

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
SEPTEMBER 3, 2024**

10,239

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, August 5, 2024, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Mayor, Michael J. Newhard. Trustees, Barry Cheney, Carly Foster, Thomas McKnight, and Mary Collura. Also, present was Deputy Village Clerk, Jennifer Mante.

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

Mayor Newhard introduced the meeting by highlighting the excitement of the first day of school in the community. He emphasized the importance of being vigilant around school grounds and parks, stressing that speed limits should be strictly observed, particularly in areas with heavy pedestrian activity. The Mayor conveyed that the Board shares this sentiment and urges everyone to be extra cautious in the Village.

Acceptance of Minutes

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura, and carried for the Acceptance of Minutes: Acceptance of Minutes: August 19, 2024.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Cheney, seconded by Trustee Collura, and carried to Pay all Approved and Audited Claims in the amount of \$260,339.78.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Correspondence

1. Letter from Village residents Tim & Amy Smith thanking the Village Department of Public Works.

Mayor Newhard noted that under correspondence, there was a letter from Village residents Tim and Amy Smith expressing gratitude to the Village's Department of Public Works. He appreciated receiving such letters, as they help recognize and acknowledge the hard work of the DPW staff and other Village employees, who often go unrecognized for their efforts.

2. Email from Nicole Andersen, Director of the Orange County Office of Community Development, increasing the Village of Warwick's FY2023 CDBG award for the South Street, Third Street to Lawrence Ave. ADA Sidewalk Improvement Project from \$112,000 to \$182,000.

Mayor Newhard announced that since some projects were not proceeding this year, additional funds were available, prompting the Mayor to apply for them immediately.

Trustee McKnight asked Mayor Newhard if the County was aware that the project had been completed.

Mayor Newhard responded that the County was aware.

Trustee Cheney praised the Village's Department of Public Works (DPW) staff and the Mayor for their effective management of projects. He noted that the community development office is aware of the Village's track record for completing projects as promised and on schedule. This reliability positions the Village favorably when additional funding opportunities arise, as seen with the increased CDBG award. He commended the Mayor for his efforts in securing the additional funds.

Mayor Newhard expressed gratitude for the increased CDBG award and credited the Village's effective management of projects for earning the confidence of the Office of Community Development. He noted that the Village's reputation for handling ADA-compliant sidewalk projects has positioned it as a leader in such initiatives.

Trustee Cheney mentioned that the Village engineer plays a crucial role in overseeing projects, acting as the Village's representative to work with contractors and ensure that projects are completed effectively and efficiently.

Mayor Newhard agreed, emphasizing that he has observed firsthand, through his involvement with the CDBG committee, that some communities are well-prepared while others are not. He affirmed the Village's preparedness and commitment to handling projects effectively.

Discussion

1. 2024 NY Forward Revitalization Initiative Grant Application Preparation Services. Mayor Newhard introduced the discussion on the 2024 NY Forward Revitalization Initiative Grant Application Preparation Services, noting that there are three proposals with varying price points from Millennium, Choice Words, and Barton & Loguidice.

Trustee Cheney provided the cost details for the proposals: Millennium's proposal was \$5,400, Choice Word's was \$12,000, and Barton & Loguidice's was \$25,000.

Trustee Foster noted that there is a clear scope difference between Millennium Strategies and the other two firms. Millennium Strategies did not include public meetings, whereas both Choice Words and Barton & Loguidice did. From her review, the scopes of Choice Words and Barton & Loguidice appeared to be similar, but the cost differential might be due to Barton & Loguidice potentially including technical analysis, given their engineering background. If the Village chose Barton & Loguidice, it would be important to confirm their inclusion of technical analysis. In contrast, Choice Words, being a public relations firm, would likely require additional support for cost estimating and similar technical aspects.

Mayor Newhard pointed out that for the New York Forward and DRI (Downtown Revitalization Initiative) programs, the focus seems to be on developing a compelling story and vision rather than technical analysis. Feedback from the Mid-Hudson Economic Development and the Department of State emphasized the importance of narrative and vision in these applications. Therefore, a technological focus might not be as beneficial for the initial stages of the application process.

During a discussion, Trustee McKnight confirmed with Mayor Newhard that the current proposal is the same as the one from 2022. Trustee McKnight then asked if the quotes from the submitters accounted for this prior work. Mayor Newhard responded that while the submitters were informed of the previous application, they might not have fully reviewed it. Trustee McKnight asked how close the Village came to success with the 2022 application. Mayor Newhard noted that no specific feedback was received because an exit interview could not be arranged due to a change in leadership.

Trustee Cheney observed that Millennium Strategies and Choice Words seem to rely more on the Village providing resources, while Barton & Loguidice might not. Millennium Strategies indicated they would coordinate with project administrators, department heads, and other professionals, implying reliance on the Village's team. Choice Words mentioned meeting regularly, virtually as needed, with the grant writer and

staff, but the Village did not have a designated grant writer or staff available for this purpose, unless members of the Board were willing to volunteer.

Trustee Cheney pointed out that Choice Words specified in their proposal that the Village would be responsible for providing all relevant background information, maps, census data, and demographic information in a timely manner. He expressed concern about this requirement, noting that he would expect the consultant to be able to access publicly available information themselves. He questioned whether Choice Words was offering a more limited service, potentially just packaging the information rather than conducting in-depth research.

Trustee Foster requested that Mayor Newhard provide a summary of the conversations he had with each of the three entities that submitted proposals.

Mayor Newhard, along with the Mayor of Florida, Dan Harter, spoke with Barton & Loguidice, which included a planner and a landscape architect. They discussed the project's scope and found Barton & Loguidice's proposal significantly higher than expected. Despite follow-up discussions to negotiate a more reasonable price, the proposed costs remained high.

Regarding Choice Words, Mayor Newhard had multiple conversations about a potential joint application with other villages and the Town. After a Town Hall meeting, it was advised that applying individually would be more effective due to the complexity of a joint application. This approach was confirmed as sensible for the current round of grants.

With Millennium Strategies, the conversation echoed similar sentiments. Both firms are experienced in handling grants for DRI or NY Forward initiatives and have worked with smaller administrative teams. Mayor Newhard believes that, despite the reliance on the Village for certain resources, both firms have the necessary expertise to deliver successful outcomes for the community.

Trustee Foster inquired about the past experiences of Millennium Strategies and Choice Words. He noted that Millennium Strategies mentioned their success with New York Forward grants but did not specify the years of their achievements. Choice Words highlighted their role in helping the Village of Cornwall secure a New York Forward grant in 2023, along with several other municipal awards. Trustee Foster asked if, during the conversations with these firms, there was any discussion about their past experience.

Mayor Newhard shared that he had spoken with the mayor of Highland Falls and committee members from the Town of Montgomery, both of whom had worked with

Millennium Strategies. The feedback was positive, with mentions of specific individuals from Millennium who were particularly responsive, providing valuable insights for the project. He noted that NY Forward has only been around for three years.

The Mayor also spoke with the Supervisor of the Town of Cornwall regarding Choice Words, and they did not have any negative feedback.

Trustee Collura expressed her comfort with Choice Words due to their strong track record and expertise in marketing and persuasive writing. She emphasized that, at this stage, the application needs to focus on storytelling and branding, areas in which Choice Words excels.

Mayor Newhard noted that Choice Words is a smaller business, while Millennium Strategies is a larger firm with a broader client base and a more extensive reach.

Trustee Foster observed that Millennium Strategies, while costing about half as much as Choice Words, does not include some key scope items. For instance, Choice Words includes assistance in creating a presentation about the proposal and attending the presentation if requested by the state, which would likely be an additional cost for Millennium Strategies. Additionally, Choice Words' proposal includes a site visit or walking tour, which is also not part of Millennium Strategies' scope. Therefore, Choice Words offers significantly more scope in their proposal compared to Millennium Strategies.

Trustee Collura expressed her appreciation for the design and layout of Choice Words' proposal, noting that it was well-organized and presented. She indicated that if the proposal's quality was reflective of how Choice Words would represent the Village, it was a compelling factor in their favor.

Trustee Foster perceived Choice Words' proposal as less professional compared to others.

Trustee Collura pointed out that the information was presented in a way that made it easily accessible.

Trustee Foster noted that neither proposal clearly outlined the number of conference calls or virtual meetings with project stakeholders. Millennium Strategies mentioned 'conference calls and/or virtual meetings with various project stakeholders' but did not specify details. The lack of clarity about how these meetings are coordinated and what assumptions are made about stakeholder engagement was a concern.

Trustee Collura inquired whether the proposal included provisions for revisions. Trustee Foster confirmed that Choice Words specified a process involving multiple drafts: they would produce a draft, allow for edits, and then submit a final draft. This suggests that Choice Words' proposal includes several rounds of revisions.

Trustee Foster expressed some hesitation about Choice Words due to their smaller size, despite positive feedback from the Town of Cornwall.

Trustee McKnight inquired about the cost of the 2022 application, to which Mayor Newhard responded that it was minimal, estimating it at most \$1,000.

Trustee McKnight reviewed the NY Forward criteria and noted that much of the work done in 2022, including research and legwork, would still be applicable. He pointed out that some updates are needed based on recent progress, and the Board would be available for interviews to provide further input. Given the existing groundwork and progress, he expressed hesitation about choosing the more expensive option when significant work has already been completed. He suggested that if Millennium Strategies were selected, the approach should leverage the existing information and focus on refining the narrative and making necessary edits, rather than starting from scratch.

Trustee Foster expressed concern that the proposals might assume certain foundational work has already been completed, and questioned whether Millennium Strategies is taking this into account. She wondered if the Village would benefit from additional support such as site visits or community meetings to better understand the area and enhance the proposal, in which the price would be increased.

Mayor Newhard felt that site visits and community meetings would be mandatory.

Trustee McKnight expressed that a skilled writer could effectively capture a passionate narrative without needing to be physically present. He noted that the Village has already conducted extensive community engagement, which has been documented in various plans.

Mayor Newhard suggested revisiting the community engagement approach for this project and proposed forming a temporary task force of stakeholders to be actively involved. He emphasized the importance of not relying solely on past efforts and ensuring current engagement.

Trustee Foster suggested that the Village revisit and possibly refresh past community engagement efforts, such as those conducted at the farmers market and through the website. She noted that while having previous materials available is beneficial, it would

be valuable to have a consultant working closely with the Village, as Millennium Strategies might be less hands-on compared to what was experienced in prior years.

Mayor Newhard agreed with Trustee Foster's observation, noting that there seemed to be a difference in the level of involvement between the two consulting firms.

Trustee Foster expressed a preference for a more hands-on approach, noting that, given recent experiences, having someone more involved and proactive would be beneficial.

Trustee McKnight questioned whether Millennium Strategies would be hands-on if asked, to which Trustee Foster responded that, given their lower fee and larger size, they would likely not offer a hands-on approach.

Trustee McKnight noted that there was no insight into how the firms arrived at their rates. Trustee Cheney added that Millennium Strategies' scope of work appeared broad and brief, whereas Choice Words provided a more detailed and specific scope.

Trustee Cheney observed that Millennium Strategies, being a grant-writing firm with a track record of success, contrasts with Choice Words, a PR and marketing firm that also has achieved success. He noted that the level of success from each firm seems to balance out, so the decision for him comes down to cost. He expressed doubt that even if Millennium Strategies were asked to include some of the features of Choice Words' proposal, the cost should not reach the difference of the other two proposals.

Trustee Foster questioned what the presentation quality would look like in the back end?

Trustee Cheney noted that while it is challenging to compare the two firms directly due to not having access to the submitted applications, both Millennium Strategies and Choice Words have demonstrated success in their respective areas.

Trustee Foster observed that the Village of Cornwall's application, while basic in appearance, included numerous letters of support, which she noted would also be included in their own application.

Trustee Foster was unsure if the experience between the firms was comparable. Choice Words cited only one success with NY Forward, along with other unrelated successes, while Millennium Strategies cited four successes specifically with NY Forward.

Mayor Newhard suggested considering Millennium Strategies as an option. He proposed that if the contract seemed lacking in certain areas, they could address these concerns with Millennium Strategies before fully committing. This would involve clarifying how

they would handle public meetings, outreach, and any additional requirements, and determining if these would be covered under the existing contract or if additional costs would be incurred.

Trustee McKnight agreed and suggested modifying the motion to authorize the Mayor to sign the contract with Millennium Strategies, provided they satisfactorily address certain clarifications. These clarifications include details on who they will meet with, their support for public engagement, the review process they will follow, and any other significant gaps that may need to be addressed.

Trustee Cheney noted that preparing a post-submittal presentation was not listed in Millennium Strategies' proposal.

Trustee McKnight questioned whether a written document should stand on its own without the need for a post-submittal presentation.

Trustee Foster clarified that a presentation might be required as part of the process, and the written document alone might not be sufficient.

Mayor Newhard suggested that if the reviewers are interested in the community, they might request a presentation, which could potentially be done via video.

Trustee Cheney emphasized the importance of following the guidance of experienced consultants, especially for crucial elements like presentations. He suggested that it would be unwise to cut corners at this stage, given how close the project is to completion.

Trustee McKnight outlined the key requests for Millennium Strategies:

1. **Post-submission Presentation:** Clarification on their role if a presentation is required.
2. **Collaborative Review Process:** Details on how they will incorporate feedback and support the review process.
3. **Supporting Public Engagement:** Assurance of their involvement in public engagement activities, including potential meetings and sessions.

He also questioned the timeframe for public engagement sessions, emphasizing the need to plan at least one effective session before the October deadline.

The Board discussed possible session options.

Trustee Cheney suggested proceeding with the motion as currently drafted, allowing the Mayor to negotiate and finalize the scope and cost with Millennium Strategies. The Mayor would then return to the Board with any updated details or changes.

Trustee Foster mentioned she had gathered several examples of past grant applications for review, including those from the Town of Cornwall, the Village of Cornwall, the City of Long Beach (2022), and the Town of Brookhaven (2023). She noted that the Town of Brookhaven's application stood out visually among them, although all documents were relatively simple and not particularly flashy. She offered to share these examples with the Board if anyone was interested.

2. Village Code § 135-16 All-night parking: South Street Parking Lot daytime limitation.

Trustee Cheney proposed revising the Village Code's winter parking regulations, which currently prohibit parking on streets and highways from November 1 to April 1 between 2 a.m. and 6 a.m. This rule results in about 400-500 tickets issued over these months, despite relatively few parking violations during the rest of the year.

He suggested that this restriction might be overly strict and discussed alternatives used by other villages. Some villages only enforce parking bans during snow events or emergencies, using various methods such as measuring snow accumulation or declaring snow emergencies. The Village of Goshen, for instance, uses a permit system that allows overnight parking with notifications for snow emergencies, though this involves additional costs and staff time. Other places like Port Jervis and Middletown apply regulations only during snow events.

Trustee Cheney argued that a more flexible approach could reduce unnecessary ticketing and allow police to focus on other duties. He asked the Board to consider these alternatives and share their opinions on possibly adjusting the current regulation.

Trustee Foster asked if the proposal was to eliminate the prohibition on street parking during the winter months, except during periods of inclement weather. She clarified that this would only affect street parking and not municipal lots.

Trustee Cheney mentioned that his research was intended to provide information and stimulate discussion, allowing the Board to ask questions and express their opinions on the matter. He emphasized that this was meant for discussion rather than a finalized proposal.

Trustee Foster clarified that the proposal does not include changes to regulations for municipal lots. The focus is solely on street parking and not on allowing residents to use municipal lots for overnight parking.

Trustee McKnight expressed reservations about changing the winter parking regulations. He noted that the current system has been effective, contributing to visibility and reducing traffic congestion. He suggested that allowing more cars on the streets could create issues such as reduced visibility and increased traffic congestion, particularly given the varying widths of streets in the Village.

Trustee Foster clarified that the current code permits street parking from May to November, so the risk of reduced visibility and traffic congestion exists during those months as well.

Trustee Collura mentioned that in her neighborhood, where many residents have limited driveway space and narrow streets, lifting the winter parking prohibition could be very beneficial. However, she expressed concern about how to effectively communicate snow emergencies to residents so they can move their cars when necessary.

Trustee Cheney suggested using social media and Code Red to inform residents about snow emergencies. He emphasized that this approach would also be an opportunity to reintroduce the system and encourage more residents to use it.

Trustee Collura noted that during winter months, requiring cars to be moved might encourage residents to take action and move their vehicles rather than leaving them parked overnight. She suggested that this could be a benefit, as it might increase the likelihood of residents moving their cars rather than opting for alternative transportation.

Trustee Cheney suggested that if the overnight parking restriction were abandoned and replaced with a system that only prohibits parking during snow emergencies, the parking fine should be increased significantly. He proposed raising the fine to between \$50 and \$100, as the current \$15 fine is insufficient to deter parking violations during snow emergencies. The current fine does not adequately address the issue of vehicles obstructing snowplowing operations.

Mayor Newhard inquired whether towing vehicles would be a viable option under the new parking regulation proposal.

Trustee Cheney confirmed that towing could be a viable option and that it could be incorporated into the new parking regulation proposal.

Trustee Foster raised concerns about the operational and safety impacts of vehicles not being moved during inclement weather and questioned how often unexpected weather conditions might occur.

Trustee Collura remarked that there have been mild winters recently, which might also affect the consideration of parking regulations.

Trustee Cheney noted that he spoke with DPW Supervisor, Mike Moser who mentioned that last year there were six weather events, although not all required plowing.

Trustee Foster asked whether, in the event of a snow emergency, the approach would be to either tow the vehicle in advance or to plow around it.

Trustee Cheney explained that if a vehicle remained in place and had not yet been towed, it would be plowed around. He emphasized that vehicles with radios should contact the police department to report any issues, and the police would handle the situation. He referenced the Town of Warwick's authority to remove and store vehicles that are unlawfully parked or abandoned on highways.

Trustee Foster asked if there could be a situation where cars not being moved would hinder the ability to plow streets. She inquired whether this potential for abuse might impact the effectiveness of public services.

Mayor Newhard expressed concern that, given the narrow streets and increasing number of cars, the situation might become chaotic if residents need to find alternative parking during each snow event. He noted that a more structured plan would be preferable to avoid the ad hoc nature of parking arrangements during storms.

Trustee Foster expressed that the issue of excessive vehicles might not necessarily fall within the Village's responsibility.

Trustee Cheney noted that the need for on-street parking varies by neighborhood, with those closer to the Village center more likely to have issues due to smaller lots and narrow driveways. He mentioned that ticketing numbers varied throughout the winter months, with November and December seeing higher numbers compared to January and February. This variability might suggest that either residents are adjusting to the rules or that the police are less strict during periods with less snow.

Trustee McKnight received confirmation that all the tickets stated were for overnight parking violations only.

Trustee Foster expressed that if it's confirmed that removing the overnight parking restriction wouldn't create safety or operational issues, she doesn't oppose the change. However, she acknowledges the concern about the ad hoc nature of vehicle movement during snow events. It's important to note that overnight parking in municipal lots will still be prohibited.

The Board clarified that overnight parking was currently allowed at the designated 12-hour parking lots.

Trustee Foster expressed concern that municipal lots are intended for specific purposes, and allowing overnight parking might interfere with those purposes. She noted, however, that this may be happening already, such as is Stanley-Deming.

Trustee Collura observed that in her neighborhood, the issue isn't so much about excessive cars but rather about families with multiple members and their varying schedules. She noted that this leads to cars being parked on the street overnight, as people come and go at different times, which results in headlights shining into windows and increased activity on the street late at night. She emphasized that it's more about managing the parking needs of busy households rather than people storing their cars on the street.

Trustee Cheney noted that the parking issue is most pronounced in areas with higher density and more affordable rental units. For example, on the west side of South Street, cars are parked year-round, except during the winter when the restriction is in place. He pointed out that residents in these areas have the option to park overnight at Stanley Deming Park, but this is less accessible for those who rely on street parking.

Trustee Collura expressed concern about workforce parking, particularly for individuals who work late hours, such as at bars, and must walk to their cars in less secure areas like the Spring Street parking lot. She suggested that allowing overnight street parking would address these concerns, enabling people to park closer to their homes or workplaces and avoid having to move their cars during late hours.

Trustee Cheney suggested addressing concerns about late-night parking with the police department. He recommended that they be mindful of individuals walking from their workplaces to extended parking lots and ensure they are safe during their patrols.

Trustee McKnight expressed his belief that the issue may not be significant enough to warrant a change. He doesn't think the current situation presents a major problem that requires a solution.

Trustee Foster inquired about who had been consulted or expressed opinions on the issue of changing the overnight parking regulations.

Trustee Cheney mentioned that the issue was raised by residents of Warwick Grove. He noted that dealing with these restrictions is inconvenient, especially since major snowstorms are relatively infrequent. Trustee Cheney noted that the parking issue primarily affects areas where the lots and driveways are smaller. In most of the Village, the larger lots and driveways can accommodate vehicles without causing significant problems.

Trustee McKnight suggested exploring a permitting system that avoids high costs and logistical burdens. He questioned how such a system could be implemented efficiently, without requiring extensive time or resources.

Trustee Cheney acknowledged the permitting system used by Goshen but indicated that he wouldn't recommend adopting a similar system for the Village of Warwick.

During a discussion, the Board expressed skepticism about needing a permitting system. One benefit of such a system would be obtaining residents' phone numbers to notify them directly about moving their cars in advance of a storm. However, the practicality of managing such notifications and the responsibility of handling them were questioned.

Trustee Cheney noted that Goshen has a notification system in place to inform residents about moving their cars before a storm, it involves a service that costs money. Trustee Cheney was informed that the revenue from permits just covers the costs of administering the system.

Trustee Collura inquired about the timeline for implementing the changes, suggesting they could be considered for next year.

Trustee Cheney believed there was sufficient time to amend the Village Code for the upcoming winter season.

Trustee Collura was concerned that the information would be incorrect in the Village Newsletter, which contained a reminder of the current overnight parking restrictions. She suggested seeing how the situation played out for November and December and possibly switching in the new year.

Trustee Cheney expressed concern over making changes in the middle of the season.

Mayor Newhard suggested reaching out to various other municipalities, in addition to Goshen, to gather information on the positives and drawbacks of their parking regulation systems.

Trustee McKnight expressed curiosity about how many of the 2,600 dwellings would actually require changes to the parking regulations, as opposed to those who might have space but choose to park on the street anyway.

Trustee Foster shared that she has been considering the development of a car master plan for the Village. This plan would analyze the number of vehicles, the required infrastructure, and the impact on landscape. The goal would be to understand how vehicle usage within the urban environment might change over time. She suggested that this topic could be integrated into the Transportation Safety Action Plan, as the needs of the urban core differ from those of the periphery.

Trustee McKnight suggested that it would be helpful to determine what percentage of dwellings actually require the change. He indicated that if only a small percentage, such as 1-2%, are affected, it may not justify a major change. His position is to maintain the current system but consider exceptions for those without alternative parking options. He also proposed that if exceptions were made, they could involve issuing mirror-hanging tags for a fee, with the responsibility placed on residents to move their vehicles as required. If they do not comply, they would receive tickets as usual.

Trustee Foster asked if there is already permit parking in the Village, specifically referencing private permit parking in lots.

Mayor Newhard confirmed that there is permit parking in the Chase Lot and First Street lot.

Trustee Foster noted that permit parking in the Village lots seems like a resolution available to those in need.

Deputy Clerk Jennifer Mante added that there are residents who do purchase permits specifically for the winter months.

Trustee McKnight suggested that it seems like a solution already exists for parking issues.

Trustee Foster acknowledged that there are existing solutions for parking issues. She noted that while we don't know if the need exceeds the available solutions, she agrees that these solutions should be considered.

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.

No comments.

Vacation Carryover – Mike Moser

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight, and carried to grant permission to Village of Warwick DPW Supervisor, Mike Moser, to carry over 3 vacation days.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Outside Sewer Agreement – Elite Strategies, 10 Clinton Avenue Extension

A **MOTION** was made by Trustee Cheney, seconded by Trustee McKnight, and carried to acknowledge receipt of the request from Elite Strategies for an outside sewer agreement for certain real property located at 10 Clinton Avenue Extension, Section 52, Block 1, Lots 9 & 10.2, Warwick, NY, to set an escrow at \$3,000, and refer the request to the Village Attorney and Village's Engineering Consultant for review and comment.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Discussion

Trustee Cheney addressed the issue of increased traffic and associated costs resulting from a development on a property that is technically outside the Village but will use Village streets. He noted that while the Village can accommodate the development, the property, not being a tax-paying entity within the Village, benefits from Village amenities such as streetlights without contributing to their costs. There are, however, additional costs for water and sewer services. Trustee Cheney highlighted a recent development where a paper street, previously providing access from the Village to a nine-acre property off Oakland Avenue, was discussed. This paper street, which extends to the Village boundary, had been considered as a potential emergency access route. However, changes by the Town Board to this paper street could affect access and create issues for emergency services. Furthermore, Trustee Cheney mentioned that the Village has already extended sewer lines to a manhole located on the paper street, requiring an easement from the property owner. Given these complexities, an external engineering firm will be needed to review the application, as the Village engineer cannot review the application due to their role with the applicant.

Trustee Cheney noted that the development proposal is new and mentioned that, to his knowledge, there has been no communication from the Town Planning Board regarding this application. He emphasized the need to address this lack of communication.

A discussion amongst the Board ensued regarding the Town/Village borders and which lots were associated with each. It was noted that the plans prepared and submitted to the Town for the property show the intent to grant an easement, allowing access through a driveway they plan to maintain. The current use of the property was identified as a plumbing supply, and it has always been commercial. The proposed change is to continue with commercial use, which is expected to result in increased traffic.

Trustee Cheney noted that a Village street extends up to the Village line, beyond which it becomes a street-width driveway. He mentioned that he hasn't inquired about who from the Village crew might have been involved when the sewer line and roadway were extended past the Village line. However, he believes that the Village maintains the roadway during winter operations and also manages the pavement to some extent.

The general Board discussion clarified that water and sewer lines extend into the 10-acre property and are located within the paper street. The term 'paper street'

was clarified as a street that is not a real street. The discussion noted that Clinton Avenue extends into this area based on a 1977 subdivision plan. The Town has agreed to abandon this portion of the paper street.

Trustee Foster clarified that even though there are properties adjacent to the paper street, it functions more like a long-shared driveway rather than a fully developed street.

Trustee Cheney provided context for the Board, explaining that the matter involves reviewing the backstory and will require legal and engineering reviews. Ultimately, the Board will need to decide whether to permit the connection.

Trustee Foster asked if one of the properties was already connected, noting that it is in the Town rather than the Village, and inquired about when this connection occurred.

Trustee Cheney mentioned that the house was likely built in the 1980s or 1990s, suggesting that the connection probably occurred around that time.

Trustee McKnight proposed exploring the possibility of annexing the area in question, given the presence of Village property on both sides and existing Village services. He suggested that a mutually beneficial arrangement might exist, considering the partial maintenance of the road by the Village and the existing annexation agreement with the Town.

Trustee Cheney indicated that the Board would need to consult with the attorney for guidance on annexation possibilities. Typically, annexations are initiated by property owners, and the attorney will clarify what actions can be taken and the requirements for such a process.

Mayor Newhard expressed concern about not being notified of the dissolution of the paper street, which is a continuation of a Village street. He questioned why the Town Board or engineer did not inform the Village about this development and questioned if there should have been a public hearing.

NY Forward Grant Preparation Services – Millennium Strategies

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura, and carried to accept the proposal from Millennium Strategies, with a total cost not to exceed \$5,400 to provide grant

preparation services for the Village of Warwick's 2024 NY Forward Grant Program Application and authorize the Mayor to sign the same. Funds are appropriated in budget code A1910.4950.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Facility Use – Railroad Green, Chamber of Commerce - Witches Night Out

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to grant permission to the Warwick Valley Chamber of Commerce to use Railroad Green for a 'Witches Night Out' event on Thursday, October 24, 2024, from 3:00 p.m. – 8:00 p.m., including the use of electricity. Completed park permit, proof of insurance, and security deposit have been received. Proof of insurance must be received from each vendor prior to the event.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Facility Use – Stanley Deming Park, Rotary Club – 9/11 Memorial

A **MOTION** was made by Trustee Foster, seconded by Trustee Collura, and carried to grant permission to the Warwick Valley Rotary Club to hold a Rotary lunch to honor the fallen on 9/11 at the Stanley-Deming Park 9/11 Memorial on Wednesday, September 11, 2024, from 12:15 p.m. to 1:30 p.m., with setup to begin at 10:00 a.m. and breakdown to be completed by 3:00 p.m. Event parking to take place on Park Lane, South Street and the Stanley-Deming parking lot. Permission includes use of restrooms at the park. Completed park permit, proof of insurance, and security deposit have been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Discussion

Trustee Cheney clarified that the motion he initially read was about the Rotary's regular weekly meeting, which they have decided to hold at the 911 Memorial in Stanley Deming Park on that Wednesday. Initially, he had thought it was an open lunch for anyone to attend, similar to the Rotary's regular guest policy. However, he realized it was more about their meeting logistics, including carpooling, with 50 attendees expected and only 15 cars.

Facility Use –Memorial Park Pavilion, Warwick Fire Department - Picnic

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to grant permission to the Warwick Fire Department to use the Veterans Memorial Park Pavilion for a Department Picnic on Saturday, October 12, 2024, from 11:00 a.m. to 10:00 p.m. Request includes use of alcohol, electricity, pavilion lights, restrooms and ten (10) Village owned tables and one hundred (100) chairs. Completed park permit and proof of insurance, including Host Liquor Liability have been received.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Waive Reading of the Resolution

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney, and carried to waive the reading of the resolution.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Resolution Revising Village Employee Handbook Sections: 2.1 Full Time Employees, 2.2 Part Time Employees, 4.1 Hours of Work, 7.2 Vacation Leave, 7.3 Sick Leave, & 7.4 Personal Leave

WHEREAS, it is appropriate for the Village Board to periodically review and revise the Employee Handbook of the Village of Warwick to update the policies and procedures set forth therein in order to better serve the needs of Village, its employees and the community; and

WHEREAS the Village Board has before it a proposal to make certain revisions to the Employee Handbook; and

WHEREAS, the Village Board has reviewed and considered the said revisions, and finds them to be necessary and proper at this time;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That Section 2.1 ‘Full Time Employees’ items (d), (e) and (f) of the Employee Handbook of the Village of Warwick are hereby amended as follows:

- | | |
|---------------------|---|
| d. Deputy Treasurer | (35-hour work week) <i>*Effective 6/1/2024 FY2024-25 Budget</i> |
| e. Village Clerk | (40-hour work week) <i>*Effective 6/1/2023 FY2023-24 Budget</i> |
| f. Deputy Clerk | (35-hour work week) <i>*Effective 6/1/2024 FY2024-25 Budget</i> |

2. That Section 2.2 Part-Time Employees of the Employee Handbook of the Village of Warwick is hereby amended to include the addition of the following:

f. Assistant Building Inspector III **Effective July 25, 2022*

3. Section 4.1 ‘Hours of Work’, subsection one (1) ‘Full Time Employees’ items (b– f) and (i) of the Employee Handbook of the Village of Warwick are hereby amended as follows:

- | | |
|-----------------------------|--|
| b. Code Enforcement Officer | 7:30 a.m. – 4:00 p.m. <i>*Effective 11/30/2018</i> |
| c. Treasurer | 8:30 a.m. – 4:00 p.m. <i>*Effective 6/25/2024</i> |
| d. Deputy Treasurer | 8:00 a.m. – 4:00 p.m. <i>*Effective 6/1/2024</i> |
| e. Village Clerk | 7:30 a.m. – 4:00 p.m. <i>*Effective 6/1/2023</i> |
| f. Deputy Clerk | 8:00 a.m. – 4:00 p.m. <i>*Effective 6/1/2024</i> |
| i. DPW Clerk | 8:00 a.m. – 3:30 p.m. <i>*Effective 4/21/2023</i> |

4. Section 4.1 ‘Hours of Work’, subsection ‘Overtime’, section one (1), ‘Full Time Employees’ items (c-g) of the Employee Handbook of the Village of Warwick are hereby amended as follows:

- c. Treasurer: The 5 hours between 35 hours and 40 hours per week is paid at regular hourly rate. Excess of 40 hours per week is 1 ½ x regular hourly rate. **Effective 11/20/2020*
 - d. Village Clerk: Excess of 40 hours per week is 1 ½ x regular hourly rate. **Effective 6/1/2023 FY23-24 Budget*
 - e. Deputy Clerk and Deputy Treasurer: The 5 hours between 35 hours and 40 hours per week is paid at regular hourly rate. Excess of 40 hours per week is 1 ½ x regular hourly rate. **Effective 6/1/2024 FY24-25 Budget*
 - f. Water Billing Clerk, Court Clerk, DPW Clerk & Planning Board Secretary: The 7 ½ hours between 32.5 and 40 hours per week is paid at regular hourly rate. Excess of 40 hours per week is 1 ½ x regular hourly rate.
 - g. DPW Employees: Per Collective Bargaining Agreement.
5. Section 4.1 ‘Hours of Work’, subsection ‘Lunch Period’, section one (1) ‘Full Time Employees Lunch’ items (c - f) of the Employee Handbook of the Village of Warwick is hereby amended as follows:

- | | |
|-------------------------------------|---|
| c. Treasurer | 30 minutes unpaid <i>*Effective 6/25/2024</i> |
| d. Village Clerk | 30 minutes unpaid <i>*Effective 6/1/2023</i> |
| e. Deputy Clerk, Deputy Treasurer | 60 minutes unpaid |
| Water Billing Clerk, Court Clerk, | |
| DPW Clerk, Planning Board Secretary | |
| f. DPW Employees | 30 minutes unpaid |

6. Section 7.2 ‘Vacation Leave’ subsection ‘Accumulation’ of the Employee Handbook of the Village of Warwick is hereby amended as follows:

Accumulation – Accrued vacation must be used within 12 months of the employee’s “anniversary year” of their hire date.

The Village Board may in its sole discretion approve a carryover of up to one (1) week of vacation time to be used during the following “anniversary year”. In the event such vacation time is carried forward and not used during the same, it shall be forfeited. A written request for carryover must be submitted to the Village Board at least sixty (60) days

prior to the expiration of the “anniversary year” in which the vacation was earned. (See Appendix F). All requests will be considered on a case-by-case basis.

7. Section 7.3 ‘Sick Leave’, subsection ‘Accrual’ of the Employee Handbook of the Village of Warwick is hereby amended as follows:

Accrual - Full-Time employees shall earn sick leave as follows:

Employees that work 32.5 hours per week will earn sick leave at a rate of 1.63 hours per week and shall be credited 1.63 hours each week for a total of thirteen (13) days of sick leave annually.

Employees that work 35 hours per week will earn sick leave at a rate of 1.75 hours per week and shall be credited 1.75 hours each week for a total of thirteen (13) days of sick leave annually.

Employees that work 40 hours per week will earn sick leave at a rate of two (2) hours per week and shall be credited two (2) hours each week for a total of thirteen (13) days of sick leave annually.

An employee may accumulate sick leave credits while on paid leaves of absence, but not while that employee is on an unpaid leave of absence.

8. Section 7.4 ‘Personal Leave’ of the Employee Handbook of the Village of Warwick is hereby amended as follows:

Employees shall be entitled to personal leave with pay for personal business, including religious observances, which for compelling reasons require an employee to be absent from work. Personal leave time shall be limited to three (3) days per “anniversary year” of the employees hire date. Such leave may be granted without charge against leave credits at the discretion of the employee’s supervisor. A request for personal leave shall be in writing stating the amount of time being requested. Personal leave time may not be accrued from year-to-year.

9. That the aforesaid revision to the Employee Handbook shall be effective immediately.

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

The vote on the foregoing resolution was as follows:

APPROVED

Barry Cheney, Trustee, voting Aye

Carly Foster, Trustee, voting Aye

Thomas McKnight, Trustee, voting Aye

Mary Collura, Trustee, voting Aye

Michael Newhard, Mayor, voting Aye

Discussion

Trustee Cheney noted a discrepancy in Section 7.4, specifically number eight regarding personal leave. The collective bargaining agreement with the Union stipulates five personal leave days, which include the employee's birthday and anniversary of hire, and these days are not listed as holidays. Additionally, employees hired after 2012 only receive three personal days initially, with the remaining two added after five years. He highlighted this difference to ensure consistency between the collective bargaining agreement and the employee handbook for non-DPW staff. No action was required at that time.

Trustee McKnight asked if the discrepancy in the employee handbook was due to the absence of the provision that adds the extra two personal days after five years of employment, aiming to ensure consistency with the collective bargaining agreement.

Trustee Cheney clarified that DPW employees hired after 2012 receive only three personal days for the first five years of employment, and only after completing five years do they receive the additional two days, totaling five personal days.

Trustee Cheney further clarified that the handbook is not consistent with the collective bargaining agreement. Specifically, the agreement includes the birthday and anniversary of hire as part of the five personal days, but these days are listed as holidays in the handbook, leading to a discrepancy between the two documents.

Return of Planning Board Escrow – Amy and David Sliter, 18 Galloway Road

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster, and carried to return the Planning Board escrow balance of \$1,872 and Zoning Board of Appeals escrow balance of \$948.42 to Amy and David Sliter for variance and site plan approval at 18 Galloway Road. The Village Engineer, Planning Board Attorney, and ZBA Attorney have confirmed that all invoices have been paid.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Public Comment – *Non-Agenda Items*

No comments.

Final Comments from the Board

Trustee Cheney reminded everyone that time is running out for the Lead Service Line Inventory. He encouraged water customers who have not yet submitted their information to do so, noting that they received a postcard with details. The information is also available on the Village website. For questions, residents can contact Village Hall and speak to the Water Billing Clerk.

Mayor Newhard announced that a public service announcement will be recorded tomorrow in the cellar of Village Hall.

Executive Session

A **MOTION** was made by Trustee Collura, seconded by Trustee Cheney, and carried to enter executive session for the proposed acquisition, sale or lease of real property, or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

In Executive Session: Michael Newhard, Mayor, and Trustees Barry Cheney, Carly Foster, Mary Collura and Tom McKnight.

Exit Executive Session and Adjourn Regular Meeting

A **MOTION** was made by Trustee Cheney, seconded by Trustee Foster, and carried to exit Executive Session, resume the regular meeting and adjourn at approximately 9:37 p.m.

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

Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Aye Mayor Newhard Aye

Jennifer Mante, Deputy Village Clerk