER THAN 200 PEOPLE</i>	Yes _____ No <input checked="" type="checkbox"/>
Music / Loudspeakers / Sound System <i>If yes, explain:</i> _____ <i>Location of Music/Loud Speakers/ Sounds System:</i> _____	Yes _____ No <input checked="" type="checkbox"/>
Parade, walk, road race, etc. <i>Request must include in writing a clear layout of the intended route AND a letter from the Warwick Police Department approving the route and police resources.</i>	Yes _____ No <input checked="" type="checkbox"/>
Tent(s) <i>Include a map detailing the placement of the tent(s).</i> <i>Date & time tent will be set up:</i> <u>Depends on no profit</u> <i>Date & time tent will be removed:</i> _____	Yes <input checked="" type="checkbox"/> No _____

RVs, Campers, Food Trucks, etc. <i>If yes, explain:</i> _____	Yes _____ No <input checked="" type="checkbox"/>
Admission Fee to Be Charged <i>If yes, please list the admission fee:</i> _____	Yes _____ No <input checked="" type="checkbox"/>
Alcohol <i>Host Liquor Liability Insurance is required.</i>	Yes _____ No <input checked="" type="checkbox"/>
Food will be served or sold <i>If yes, explain the method of food distribution and disposal of trash:</i> _____ _____ <i>*A permit is required from the Orange County Department of Health when offering or selling any food to the public. It is the applicant's responsibility to contact the Orange County Department of Health to obtain necessary permits. Contact the Orange County Department of Health for further information. *Applicants must provide a drawing to scale showing where the food will be served/sold and where trash will be disposed.</i>	Yes _____ No <input checked="" type="checkbox"/>
Rides: Mechanical Carnival Rides, Bounce House, Inflatable Slide, etc. <i>If yes, explain:</i> _____ <i>Additional contract(s) and/or insurance is required.</i>	Yes _____ No <input checked="" type="checkbox"/>
Animals: (Example, horses, pony rides, petting zoo, etc.) <i>If yes, explain:</i> _____	Yes _____ No <input checked="" type="checkbox"/>
Portable Toilets <i>Placement of portable toilets must be detailed on the map that is required with the application.</i>	Yes _____ No <input checked="" type="checkbox"/>
Other <i>Please explain:</i> _____	Yes _____ No <input checked="" type="checkbox"/>

SPECIAL REQUESTS:
CHECK YES OR NO

Road Closure <i>List road(s):</i> _____ <i>Closed between the hours of</i> _____ <i>and</i> _____ <i>Number of 'No Parking' meter bags requested, if applicable:</i> _____	Yes _____ No <input checked="" type="checkbox"/>
Use of Village-owned tables and chairs <i>Veterans Memorial Park Pavilion Only. No. of Tables</i> _____ <i>No. of Chairs</i> _____	Yes _____ No <input checked="" type="checkbox"/>
Use of Electricity	Yes <input checked="" type="checkbox"/> No _____
Use of Memorial Park Football/Over 35 Field Lights <i>Additional fee required for use of field lights.</i>	Yes _____ No _____

Use of Memorial Park Pavilion Lights	Yes_____ No_____
Use of Village of Warwick Restrooms <i>Memorial Park and Stanley Deming Park only.</i>	Yes_____ No_____
Other <i>Please explain: _____</i>	Yes_____ No_____

SECTION 5: FEES/SECURITY DEPOSIT

Fees and Security Deposit are Due Upon Application / Checks payable to: The Village of Warwick

☒ \$200 Security Deposit - *(Must be a Separate Payment)*

☐ Memorial Park Football/Over 35 Field Lights (circle one) - \$10 per day or \$300 per season

TOTAL FEES: \$ _____ (excluding security deposit)

SECTION 6: INDEMNITY & HOLD HARMLESS

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the Village of Warwick for the use and care of the facilities. He/she, on behalf of WVCC (Name of Organization) does hereby covenant and agree to defend, indemnify and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of Village's property, facilities and/or services by WVCC (Name Organization).

Stefanie Keegan
Printed Name of Applicant/Responsible Party

[Signature]
Signature of Applicant/Responsible Party

10/11/24
Date

Sean Geary
Chamber

Office Use Only:

Security Deposit Check # ✓ #223
Fees Received NA
DPW Pre-Approval NA

Certificate of Insurance _____
Park Map(s) ✓
Facility Use Calendar _____

Host Liquor Liability NA
Police Dept. Approval _____
Parade Calendar _____

Permit Holder. Applicants are urged to bring extra plastic garbage bags to facilitate cleanup.

17. Any organization with youths under 18 years old requires the presence of adequate adult supervision at all times.
18. Supervision and parking are the responsibility of the applicant organization/individual.
19. Permits may be revoked at any time.
20. All posted rules must be adhered to.
21. No field or building alterations (lining of fields, erecting goal posts or structures, etc.) are allowed without prior approval.
22. The emergency telephone number for police is 911 or 986-5000; fire and ambulance 911.
23. Prior to the start of the event, an announcement should be made to your group regarding emergency evacuation procedures, for example pointing out posted procedures, direction for exiting, procedures for emergency helicopter landing, etc. Need pamphlet to hand out to applicants.
24. In the event of an accident, please notify the Village Clerk at (845) 986-2031 before the end of the next business day.
25. The Village of Warwick does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

INDEMNITY & HOLD HARMLESS

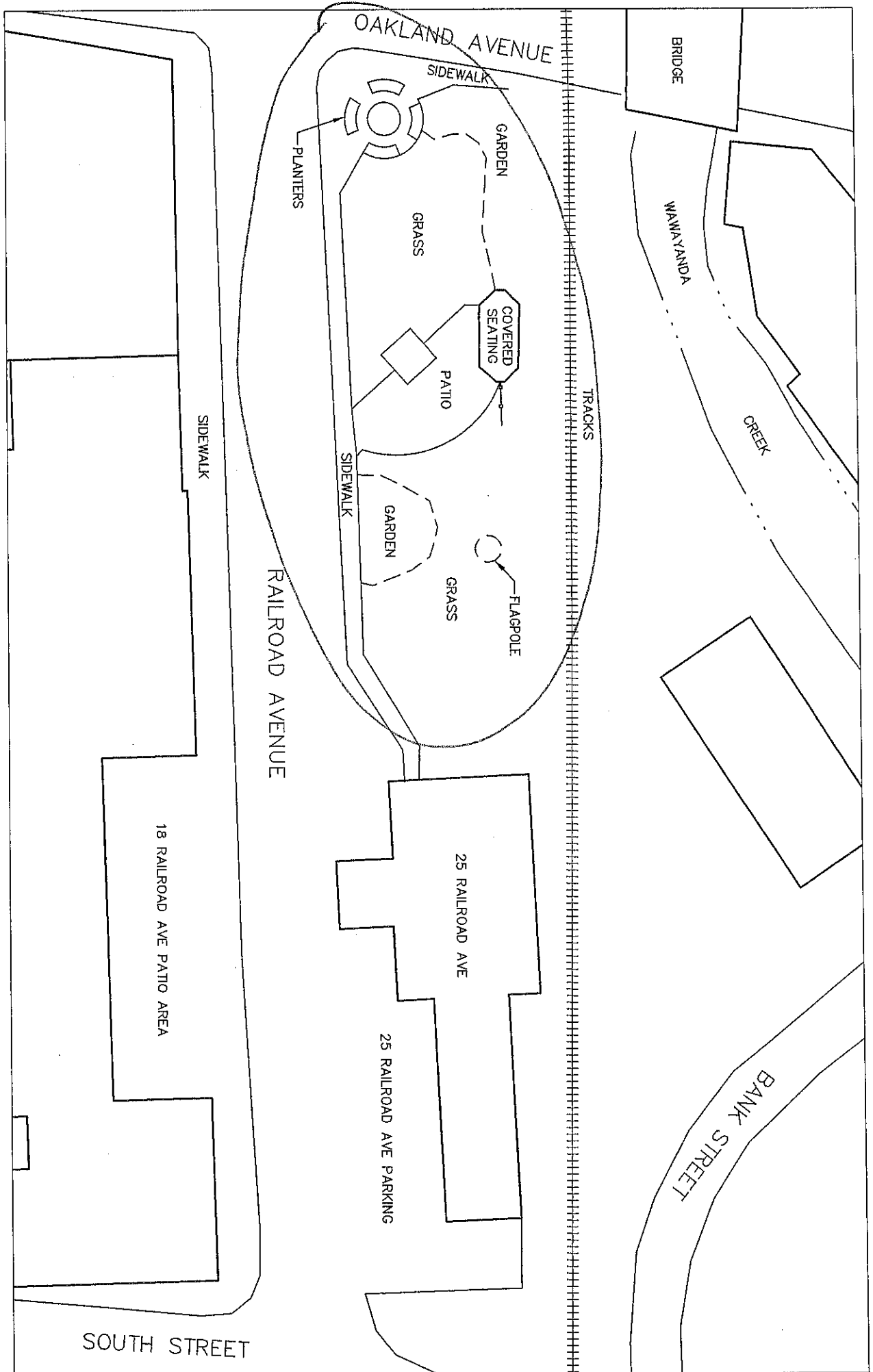
FACILITY USER does hereby covenant and agree to defend, indemnify, and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of the Village of Warwick property, facilities and/or services.

I have read and understand the Facilities Use Requirements:

Stefanie Keegan
Printed Name of Applicant/Responsible Party

[Signature]
Signature of Applicant/Responsible Party

Date 10/11/24



To: Mayor Newhard and the Village Board of Trustees
From: Village of Warwick Court
Re: Application for funding from the Justice Court Assistance Program
Date: September 27, 2024

The Village of Warwick Court is requesting authorization from the Village Board of Trustees to apply for funding from the Justice Court Assistance Program during the upcoming grant cycle. One required component of that application is a Resolution from the Village Board of Trustees authorizing the Village Court to apply for this funding.

The Division of Professional and Court Services will not accept the court's application unless the Resolution incorporates one of the following two options EXACTLY as written below:

Option #1:

"The Board of Trustees of the Village of Warwick authorizes the Village of Warwick Court to apply for a JCAP grant in the 2024-25 grant cycle up to \$30,000."

Option #2:

"The Board of Trustees of the Village of Warwick authorizes the Village of Warwick Court to apply for a JCAP grant in the 2024-25 grant cycle up to \$_____."
Amount Requested

While the Resolution may include one or more "WHEREAS" clauses, it is essential that the "Be it RESOLVED" portion of the Village Board of Trustees resolution be worded **exactly** as one of the options indicated above (with the addition of the amount requested as shown above in the second option).

In addition, the Board Resolution must be certified.

With this grant, the Court intends to make updates to their office furniture as well as repairs and painting of the court clerk's office. We are asking the Board of Trustees to approve the full grant amount of \$30,000.

The deadline for our application is Friday, October 11, 2014.

Thank you for your attention to this matter and for your help with the Court's application.

Prepared By: Chris Reymanlak
 Phone: 845-258-1223 ext 100
 Email: Chris@RylexOnline.com



Rylex Custom Cabinetry and Closets
 PO Box 636 Pine Island, NY 10969

7/26/2024

5040

Warwick Village Justice Court
 77 Main St
 warwickNew York

Warwick Village Justice Court 845 986 2031 x 9
 SESullivan@nycourts.gov
 Sara Sullivan
 77 Main St
 warwick New York

The following prices are for cabinets and desktops built and installed

Main desk area

	Price	Qty	Total
Counter HPL Bevel Edge Bevel edge	\$50.00	85	\$4,250.00
Cork Back Splash CBS	\$40.00	12	\$480.00
Custom Keyboard drawer no front	\$175.00	2	\$350.00
Commercial wall cabinet 30" 24"-36"	\$510.00	5	\$2,550.00
Commercial 3 drawer base C3D 19"-24"	\$1,150.00	4	\$4,600.00
commercial Cabinets full door base 12-22 CCFDB 12"-22"	\$550.00	1	\$550.00

Wall 4 (optional counter and cabinets)

	Price	Qty	Total
Counter HPL Bevel Edge Bevel edge	\$50.00	16	\$800.00

Custom Cubbies Custom cubbies as per drawing	\$1,131.00	1	\$1,131.00
Commercial 3 drawer base C3D 19"-24"	\$1,260.00	1	\$1,260.00
commercial Cabinets full door base 23-30 CCFDB 23"-30"	\$650.00	1	\$650.00

removal & disposal of the existing

	Price	Qty	Total
Removal & Disposal Of existing	\$730.00	1	\$730.00

Subtotal	\$17,351.00
Main desk area	\$12,780.00
Wall 4 (optional counter and cabinets)	\$3,841.00
removal & disposal of the existing	\$730.00
Sales Tax	\$1,409.77
Deposit	\$0.00

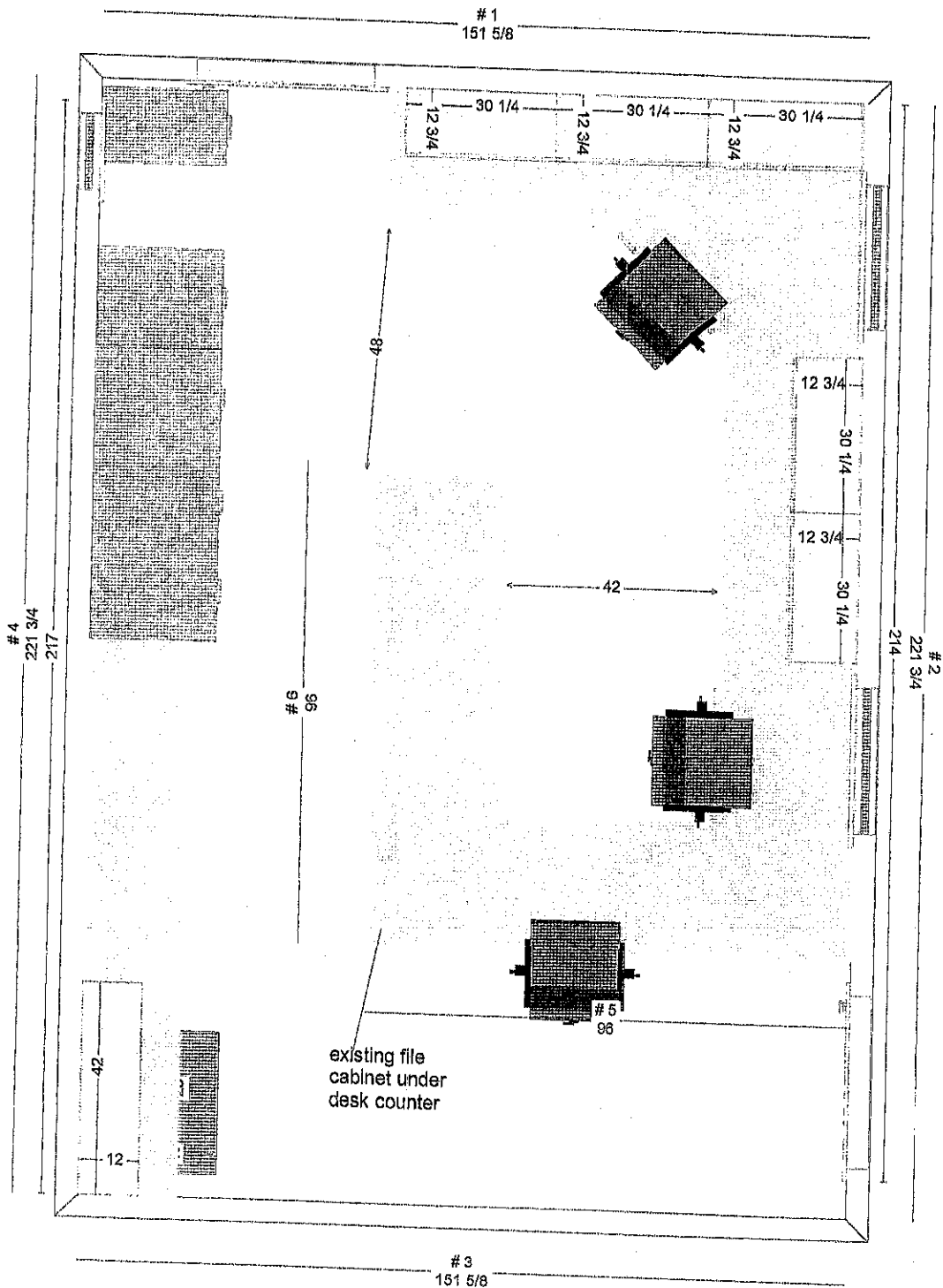
Total \$18,760.77

Since all components are custom to your job, we require a 50% deposit before your order will be placed.

Rylex Custom Cabinetry & Closets
PO Box 636
Pine Island NY 10969
845-258-1223

7/26/2024
Room 1

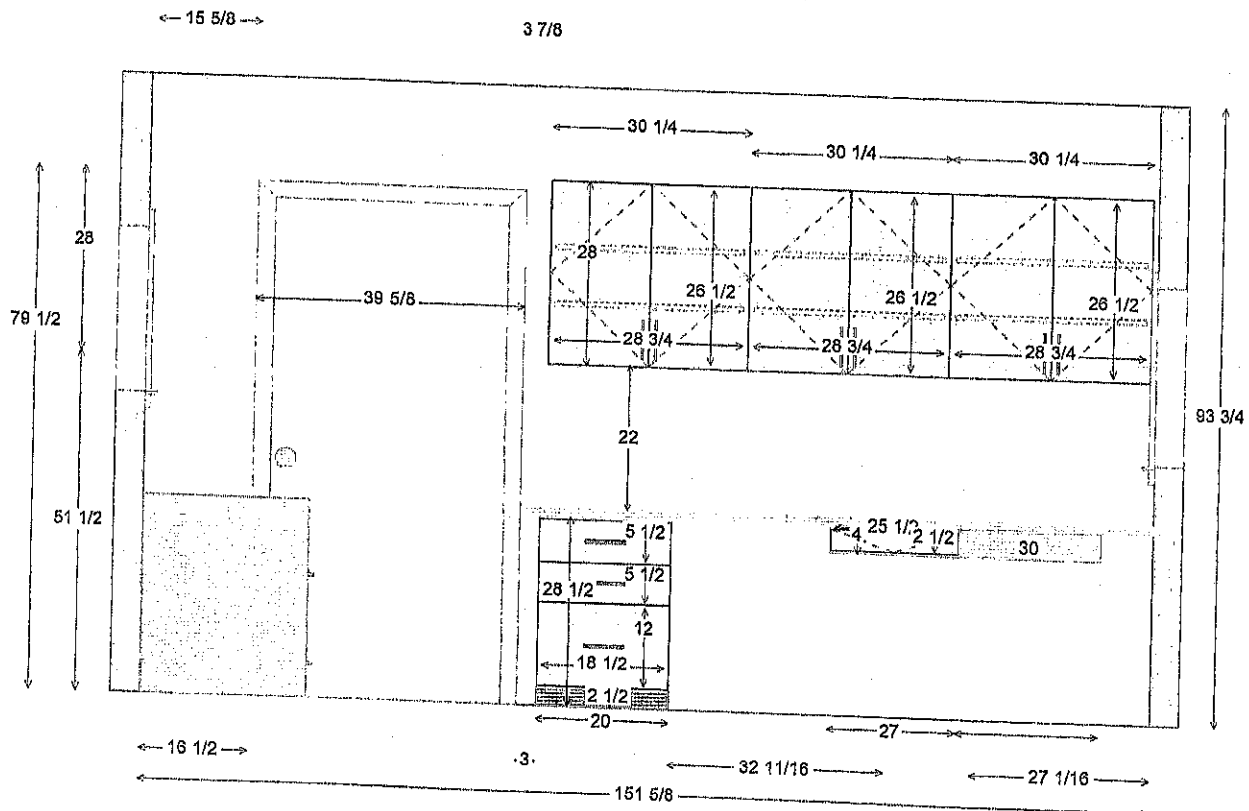
Not To Scale



Rylex Custom Cabinetry & Closets
PO Box 636
Pine Island NY 10969
845-258-1223

7/26/2024
Room 1 - Wall 1

Not To Scale



7/26/2024
Room 1 - Wall 2

7/8 3 1/2 2 27 3/8 7 3/4

12 3/4 30 1/4 30 1/4 28 26 1/2 26 1/2 28 3/4 28 3/4 34 39 79 1/2 28 51 1/2 30 25 27 27 25 1/16 29 3/8 16 3/8 30 13/16 7 3/4

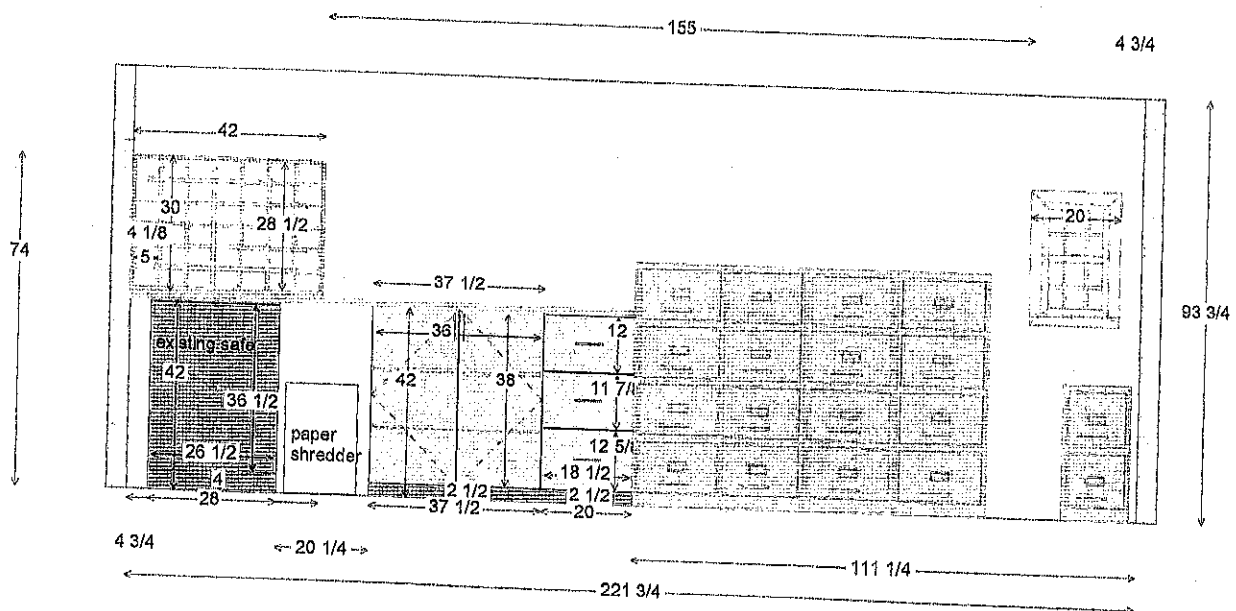
1/4" cork on 3/4" substrate

5 5/8 5 5/8 5 1/2 5 1/2 28 1/2 11 7/8 11 7/8 18 1/2 18 1/2 2 1/2 2 1/2 20 20 27

Rylex Custom Cabinetry & Closets
PO Box 636
Pine Island NY 10969
845-258-1223

7/26/2024
Room 1 - Wall 4

Not To Scale



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Offices To Go Mesh Back Managers Chair,
Black, Adjustable Arms (OTG11514B)

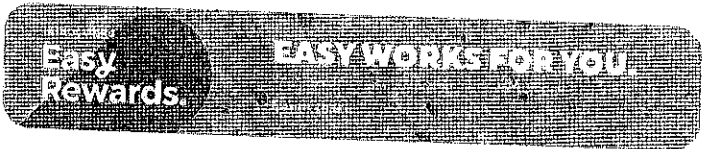
Item #: 2636317 | Model #: OTG11514B

5 ★★★★★ [1 Review](#) [Ask a question](#)

\$262.13



Deliver by **Wed, Nov 06** to Warwick, NY
Handling Fee applies



Quantity

2



Highlights Full product details



WARRANTY
5 Year



MATERIAL
Fabric



WEIGHT CAPACITY
250 lbs



Full Assembly
Required



No Recline



Free Returns

Exclusive Offers

Share

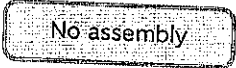
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Pay in 4 interest-free payments of \$65.53 with **PayPal**
[Learn more](#)



Assembly [Learn more](#)



Protect your purchase

Tech help available for set-up & troubleshooting. If something happens that we can't repair it, we'll replace or reimburse you.



bush home

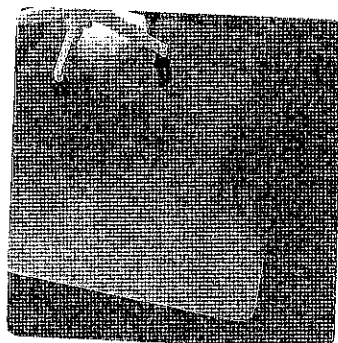
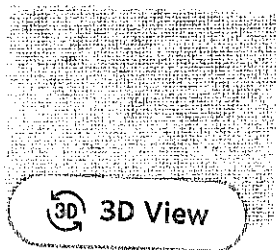
Save Up to 20% Off Cabot Collection

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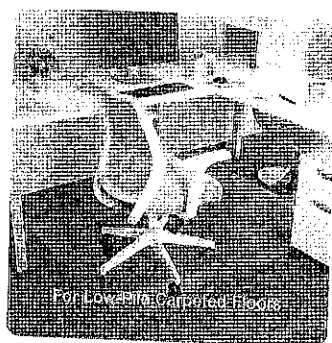


Staples® Carpet Chair Mat, 46" x 60", Low-Pile, Crystal Clear (20234-CC)

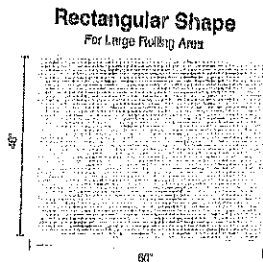
Item #: 567302 | Model #: 20234-CC

3.9 ★★★★★ [408 Reviews](#) [2 Questions](#)

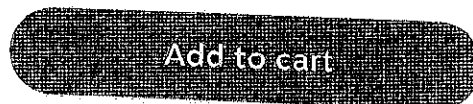
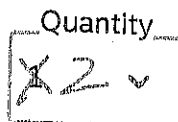
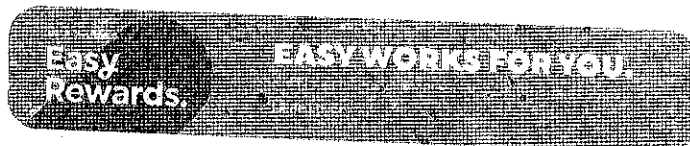
\$51.79



Deliver by **Mon, Aug 12** to Warwick, NY
Order within 3 hrs 27 mins



Limited Lifetime Warranty



Highlights [View all details](#)

- Rectangle shape for a larger rolling area , 46"W x 60"L x 0.145"H
- Made with clear vinyl to allow the beauty of your floors to show through
- Rounded AnchorBar cleats (studs) that are gentle on carpets and hands (no sharp spikes)

Share

Compare

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Pay in 4 interest-free payments of \$12.95 with **PayPal** [Learn more](#)

Consider this similar product

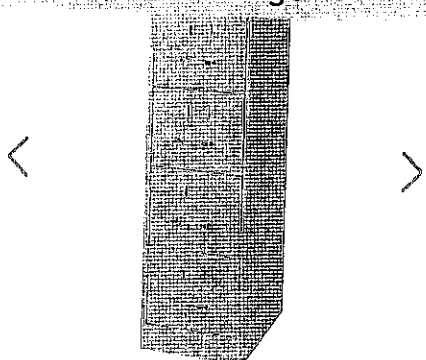


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Selling Fast! Last sold 23 minutes ago



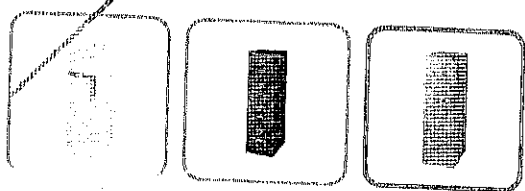
Staples Commercial 4-Drawer Vertical File Cabinet, Locking, Letter, Putty/Beige, 22"D (22336D)

Item #: 357418 | Model #: 60203-CC

4.4 ★★★★★ 3,120 Reviews 12 Questions

\$249.99 ~~\$299.99~~ 16% off ?

Color: Putty



Overall Depth in Inches

25 26.5 22

3D View

Delivery **1-Hour pick up**

Deliver by **Mon, Sep 30** to Warwick, NY ✓
Order within 6 hrs 36 mins
Handling Fee applies

Highlights Full product details

- Vertical file cabinet for everyday use
- **Exclusive Offers** holds letter size documents
- Features putty/beige finish with aluminum construction

EASY WORKS FOR YOU

2 **Add to cart**

BEATTIE & KRAHULIK

Attorneys At Law
Two Bank Street
Warwick, New York 10990
(845) 986-1156
Fax (845) 986-9421
www.hudsonvalleylaw.us

Hon. John J. Beattie (1872-1924)
Clifford S. Beattie (1899-1952)
John J. Beattie, III (1937-1984)
Emil R. Krahulik (1959-2013)

Robert E. Krahulik*

*Also admitted in FL and NJ
bob@hudsonvalleylaw.us
Karen Costanzo, Paralegal
karen@hudsonvalleylaw.us

October 2, 2024

RECEIVED

OCT 02 2024

**VILLAGE OF WARWICK
CLERK'S OFFICE**

Mayor Michael Newhard
Village Board of Trustees
Village of Warwick
77 Main Street
Warwick, New York 10990

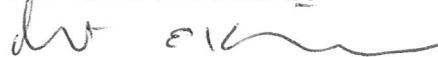
Re: Petition to Amend Village Zoning Map
Vanessa Mann & M&L Equity Auto LLC
42 Orchard Street

Mayor Newhard & Board of Trustees:

This office represents the above Petitioners in connection with a proposed change in zoning classification for a portion of the premises located at 42 Orchard Street in the Village of Warwick. The premises is located adjacent to the Warwick Car Wash and has historically been used by the Warwick Car Wash for traffic flow and snow removal. At the request of the Village Building Inspector we are seeking a change in the zoning classification of this parcel from Residential R to Light Industrial LI to bring the use into compliance with the Village Zoning Code. Conditional Final Approval of the Subdivision Map and Site Plan has already been obtained. This is the last step in the process which also includes a subdivision and conveyance of Ms. Mann's property to M&L Equity Auto LLC, the owner of the Warwick Car Wash.

Very truly yours,

BEATTIE & KRAHULIK



ROBERT E. KRAHULIK

REK
ENCL.

VILLAGE OF WARWICK: VILLAGE BOARD
COUNTY OF ORANGE: STATE OF NEW YORK

In the Matter of the Petition of
VANESSA MANN

and

M&L EQUITY AUTO LLC

for an Amendment to the Village of Warwick
Zoning Map Pursuant to §145-21 of the Code

**VERIFIED PETITION FOR
AMENDMENT TO THE
ZONING MAP**

Of the Village of Warwick

Petitioner VANESSA MANN ("MANN"), respectfully petitions the Village of Warwick Village Board ("Village") to amend the Zoning Map of the Village of Warwick to designate a portion of MANN's lands at 42 Orchard Street, identified on the Village of Warwick Tax Map as a portion of Section 210, Block 11, Lot 5 and identified as Lot 2 on a map entitled M&L EQUITY AUTO, LLC SUBDIVISION & SITE PLAN and prepared by Brian Friedler Engineering PLLC dated June 26, 2024, and last revised October 1, 2024, and to be filed in the office of the Orange County Clerk (hereinafter "the Map" attached hereto at Exhibit B) which is located in the R Residential Zoning District. Lot 2 is contiguous to land owned by the Petitioner M&L EQUITY AUTO LLC and known as Section 210 Block 11 Lot 16.22 located at 18 Elm Street, in the Village of Warwick and operated as a car wash ("the Car Wash") which is located in the LI Light Industrial Zoning District and presents, as and for their verified petition, the following:

1. The Petitioner M&L Equity Auto LLC is a duly organized limited liability company in the State of New York, which is the owner of the Car Wash located in the Village of Warwick.
2. Paul LeDuc is the Member of the Petitioner and is authorized to represent the LLC and makes this petition on its behalf.
3. Vaness Mann is an individual and is the owner of Lot 2.
4. The Lot 2 consists of \pm .137 acres of land immediately adjacent to the Car Wash and has historically been used by the Car Wash for commercial purposes in connection with the operation of the car wash and specifically for traffic flow and the stockpiling of excess snow accumulation.
5. Petitioners have entered into a contract of sale for the sale of Lot 2 from MANN to M&L EQUITY AUTO LLC contingent upon subdivision approval and a change in zoning from R Residential to LI Light Industrial.
6. Petitioners have obtained Conditional Final Subdivision and Site Plan Approval from the Planning Board of the Village of Warwick for a subdivision of the

premises owned by MANN creating two lots identified as Lot 1 and Lot 2 on the above referenced Map ("Final Approval"). A copy of the resolution is attached at Exhibit A.

7. Final Approval of the Map is conditioned on the Petitioners obtaining a change in the zoning classification allowing the continued use of Lot 2 for commercial purposes in connection with the operation of the car wash.

8. The Petitioners seek a change in the Zoning District Classification for Lot 2 from R Residential to LI Light Industrial.

9. The legal description of Lot 2 is attached hereto at Exhibit C.

10. The use of Lot 2 for commercial purposes has been ongoing, open and notorious for decades.

11. The continued use of Lot 2 for commercial purposes is consistent with the Master Comprehensive Plan of the Village of Warwick; the historic use of the property; is not detrimental to nearby property owners; promotes the safe and efficient flow of traffic through the Car Wash site; and is in the best interest of the Village of Warwick.

WHEREFORE, Petitioners seek a change in the zoning classification of Lot 2 from R Residential to LI Light Industrial.

DATED: September 30, 2024
Warwick, New York



By: Robert E. Krahulik, Esq.
Beattie & Krahulik
Attorneys for Petitioner
2 Bank Street
Warwick, New York 10990
(845) 986-1156

EXHIBIT A

VERIFICATION

STATE OF NEW YORK)
)ss:
COUNTY OF ORANGE)

PAUL LEDUC, being duly sworn states: 1. I am the Member/Manager for M&L EQUITY AUTO LLC, the Petitioner herein; 2. I have read the annexed Petition and it is entirely true based upon my own personal knowledge, except as to those matters which are alleged upon information and belief, and as to such matters the deponent believes them to be true.

PAUL LEDUC

Sworn to before me on the
____ day of October, 2024

Notary Public

VERIFICATION

STATE OF NEW YORK)
)ss:
COUNTY OF ORANGE)

Vanessa Mann being duly sworn, says:

I am the Petitioner in the action herein; I have read the annexed Petition, know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief and as to those matters, I believe them to be true.

Vanessa Mann
Vanessa Mann

Sworn to before me on the
1st of October, 2024


[Signature]

ROBERT E. KRAHULIK
NOTARY PUBLIC, State of New York
No. 4940119
Qualified in Orange County
Commission Expires August 8, ~~19~~ 2026

VERIFICATION

STATE OF NEW YORK)
)ss:
COUNTY OF ORANGE)

PAUL LEDUC, being duly sworn states: 1. I am the Member/Manager for M&L EQUITY AUTO LLC, the Petitioner herein; 2. I have read the annexed Petition and it is entirely true based upon my own personal knowledge, except as to those matters which are alleged upon information and belief, and as to such matters the deponent believes them to be true.



PAUL LEDUC

Sworn to before me on the
2nd day of October, 2024



Notary Public

Antoinette McGee
Notary Public State of New York
No. 01MC6142701
Qualified in Orange County
Commission Expires March 20, 2026

VERIFICATION

STATE OF NEW YORK)
)ss:
COUNTY OF ORANGE)

Vanessa Mann being duly sworn, says:

I am the Petitioner in the action herein; I have read the annexed Petition, know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief and as to those matters, I believe them to be true.

Vanessa Mann

Sworn to before me on the
____ of October, 2024

RESOLUTION OF APPROVAL
FOR AMENDED SITE PLAN AND SUBDIVISION APPROVAL
FOR
M & L EQUITY AUTO LLC
VANESSA MANN
SBL 210 – 11 – 5
210-11-16.22

Nature of Application

M & L EQUITY AUTO LLC and VANESSA MANN seek to alter the existing lot line between 18 Elm Street (SBL 210-11-16.22) and 42 Orchard Street (SBL 210-11-5). Such alteration consists of transferring 5,963 square feet from 42 Orchard Street to 18 Elm Street. The purpose of the project is to eliminate the existing encroachment of M&L Equity Auto facilities across the rear of the Mann property (42 Orchard Street). Other than the installation of additional screening in the form of landscaping and a fence, the application does not propose any new construction.

Zoning District:

The Mann property (42 Orchard Street) is located in the Residential (R) zoning district. The M&L Equity Auto property (18 Elm) Street is located in the Light Industrial (LI) zoning district. The application requires a zone change by the Village Board of Trustees, rezoning the transferred property from Residential (R) to Light Industrial (LI).

Gasoline service stations, Automobile sales and service, and car washes are conditional uses in the Light Industrial (LI) district as set forth in the Village of Warwick Zoning Code. The site last received site plan approval on August 2, 1990, subject to the terms and conditions of an area variance granted by the Zoning Board of Appeals.

Plans

The Subdivision Approval and Amended Site Plan application materials being considered consist of the following:

1. Application, dated May 8, 2023, submitted by letter dated July 20, 2023.
2. Subdivision Application, dated March 26, 2024
3. A three (3) sheet set of plans containing the following:
 - a. "Site Plan, M&L Equity Auto LLC Lot Line Change" prepared by Friedler Engineering, PLLC, dated June 26, 2023, last revised August 13, 2024 (Entitled "Subdivision Plan")

- b. Subdivision Plan, prepared by Schmick Surveying, Inc., dated March 10, 2023, last revised August 5, 2024
 - c. Subdivision Plan, sheet 2, prepared by Schmick Surveying, Inc., dated March 10, 2023, last revised August 5, 2024, containing the Zoning Board of Appeals decision.
4. Short Form Environmental Assessment Form (SEAF) dated May 8, 2023.

History

Date of Application

The Planning Board initially received an application for a lot line change on or about July 20, 2023. By memorandum dated October 3, 2023, Planning Board Attorney Robert Dickover opined that the Village Code required that the project be treated as a subdivision application and not a lot line change application.

The Applicant submitted a subdivision application dated April 17, 2024, which was initially taken up by the Planning Board at its May 14, 2024 meeting.

By memorandum dated August 27, 2024, Planning Board Attorney Elizabeth Cassidy opined that in addition to subdivision approval, site plan approval was also required. The Planning Board took up site plan considerations at its September 10, 2024 meeting.

GML 239 Referral

This application was not subject to review by the Orange County Planning Department.

SEQRA

Lead Agency & Type of Action:

At its May 14, 2024, the Planning Board adopted a resolution declaring Lead Agency pursuant to the New York State Environmental Quality Review Act (SEQRA) and further declared that the proposed action was an Unlisted action, and that uncoordinated review was warranted.

Zoning Board of Appeals

The Village of Warwick Zoning Board of Appeals, by decision signed April 25, 2024, granted an area variance reducing the minimum lot area 42 Orchard Street (SBL 210-11-5) from 20,000 square feet to 6,625 square feet. 42 Orchard Street was originally 12,589 square feet.

Public Hearing

A public hearing was held on August 13, 2024, and held over until September 10, 2024 as to the Subdivision Application.

With respect to site plan, pursuant to its authority set forth the Village of Warwick Code § 145-96, the Planning Board resolved that given the nature of the amendments coupled with the fact that the subdivision application contained substantially similar information that a separate public hearing on the site plan would not be required.

On August 13, 2024, one neighbor spoke requesting the opportunity to review the revised plan. The public hearing was held open to accommodate that request. No further public comment was received.

Findings

The Planning Board has determined that final approval of the amended site plan and subdivision approval will substantially serve the public convenience, safety and welfare in that the proposed project better screens the existing Light Industrial Use from the adjoining residential properties. The purpose of the instant application is to conform the documents on file with the Village of Warwick with what exists on site and has been developed overtime.

The Planning Board discussed at length various options for screening the light industrial uses from the adjoining residential properties. The applicant will extend the existing fence line which runs in a East-West direction parallel to Orchard Street through 42 Orchard Street. The western most property line will be shielded with a series of Arbor Vitae planted in two offset rows. The Board finds that planted screening on this property line will have less impact on the floodplain and allows flood water to travel through the natural trees compared with a fence.

Resolution of Approval,

NOW, THEREFORE, THE PLANNING BOARD RESOLVES to grant final approval to the amended site plan application and subdivision applications of M&L Equity Auto LLC and Vanessa Mann as depicted on the plans identified above upon conditions outline below, and the Chairperson (or his designee) is authorized to sign the plans upon satisfaction of those conditions below noted to be conditions precedent to such signing.

General Conditions

1. This approval is conditioned upon the applicant submitting all necessary copies of the plans to be signed, as required to the Village of Warwick Planning Department.
2. This approval is further conditioned upon the applicant paying or depositing into escrow all applicable review, inspection and any other applicable fees.
3. This approval is further conditioned upon the applicant delivering (prior to signing the plans) proof, in writing, that all fees - engineering, legal and otherwise - in regard to this project have been fully paid.
4. The plans shall not be signed until proof satisfactory to the chair, has been presented showing that all conditions of this approval have been fulfilled or otherwise satisfied.
5. All conditions of this conditional approval shall be fulfilled within twelve (12) months from the date of the Village Board approval of the zone change as required by Specific Condition 11 unless the applicant shall, within said twelve (12) month period and prior to expiration of said time, file with the Planning Board a request for an extension of this conditional approval and prove to the satisfaction of the Planning Board that such extensions is justified based upon such matters as are outside the control of the applicant. Upon expiration of said twelve (12) month period without an extension having been granted this conditional approval shall lapse.
6. All conditions precedent to this approval shall be satisfied prior to issuance of a Building Permit for the new fence.
7. No approval is intended to be given or is given by this resolution for site plan elements depicted on adjoining properties.

8. Construction hours at the project site shall be limited to the hours of 7:00 am and 7:00 pm on weekdays and 8:00 am and 7:00pm on Saturdays. There shall be no construction on Sundays.
9. The Chairman shall be authorized to sign the site plan and subdivision plat upon receipt of written confirmation from the Village Engineer and Planning Board Attorney that the final site plan and subdivision plat conform to the terms of this approval.

Specific Conditions

10. This approval is subject to a zone change by the Village Board of Trustees within 12 months of this approval. In the event such zone change is not granted, M&L Equities shall return to the Village Planning Board for amended site plan approval.
11. This approval is subject to the terms and conditions of the Decision of the Village of Warwick Zoning Board of Appeals dated April 25, 2024.
12. Prior to signing the plat, applicant to file an easement in favor of the Village of Warwick confirming and restating the sewer easement given by Booker J. Smith Enterprises, Inc. to the Village of Warwick, dated August 14, 1998, and recorded in the Orange County Clerk's office on September 18, 1998 in Liber 4874 at Page 46.
13. Prior to signing the plat, applicant to locate existing sewer easement on plan.
14. Prior to signing the plat, applicant to address all outstanding comments as set forth in the memorandum of Keith Woodruff, Engineering & Surveying Properties, dated September 4, 2024.
15. Landscaping to be maintained in perpetuity.
16. Applicant to submit site plan application materials together with the applicable fee to reflect the inclusion of site plan approval.
17. Applicant to remove gravel area to the extent it encroaches on SBL 210-11-4.
18. The proposed fence shall be constructed to a height of six feet to be consistent with the existing privacy fence.
19. Subdivision Plat to be filed in the office of the Orange County Clerk within sixty-two (62) days from the map signature date, with a copy to be furnished to the Village of Warwick Clerk.

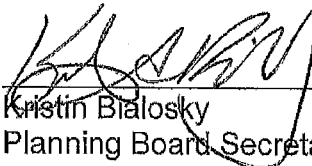
In Favor 5 Against 0 Abstain 0 Absent 0

Dated: September 10, 2024



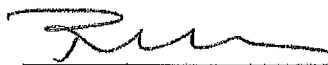
JESSE GALLO, Chairman
VILLAGE OF WARWICK PLANNING BOARD

Filed in the Office of the Planning Board Clerk on this 19th day of September 2024



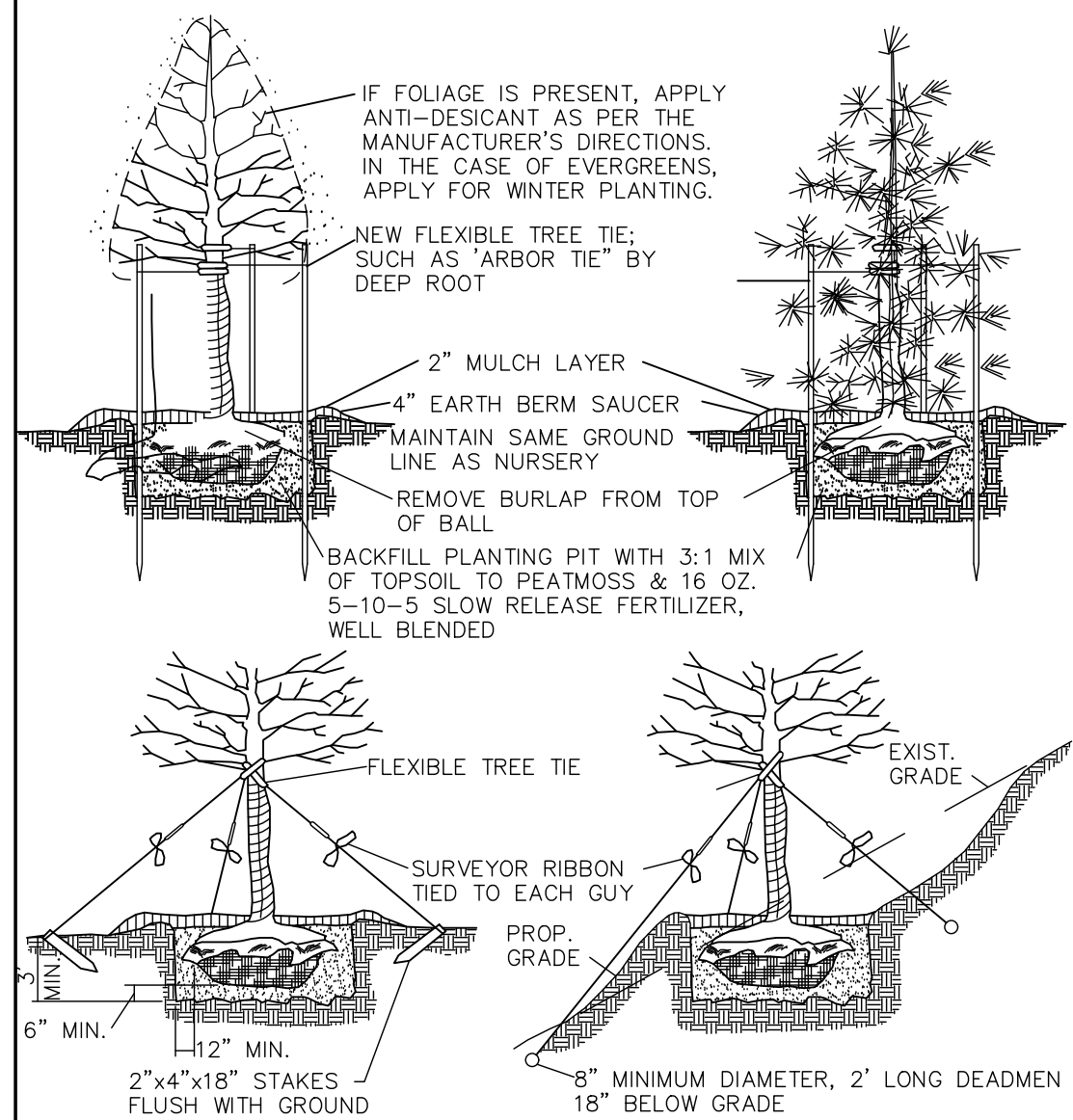
Kristin Bialosky
Planning Board Secretary

I, Raina Abramson, Clerk of the Village of Warwick, does hereby certify that the foregoing resolution was filed in the Office of the Village Clerk on September 20, 2024

A handwritten signature in dark ink, appearing to read 'Raina', is written over a horizontal line.

Raina Abramson, Clerk
Village of Warwick

EXHIBIT B



PLANT MATERIALS :
PLANT MATERIALS SHOULD BE OF THE SPECIFIED SPECIES AND VARIETY, UNLESS OTHERWISE DIRECTED IN WRITING. ALL PLANTS, WHETHER BALLED AND BURLAPPED OR IN A CONTAINER, SHALL HAVE ROOT BALLS THAT AREN'T CRACKED OR BROKEN. PLANT MATERIALS THAT ARE STORED ON SITE FOR LONGER THAN 3 DAYS SHALL HAVE THE ROOT BALLS PROTECTED BY WET MOSS OR OTHER SUITABLE MATERIAL AND KEPT WATERED.

5-10-5 SLOW RELEASE FERTILIZER SHALL BE THOROUGHLY MIXED WITH THE BACKFILL AT A RATE OF 8 OZ. PER SHRUB AND 16 OZ. PER TREE. PLANT MATERIALS SHALL BE THOROUGHLY WATERED FOLLOWING PLANTING AND PRIOR TO GUYING AND STRAIGHTENING (IF REQUIRED).

SHREDDED HARDWOOD BARK MULCH :

AREAS SHOWN ON THE PLAN AND SPECIFIED BELOW ARE TO RECEIVE A 2" LAYER OF BARK MULCH. BARK MULCH AREAS INCLUDE ALL PLANTING BEDS, SHADE TREES AND ALL OTHER AREAS AS SHOWN ON THE PLAN. THE MULCH AREAS SHALL BE UNDERLAIN WITH A FABRIC WEED BARRIER.

ONLY HARDWOOD BARK MULCH SHALL BE USED AND SHALL NOT CONTAIN LEAVES, TWIGS, BRANCHES, WOOD SHAVINGS, DIRT, STONES, CODS OF TURF OR OTHER FOREIGN MATERIAL OR DEBRIS. BARK MULCH SHALL NOT EXCEED 2" IN ANY DIMENSION.

FABRIC WEED BARRIER SHALL BE A PRODUCT DESIGNED FOR THIS PURPOSE AND SHALL BE BLACK IN COLOR.

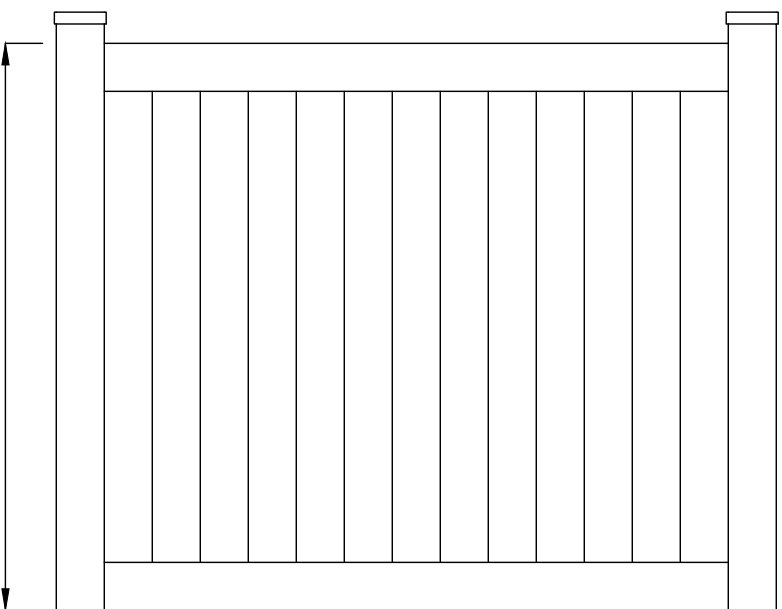
WHEN THE 2" BARK MULCH LAYER IS SPREAD, THE SURFACE OF THE MULCH WILL BE FLUSH WITH ADJACENT AREAS. PROVIDE A SAUCER RIM AS PER DETAILS. IF, PRIOR TO FINAL ACCEPTANCE OF THE PROJECT, ANY BARK MULCH HAS BEEN DISPLACED, THE DISPLACED AREAS WILL BE RESTORED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS, AT NO ADDITIONAL COST TO THE OWNER.

LANDSCAPING DETAILS

N.T.S.

VILLAGE SEWER MANHOLE NOTE:

SEWER MANHOLE NO. 3016 LOCATION TO BE VERIFIED BY THE VILLAGE OF WARWICK. NOT PHYSICALLY LOCATED PER SEWER MANHOLE LOCATIONS MAP, DATED AUGUST 7, 2014, BY LANC & TULLY.



5-FT H X 8-FT W TAN VINYL SOLID FENCE

N.T.S.

ZONING DATA :

RESIDENTIAL (R) - SECTION 210, BLOCK 11, LOT 5
EXISTING USE: ONE FAMILY RESIDENCE
PROPOSED USE: ONE FAMILY RESIDENCE

ITEM	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA	20,000 SQ.FT.	12,589 SQ.FT.(*)	6,625 SQ.FT.(**)
MIN. LOT WIDTH	100 FT.	53.0 FT.(*)	53.0 FT.(*)
FRONT SETBACK	35 FT.	20.8 FT.(*)	20.8 FT.(*)
MIN. FRONT YARD	35 FT.	13.0 FT.(*)	13.0 FT.(*)
MIN. REAR SETBACK	35 FT.	154 FT.	59 FT.
MIN. REAR YARD	10 FT.	152 FT. ±	57.0 FT. ±
MIN. SIDE SETBACK	20 FT.	7.1 FT.(*)	7.1 FT.(*)
TOTAL SIDE SETBACK	50 FT.	16.7 FT.(*)	16.7 FT.(*)
MIN. SIDE YARD	10 FT.	7.1 FT.(*)	7.1 FT.(*)
MIN. STREET FRONTAGE	80 FT.	53.0 FT.(*)	53.0 FT.(*)
MAX. BLDG. HEIGHT	35 FT./3 STRY.	≤ 35 FT./3 STRY.	≤ 35 FT./3 STRY.
DEVELOPMENT COVERAGE	35%	14.7% ±	28.0% ±
MIN. LOT DEPTH	125 FT.	237.5 FT.	125 FT.
LIVABLE FLOOR AREA	1,250 SF	>1,250 SF	>1,250 SF

(*) NON-CONFORMING, PRE-EXISTING CONDITION
(**) VARIANCE GRANTED BY THE VILLAGE OF WARWICK ZONING BOARD OF APPEALS FILED IN THE OFFICE OF THE VILLAGE CLERK ON APRIL 25, 2024.

LIGHT INDUSTRIAL (LI) - SECTION 210, BLOCK 11, LOT 16.22

EXISTING USES: GASOLINE SERVICE STATION, AUTOMOBILE SALES AND SERVICE, INCLUDING REPAIRS, AND CAR WASHES.
PROPOSED USES: GASOLINE SERVICE STATION, AUTOMOBILE SALES AND SERVICE, INCLUDING REPAIRS, AND CAR WASHES.

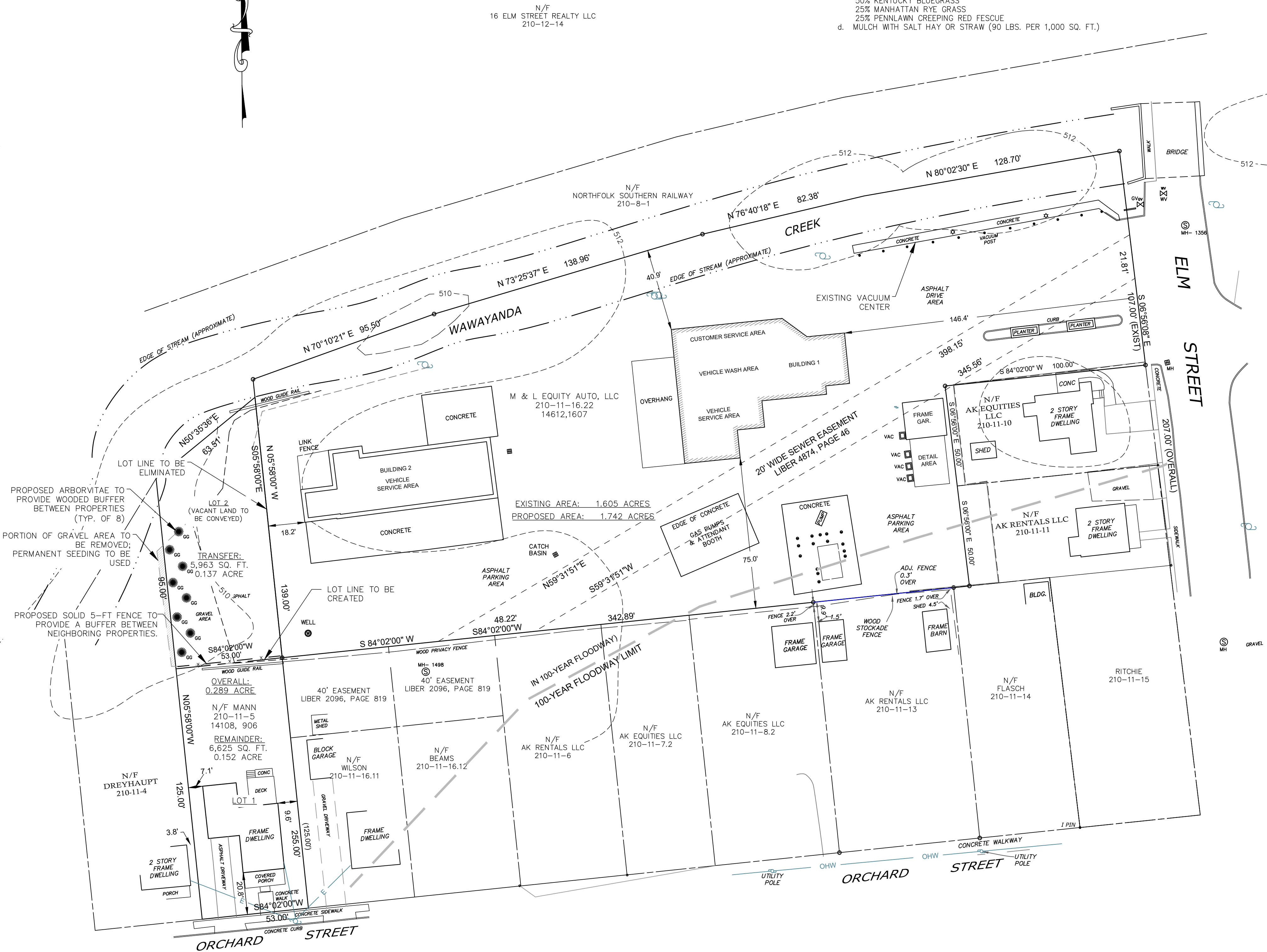
ITEM	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA	12,589 SQ.FT.	69,913.8 SQ.FT.	75,881.5 SQ.FT.
MIN. LOT WIDTH	100 FT.	180 ± FT.	180 ± FT.
FRONT SETBACK	35 FT.	47 ± FT.	47 ± FT.
MIN. FRONT YARD	N/A	N/A	N/A
MIN. REAR SETBACK	20 FT.	40.9 FT.	40.9 FT.
MIN. REAR YARD	20 FT.	N/A	N/A
MIN. SIDE SETBACK	10 FT.	18.2 FT.	71.2 FT.
TOTAL SIDE SETBACK	10 FT.	> 10 FT.	> 10 FT.
MIN. SIDE YARD	20 FT.	0 ± FT. (*)	0 ± FT. (*)
MIN. STREET FRONTAGE	100 FT.	107.0 FT.	107.0 FT.
MAX. BLDG. HEIGHT	40 FT.	≤ 35 FT./3 STRY.	≤ 35 FT./3 STRY.
DEVELOPMENT COVERAGE	80%	89% ± (*)	86% ± (**)
MIN. LOT DEPTH	100 FT.	343 ± FT.	396 ± FT.

NOTE 1: THE REQUIRED FRONT SETBACK NOT BE GREATER THAN THE AVERAGE SETBACK OF THE TWO NEAREST NEIGHBORING STRUCTURES LOCATED ON THE SAME SIDE OF THE STREET WITH 150-FOOT OF THE PROPOSED BUILDING.
(*) NON-CONFORMING, PRE-EXISTING CONDITION
(**) NON-CONFORMING

GRAVEL AREA ENCROACHMENT REMEDIATION

REMOVAL OF EXISTING GRAVEL AREA EXTENDING ONTO PORTION OF LOT 210-11-4
REMEDICATION OF THIS AREA WITH PERMANENT AS FOLLOWS:

- LOOSEN SEVERELY COMPACTED AREAS BY DISING TO 12" DEPTH.
- FERTILIZE AS PER SOIL TEST OR APPLY 5-10-10 FERTILIZER (20 LBS. PER 1,000 SQ. FT.)
- SEED WITH THE FOLLOWING MIXTURE AT 5 LBS. PER 1,000 SQ. FT.:
 - 50% KENTUCKY BLUEGRASS
 - 25% MANHATTAN RYE GRASS
 - 25% PENNLAWN CREEPING RED FESCUE
- MULCH WITH SALT HAY OR STRAW (90 LBS. PER 1,000 SQ. FT.)



GENERAL NOTES

- TAX MAP DESIGNATION: SECTION 210, BLOCK 11, LOT 5 & 16.22
18 ELM STREET, WARWICK, NY 10990
42 ORCHARD STREET, WARWICK, NY 10990
- RECORD OWNERS / APPLICANTS:
SBL: 210-11-16.22
M & L EQUITY AUTO, LLC
18 ELM STREET
WARWICK, NY 10990
SBL: 210-11-5
VANESSA MANN
42 ORCHARD STREET
WARWICK, NY 10990
- PROPERTY AREAS:
210-11-16.22: EXISTING: 1.605 ACRES
PROPOSED: 1.742 ACRES
EXISTING: 0.289 ACRES
210-11-5: PROPOSED: 0.152 ACRES
- ZONING AND USES:
SECTION 210, BLOCK 11, LOT 16.22 - LIGHT INDUSTRIAL (LI)
EXISTING USES: GASOLINE SERVICE STATION, AUTOMOBILE SALES AND SERVICES, INCLUDING REPAIRS, AND CAR WASHES.
PROPOSED USES: GASOLINE SERVICE STATION, AUTOMOBILE SALES AND SERVICES, INCLUDING REPAIRS, AND CAR WASHES.
SECTION 210, BLOCK 11, LOT 5 - RESIDENTIAL (R)
EXISTING USE: ONE FAMILY RESIDENCE
PROPOSED USE: ONE FAMILY RESIDENCE
- EXISTING WATER SUPPLY: VILLAGE OF WARWICK WATER SYSTEM
- EXISTING SEWAGE DISPOSAL: VILLAGE OF WARWICK SEWER SYSTEM
- SURVEY INFORMATION PROVIDED BY SCHMICK SURVEYING, INC. P.L.S., DATED MARCH 10, 2023. TOPOGRAPHY INFORMATION TAKEN FROM ORANGE COUNTY IMAGE MATE.
- NATIONAL FLOOD HAZARD ELEVATIONS TAKEN FROM FEMA FIRMETTE MAP 3607100463E, EFF. 08/03/2009. 100-YEAR FLOOD ELEVATION 516.5. VERTICAL DATUM IS THE N.A.V.D.88

CONSTRUCTION NOTES:

- THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITY LINES, WHETHER IN THE PUBLIC RIGHT-OF-WAY OR IN EASEMENTS, OR IN PRIVATE PROPERTY PRIOR TO STARTING ANY EXCAVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITY LINES THROUGHOUT THE COURSE OF CONSTRUCTION. PROJECT SAFETY SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- CALL BEFORE YOU DIG UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION 2 FULL WORKING DAYS BEFORE YOU DIG AT 1-800-962-7962.

LEGEND

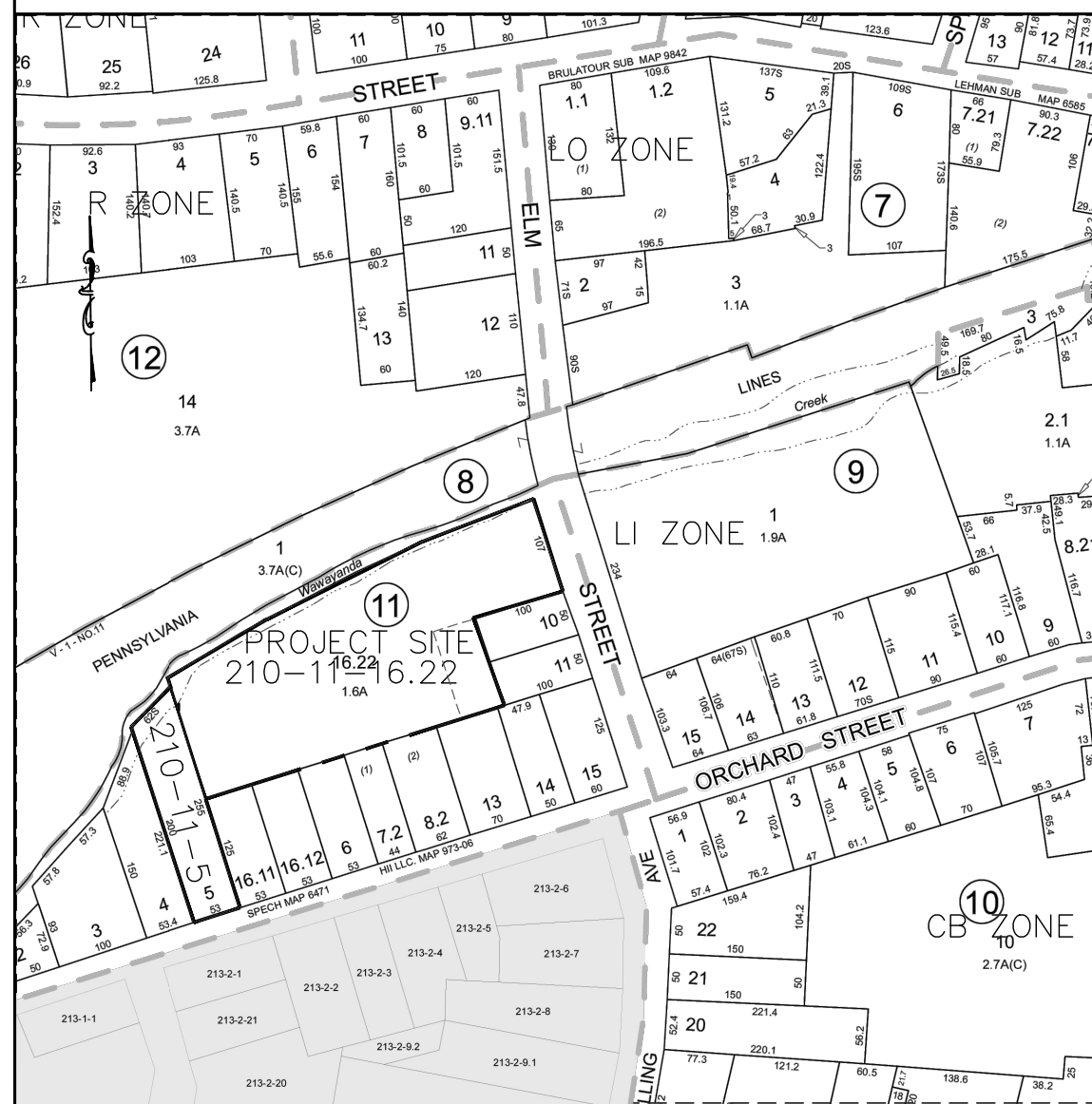
---	EXISTING PROPERTY LINE
---	OVERHEAD UTILITY LINES
---	STREAM
---	EXISTING CONTOUR
X	PROPOSED FENCE

PROPOSED TREES

TYPE:	QTY:	SYMB:	BOTANICAL NAME:	COMMON NAME:
ARBORVITAE	8	GG	THUJA 'GREEN GIANT'	GREEN GIANT ARBORVITAE
				SIZE AT PLANTING: 7'-8'

VICINITY MAP

SCALE: 1" = 200'±



4	10/01/24	VILLAGE OF WARWICK PLANNING BOARD REVIEW
3	09/04/24	VILLAGE OF WARWICK PLANNING BOARD REVIEW
2	08/13/24	VILLAGE OF WARWICK PLANNING BOARD REVIEW
1	06/26/23	VILLAGE OF WARWICK PLANNING BOARD REVIEW
ISSUE	DATE	DESCRIPTION

SUBDIVISION PLAN

M&L EQUITY AUTO, LLC SUBDIVISION & SITE PLAN

SECTION 210 BLOCK 11 LOT 5 & 16.22
VILLAGE OF WARWICK
ORANGE COUNTY, NEW YORK

FRIEDLER ENGINEERING, PLLC

PH. 845.544.5662
9 LOCUST STREET WARWICK, NEW YORK 10990
FRIEDLERENGINEERING@OUTLOOK.COM

DRAWN BY	CHECKED BY	SCALE	JOB NO.	SHEET NO.
BJF	BJF	AS SHOWN	FE-23037	1 OF 1

APPROVED FOR FILLING:

OWNER(S) DATE

OWNER(S) DATE

APPROVED AS A FINAL SITE PLAN BY A RESOLUTION OF THE PLANNING BOARD OF THE VILLAGE OF WARWICK ON

CHAIRMAN DATE

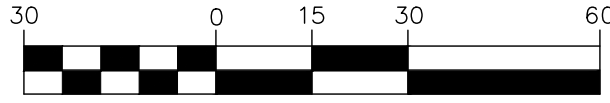
VILLAGE ENGINEER DATE

COPIES OF THIS DOCUMENT WITHOUT AN ACTUAL OR FACSIMILE OF THE ENGINEER'S SIGNATURE AND AN ORIGINAL STAMP OR EMBOSSED SEAL SHALL BE CONSIDERED INVALID.

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DOCUMENT BEARING THE SEAL OF A LICENSED PROFESSIONAL ENGINEER IS A VIOLATION OF SECTION 7209 SUBSECTION 2 OF THE NEW YORK STATE EDUCATION LAW.

BRIAN FRIEDLER, P.E.
NEW YORK LICENSE # 105494

GRAPHIC SCALE



1" = 30'

EXHIBIT C

Schedule A

All that certain piece and parcel of land located in the Village of Warwick, Town of Warwick, County of Orange And State of New York and known as Lot 2 on a map entitled M&L EQUITY AUTO, LLC SUBDIVISION & SITE PLAN and prepared by Brian Friedler Engineering PLLC dated June 26, 2024, and last revised October 1, 2024, and to be filed in the office of the Orange County Clerk.

BEATTIE & KRAHULIK

Attorneys At Law
Two Bank Street
Warwick, New York 10990
(845) 986-1156
Fax (845) 986-9421
www.hudsonvalleylaw.us

Hon. John J. Beattie (1872-1924)
Clifford S. Beattie (1899-1952)
John J. Beattie, III (1937-1984)
Emil R. Krahulik (1959-2013)

Robert E. Krahulik*
*Also admitted in FL and NJ
bob@hudsonvalleylaw.us
Karen Costanzo, Paralegal
karen@hudsonvalleylaw.us

October 2, 2024

RECEIVED

OCT 02 2024

**VILLAGE OF WARWICK
CLERK'S OFFICE**

Mayor Michael Newhard
Village Board of Trustees
Village of Warwick
77 Main Street
Warwick, New York 10990

Re: Petition to Amend Village Zoning Map
Warwick Commercial Properties LLC
4 Overlook Drive
1 Galloway Heights Road

Mayor Newhard & Board of Trustees:

This office represents the above Petitioners in connection with a proposed change in zoning classification for premises located at 4 Overlook Drive and 1 Galloway Road. The premises have historically been used for commercial purposes. The Petition (Brian Singer) seeks a change in the zoning classification for the two parcels to General Commercial GC. This will bring current improvements on the property within compliance of the Village of Warwick Zoning Code. If granted, the Petition will then submit an application to the Village of Warwick Planning Board for Site Plan Approval. Please do not hesitate to contact me with any questions you may have.

Very truly yours,

BEATTIE & KRAHULIK


ROBERT E. KRAHULIK

REK
ENCL.

VILLAGE OF WARWICK: VILLAGE BOARD
COUNTY OF ORANGE: STATE OF NEW YORK

In the Matter of the Petition of

WARWICK COMMERCIAL PROPERTIES LLC
for an Amendment to the Village of Warwick
Zoning Map Pursuant to §145-21 of the Code

**AMENDED
VERIFIED PETITION FOR
AMENDMENTS TO THE
ZONING MAP**

Of the Village of Warwick

Petitioner WARWICK COMMERCIAL PROPERTIES LLC ("Petitioner"), respectfully petitions the Village of Warwick Village Board ("Village") to amend the official zoning map of the Village of Warwick ("Zoning Map") to designate the Petitioner's lands at 1 Galloway Heights Road identified on the Village of Warwick Tax Map as Section 214, Block 10, Lot 1 (hereinafter "Lot 1") and at 4 Overlook Drive, Section 214, Block 10, Lot 4.1 (hereinafter Lot 4.1) and located in the Village of Warwick. Lot 1 and Lot 4.1 are contiguous to three parcels of land also owned by the Petitioner and known as Section 214 Block 10 Lots 3.21, 3.22 and 3.23 (collectively Lots 1, 3.21, 3.22, 3.23 and 4.1 are referred to as the "Project Site") and presents, as and for its verified petition, the following:

INTRODUCTION

1. The Petitioner is a duly organized limited liability company in the State of New York, which purchased a number of parcels of land within the Village of Warwick more fully described below.

2. Brian Singer is the Member of the Petitioner and is authorized to represent the LLC and makes this petition on its behalf.

3. The Project Site consists of ±3.32 acres located on the east side New York State Route 17A in the Village of Warwick, Orange County, New York as more particularly laid out on a map entitled "Plan of Property for Warwick Commercial Properties, LLC prepared by Schmick Surveying, Inc. and dated June 13, 2023 (the "Site Plan"). Attached hereto at Exhibit A.

4. Lot 1 consists of approximately .338 acres of land and Lot 4.1 consists of approximately .511 acres of land.

5. Both Lot 1 and Lot 4.1 are improved by frame buildings.

6. Lot 1 is located in the LO Limited Office Overlay District and Lot 4.1 is located in the Residential R Zoning District.

7. The Petitioner seeks a change in the Zoning District Classification for both Lot 1 and Lot 4.1 to GC General Commercial.

SETTING OF PROJECT SITE

8. The Project Site is located on New York State Route 17A and directly across from the Park Avenue Elementary School.

9. The Project site is adjacent to Galloway Dental and the Hamlet Inn at Warwick (f/k/a the Warwick Motel) north of Overlook Drive and residential homes situated along the easterly and southerly boundary lines of the Project Site.

10. Historically the Project Site has been utilized for a variety of commercial uses such as the New Jersey Transit Bus Garage, Regal Homes & Properties, Inc. and Mystic Valley Real Estate.

11. Today the Project Site is utilized by the following occupants: Galloway Grill, Anytime Fitness, TCG Solutions (The Computer Guy) and Nourish Your Mind, Chosun Tae Kwon Do American Towman and Jade Medi Spa.

12. Lot 1 has historically been utilized as a real estate office known as Regal Homes & Properties, Inc. and is presently vacant.

13. Lot 4.1 has historically been used as professional office space by the New York State Police as their local headquarters and Robert Marcolini Construction Company. It is presently occupied by Robert Schmick, PLS, land surveyor and Barrett Construction.

14. The legal descriptions for Lot 1 and Lot 4.1 are attached hereto at Exhibit C.

PETITION

15. The surrounding areas of the Village, particularly along Route 17A consists of a variety of mixed uses the Residential R Zone including high density residential homes, the General Commercial Zoning and the Commercial Business CB Zone surrounding Main Street in the heart of the Village. There also exist a number of pre-existing non conforming commercial uses along Route 17A such as Corwin's Florist and Galloway Dental.

16. According to the United States Census Bureau, the population in the Town and Village of Warwick has increased by more than 100% over the last 50 years, and yet there has not been commensurate increase in commercial space. See Exhibit B.

17. We continue to see an dramatic increase in residential apartment construction on Railroad Avenue and Forester Avenue without the availability of commercially zoned properties to support the demands of an ever increasing population.

18. The scarcity of commercial space has resulted in extraordinarily high commercial rents, a lack of available commercial space, a lack of local jobs and

employment opportunities, and increased commuter traffic by those who must seek employment outside the Village of Warwick.

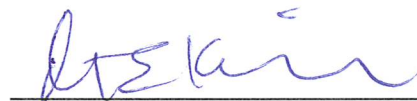
19. The Village of Warwick and Town of Warwick suffers from a low commercial tax base and ratables resulting in high real property taxes imposed on residential property owners.

20. A change in zoning for Lot 1 and Lot 4.1 is consistent with the Village Master Comprehensive Plan, will not result in a change in the character of the neighborhood and will create economic opportunities for small business owners and employees.

21. If and upon a change in the zoning classification, Petitioner will proceed with an application for site plan approval from the Village of Warwick Planning Board in conformance with the Site Plan.

22. WHEREFORE, Petitioner seeks a change in the Zoning District Classification for both Lot 1 and Lot 4.1 to GC General Commercial.

DATED: September 29, 2024
Warwick, New York




By: Robert E. Krahulik, Esq.
Beattie & Krahulik
Attorneys for Petitioner
2 Bank Street
Warwick, New York 10990
(845) 986-1156

VERIFICATION

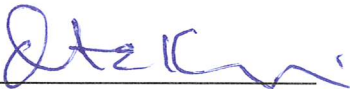
STATE OF NEW YORK)
)ss:
COUNTY OF ORANGE)

BRIAN SINGER, being duly sworn states: 1. I am the Member/Manager for Warwick Commercial Properties LLC, the Petitioner herein; 2. I have read the annexed Petition and it is entirely true based upon my own personal knowledge, except as to those matters which are alleged upon information and belief, and as to such matters the deponent believes them to be true.



BRIAN SINGER

Sworn to before me on the
1st day of May, 2024

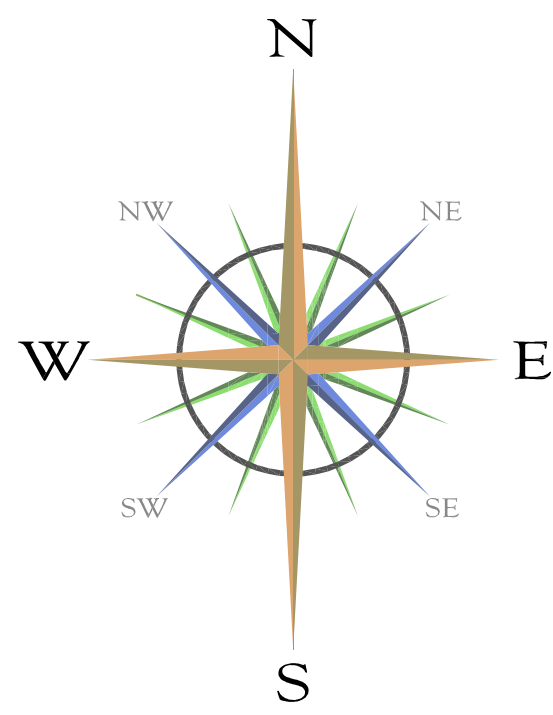


Notary Public

ROBERT E. KRAHULIK
NOTARY PUBLIC, State of New York
No. 4940119
Qualified in Orange County
Commission Expires August 8, ~~19~~ 2020

EXHIBIT A

GALLOWAY HEIGHTS ROAD



NEW YORK STATE HIGHWAY No. 17A
(AKA GALLOWAY ROAD)

N/F
WARWICK COMMERCIAL
PROPERTIES, LLC

FRAME BUILDING

SEC 214
BLK 10
LOT 1

PROPOSED USE CHANGE
FROM R (RESIDENTIAL)
TO GC (GENERAL COMMERCIAL)

AREA =
0.338 ACRE
(PROPOSED)
0.504 ACRE

LOT-1 FM # 26-15
SEC 214, BLK 10
LOT 3.21

BRICK/MASONRY
BUILDING

LOT-1 FM # 26-15
AREA = 0.839 ACRE
SEC 214, BLK 10, LOT 3.21

RESTAURANT

LOT-2 FM # 26-15
SEC 214, BLK 10
LOT 3.22

LOT-2 FM # 26-15
AREA = 0.375 ACRE
SEC 214, BLK 10, LOT 3.22

N/F WARWICK
COMMERCIAL
PROPERTIES, LLC

214-10-3.22

(2 OVERLOOK DRIVE)
LOT-3 FM # 26-15
AREA = 0.511 ACRE
SEC 214, BLK 10, LOT 3.23

N/F
SMITH

SEC 214
BLK 10
LOT 19

GENERAL NOTES

THIS SURVEY IS BASED ON A FIELD SURVEY BY SCHMICK SURVEYING, INC., COMPLETED ON MAY 13, 2024

LOCATIONS OF ALL UTILITIES AND SUBSTRUCTURES ARE APPROXIMATE ONLY BASED ON SURFACE EVIDENCE AND EXISTING PLANS. THE INFORMATION GIVEN ON THE SURVEY PERTAINING TO UTILITIES AND SUBSTRUCTURES IS NOT CERTIFIED AS TO THE ACCURACY OR COMPLETENESS. CONSULT WITH THE APPROPRIATE COMPANY OR AGENCY BEFORE DESIGNING OR CONSTRUCTING IMPROVEMENTS.

"SURVEY INSPECTIONS" OR "UPDATES" OF THIS MAP ARE PROHIBITED.

THIS MAP MAY NOT BE COPIED IN WHOLE OR IN PART.

THIS MAP MAY NOT BE USED FOR OTHER PURPOSES OR TRANSACTIONS.

THIS MAP IS COPYRIGHTED BY SCHMICK SURVEYING, INC., AND MAY NOT BE SOLD, RENTED, LEASED, PHOTOCOPIED, TRACED, ENLARGED, REDUCED, OR TRANSFERRED IN ANY OTHER WAY WITHOUT THE PRIOR WRITTEN CONSENT OF SCHMICK SURVEYING, INC.

ONLY COPIES OF THIS MAP BEARING THE EMBOSSED OR ORIGINAL SEAL OF A NEW YORK STATE LICENSED LAND SURVEYOR ARE VALID.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS MAP IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

EASEMENTS OR RIGHTS OF WAY ON OR BELOW THE SURFACE OF THE GROUND THAT ARE NOT VISIBLE ARE NOT SHOWN.

SUBJECT TO THE FINDINGS OF A COMPLETE AND UP TO DATE TITLE SEARCH.

SUBJECT TO ANY EASEMENTS OF RECORD.

REFERENCES

1. SECTION 214 BLOCK 10 LOT 3.21 KNOWN AS 60 GALLOWAY ROAD
SECTION 214 BLOCK 10 LOT 3.22 KNOWN AS 62 GALLOWAY ROAD
SECTION 214 BLOCK 10 LOT 3.23 KNOWN AS 2 OVERLOOK DRIVE
SECTION 214 BLOCK 10 LOT 4.1 KNOWN AS 4 OVERLOOK DRIVE
SECTION 214 BLOCK 10 LOT 1 KNOWN AS 1 GALLOWAY HEIGHTS ROAD

2. OWNER OF RECORD: WARWICK COMMERCIAL PROPERTIES, LLC
1512 NYS HWY. 17A
WARWICK, NEW YORK 10990

3. DEED LIBER 13851 PAGE 1946
15104 PAGE 1588

4. BEING LOTS 1, 2 & 3 ON A CERTAIN MAP TITLED "WARWICK COMMERCIAL PROPERTIES" FILED IN THE ORANGE COUNTY CLERKS OFFICE ON MARCH 6, 2015 AS MAP No. 26-15.

MAP PREPARED FOR:

- WARWICK COMMERCIAL PROPERTIES, LLC.

PLAN OF PROPERTY FOR WARWICK COMMERCIAL PROPERTIES, LLC VILLAGE OF WARWICK ORANGE COUNTY NEW YORK SCALE: 1" = 20' DATE: JUNE 13, 2023 SURVEY No. 19-155C

ROBERT H. SCHMICK, JR. P.L.S.
N.Y. Lic. No. 050573

SCHMICK SURVEYING, INC.
PROFESSIONAL LAND SURVEYING
WARWICK, NEW YORK 10990
© Copyright 2024, schmick surveying, inc. All Rights Reserved

EXHIBIT B

Village of Warwick

Historical population		
Census	Pop.	%±
1870	938	—
1880	1,043	11.2%
1890	1,537	47.4%
1900	1,735	12.9%
1910	2,318	33.6%
1920	2,420	4.4%
1930	2,443	1.0%
1940	2,534	3.7%
1950	2,674	5.5%
1960	3,218	20.3%
1970	3,604	12.0%
1980	4,320	19.9%
1990	5,984	38.5%
2000	6,412	7.2%
2010	6,731	5.0%
2020	6,652	-1.2%
U.S. Decennial Census ^[5]		

ing in
318
wn

ly

.7%

one
e

3%
vas
here

and
strict
chool;

Historical population

Census	Pop.	%±
1820	4,506	—
1830	5,013	11.3%
1840	5,113	2.0%
1850	4,902	−4.1%
1860	4,628	−5.6%
1870	5,736	23.9%
1880	5,699	−0.6%
1890	6,000	5.3%
1900	6,403	6.7%
1910	7,141	11.5%
1920	7,462	4.5%
1930	8,017	7.4%
1940	9,369	16.9%
1950	9,828	4.9%
1960	12,551	27.7%
1970	16,956	35.1%
1980	20,976	23.7%
1990	27,193	29.6%
2000	30,764	13.1%
2010	32,065	4.2%
2020	32,027	−0.1%

U.S. Decennial Census^[9]

Town of Warwick

EXHIBIT C

June 21, 2024

SCHMICK SURVEYING, INC.
PROFESSIONAL LAND SURVEYING
Licensed in New York

4 Overlook Drive Suite 3 Warwick New York 10990

Telephone (845) 986-8272
Schmicksurvey@gmail.com

DEED DESCRIPTION FOR

Warwick Commercial Properties LLC: Section 214, Block 10, Lot 1

ALL THAT TRACT or parcel of land, lying and being in the Town of Warwick, County of Orange, and State of New York, and being more fully bounded and described as follows:

BEGINNING at a point along the Southerly line of New York State Hwy. 17A where the same is intersected by the most Westerly corner of lands N/F Warwick Commercial Properties LLC (Section 214, Block 10, Lot 3.21), and runs from said point of BEGINNING:

- (1) Along the Westerly line of lands of Warwick Commercial Properties LLC, South $02^{\circ} 56' 33''$ West, 138.92' to a point, thence;
- (2) Along the same, North $72^{\circ} 55' 57''$ West, 117.58' to a point, thence;
- (3) Along the Easterly line of Galloway Heights Road North $07^{\circ} 54' 42''$ East, 131.17' to a point, thence;
- (4) Along the Southerly line of New York State Hwy. 17A South $75^{\circ} 43' 24''$ East 104.79' to the point and place of beginning. Containing 0.338 Acre.

DEED DESCRIPTION
for
Warwick Commercial Properties LLC
4 Overlook Drive
Village of Warwick
Orange County, New York
Section: 214, Block: 10 Lot: 4.1

ALL THAT TRACT or parcel of land, lying and being in the Village of Warwick, County of Orange, and State of New York, and being more fully bounded and described as follows:

BEGINNING at a point along the Westerly line of Overlook Drive where the same is intersected by the most Northerly corner of lands N/F Sinopoli (Section 214, Block 10, Lot 6), and runs from said point of BEGINNING:

1. Along the Northerly line of lands of Sinopoli, South 72°54'00" West, 73.00 to a point, thence;
2. Along the same, South 17°03'00" East a distance of 13.30 feet to a point, thence;
3. Along the Northerly line of lands now or formerly Lee (Section 214, Block 10, Lot 17) North 73°34' 00" West a distance of 135.10 feet to a point, thence;
4. Along the Easterly line of lands now or formerly Wood (Section 214, Block 10, Lot 18) North 02°54'02" East a distance of 19.98 feet to a point, thence;
5. Along the Southerly line of lands now or formerly Warwick Commercial Properties LLC (Section 214, Block 10, Lot 3.23) North 60°05'37" East a distance of 118.04 feet to a point, thence;
6. Along the same North 75°31'20" East a distance of 34.07 feet to a point, thence;
7. Along the same North 81°55'52" East a distance of 30.00 feet to a point, thence;
8. Along the Westerly line of Overlook Drive South 17°06'00" East a distance of 100.00 feet to the point and place of Beginning. Containing 0.347 Acre.