

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
OCTOBER 4, 2021**

9010

The regular meeting of the Board of Trustees of the Village of Warwick was held on Monday, October 4, 2021, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY via Zoom Videoconference. Present was: Mayor, Michael J. Newhard, Trustees: Barry Cheney, William Lindberg, Corey Bachman and George McManus. Also, present was Village Clerk, Raina Abramson and Village of Warwick Recreation Director, Ron Introini. Other present: Christine Adams, Kayleigh Maher, Eric Anderson, and Donald Humphrey.

Pursuant to Chapter 417 of the Laws of 2021 permitting local governments to hold meetings remotely and take such actions authorized by law without allowing the public to be physically present at the meeting due to safety concerns related to the delta variant of COVID-19, the public was able view the meeting live by the public on the Village of Warwick, NY YouTube channel: <https://www.youtube.com/channel/UCK7D7KGbZF6nYfbcWGH6-VA>

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

Acceptance of Minutes

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney, and carried for the Acceptance of Minutes: September 20, 2021.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus, and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$178,874.36.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Presentation

1. Village of Warwick Recreation Director, Ron Introini – 2021 Summer Recreation Recap.

Village of Warwick Recreation Director, Ron Introini, presented the highlights of the 2021 Summer Recreation Program including COVID protocols, safety, and supplies, limiting the number of participants to reduce exposure and an online registration website that included the ability to easily notify parents of specific Department of Health mandates. The number one goal of this year's program was to have a safe environment. The program ran for five weeks, from June 28, 2021, to July 30, 2021, with 747 children registered and 55 staff members, with no reported positive COVID-19 cases or need for quarantine. The Park Program was the most attended. Closing Stanley-Deming Park from 9:00 a.m. to 2:00 p.m. was beneficial to keeping the program safe and manageable. On behalf of the Recreation Department, Ron thanked the Department of Health, the Village Board, the Warwick parents, the Recreation Staff, and the children who participated. Ron said that everyone played a huge part in making it a safe and enjoyable summer.

Mayor Newhard stated that Ron did an extraordinary job navigating the waters and preparing for the summer program. He also stated that Ron displayed extraordinary leadership which was exactly what was needed.

Trustee Lindberg stated that Ron had a detailed, well laid out plan, which gave everyone confidence in the program to be able to move forward.

Mayor Newhard and Ron Introini briefly discussed the plans for the Halloween parade and virtual costume contest.

2. Warwick Lions Club – Pump Track.

Warwick Lions Club President, Christine Adams, and Lions Club members Kayleigh Maher and Erin Anderson presented the concept of a pump track in Veterans Memorial Park.

Erin Anderson stated that the Warwick Lions Club is formally requesting the installation of a pump track in Veterans Memorial Park, placed a short walk from the lower library parking lot, adjacent to the already approved skate park. Ms. Anderson stated that in Warwick there is a large community of bicycle enthusiasts and that a pump track would provide them with a safe area to enjoy their sport. The Lions Club is proposing a dirt track that contains a series of bumps and bank turns that loops around, allowing the rider to move through the track with a minimum amount of peddling. The track would be incorporated into the natural landscape of what is already in the area with the track being approximately 100 x 150 square feet or 15,000 square feet. Ms. Anderson said that once the track is established, it needs very little maintenance. Ms. Anderson explained that pump tracks are inclusive to all ages and abilities, providing children, adults and families a place to come together, with no special equipment needed besides a bicycle and helmet. The track would be strictly for bicycles with no motorized vehicles permitted. Ms. Anderson stated that there would be little to no noise from the pump track because it's bicycles

on dirt. She said that the track would not interfere with the walking path but may encourage more people to use the walking path as their family member uses the pump track. Ms. Anderson explained the physical fitness and mental health benefits of bike riding. Ms. Anderson also stated that the Lions Club put the idea of a pump track to the public and received a tremendous amount of support and positive feedback from Warwick residents, members of various BMX and cyclists' groups, a local bike shop, and were also contacted by local pump track builders and designers. Ms. Anderson added that the pump track would help to beautify an underutilized area of the park, tying right in with the approved skate park and appealing to the same group of people who would be using the skate park. Ms. Anderson said that it would be a valuable amenity to the Warwick community that is not found elsewhere in Warwick. Ms. Anderson asked on behalf of the Warwick Lions Club and the Warwick residents that the Board move forward and allow a pump track to be installed in Veterans Memorial Park.

Trustee Bachman thanked the Lions Club for the presentation and asked if the pump track be located around the perimeter of the approved skate park. Ms. Anderson replied that it would not be possible because the way that a pump track works is that it loops around on the inside of its track. Trustee Bachman said that one of his concerns is the limited land space available in the Village. Trustee Bachman also asked why the track would not be made of asphalt or concrete. Ms. Anderson said that it would be much more expensive, with a greater possibility of injury, and that a dirt track would appeal to more people. Trustee Bachman asked if a pump track can be used year-round. Ms. Anderson said that it can be, but it is weather dependent. Trustee Bachman asked what the required maintenance schedule would look like, weekly, daily, monthly, and yearly and who will perform the maintenance. Ms. Anderson replied that they are hoping to model the pump track after the one in West Milford that is run by one man that spends twenty hours a year maintaining the track. She stated that once the pump track is established the dirt will build itself, but there would be a little maintenance possibly mowing around the edges, which would hopefully be maintained by the park system. Trustee Bachman asked for clarity on 'the park system'. Ms. Anderson said, 'the DPW'. Trustee Bachman asked for an estimate of the total cost for this type of project. Ms. Anderson said that the goal would be between \$5,000 and \$10,000 which the Lions Club would be funding with the agreement that they are able to use that land with possibly help from the DPW to move dirt or cutting the grass. Ms. Anderson said that a company called Get Dirty Designs would help with the design and setup, and then volunteers could be used to build it in order to keep the cost down. Trustee Bachman asked if there will be any special accommodations given to the design of this pump track compared to the West Milford, NJ track, Port Jervis pump track or the proposed and approved Town of Vernon, NJ pump track. Ms. Anderson said that they would try to model the track closely after West Milford because they are looking to install a dirt track. She stated that proposed pump track in Vernon is going to be asphalt and the one in Port Jervis is asphalt, making it hard to compare the two of them. Trustee Bachman asked why the Veterans Memorial Park location was chosen. Ms. Anderson explained that the Lions Club feel that it is a central location and if you are a Village

resident you can bike ride to it or if have multiple family members in different sports or if you're visiting the library, it can all be tied in together.

Trustee Lindberg thanked the Lions Club for the presentation and stated that there is no doubt that biking is a great exercise that is good for all ages. Trustee Lindberg said that the big question for him is if there is room in park and how busy the park is all year long. Trustee Lindberg questioned the size because he said that West Milford's track has to be 300 feet long, over the size of a football field. Ms. Anderson said that it is actually smaller than what the Lions Club is proposing. Trustee Lindberg said that he's walked around it and the whole area is much, much bigger than 150 feet long, which is not even a football field, which is why he questions the size. Trustee Lindberg inquired about the person spending twenty hours of maintenance on the park and said that he finds that difficult as well, even though he knows it is all volunteers. Trustee Lindberg said that when visiting the park there were volunteers there and that it's great to have a volunteer group, but that he would be a little bit nervous about the maintenance from a volunteer group or DPW. Trustee Lindberg stated that he has no problems with the exercise, that it's a great program, but is nervous about the room in the park. He also said that Port Jervis and West Milford tracks are in flat areas, which are easier to ride for the smaller kids as opposed to Memorial Park with hills. Ms. Anderson explained that the area they are proposing does have a gentle slope, but when entering the pump track, people must enter from a higher elevation, making the design of the pump track with the landscape that is there. Trustee Lindberg asked if the Lions are prepared to do the maintenance with limited help from the DPW or what would the arrangement be. Ms. Anderson stated that they will have to see how the project moves forward, but at this time there are members of the Lions Club, members of the community, members of bike clubs, the bike stores, and BMX group that are all ready and willing at this time to lend a hand. Trustee Lindberg asked if the Lions have investigated the Town Park, Kutz Camp, or any other locations. Ms. Anderson said that at this time they feel like there aren't any other locations at those parks that would fit what they are looking to do by keeping it inclusive to people who are coming from all different areas of Warwick, the Village being a central, busy, location with people already in the area, with the hope that kids can ride their bike right to the pump track without having to put their bike in the car.

Trustee Bachman asked if Ms. Anderson lives in the Town, which she replied that she does, but is very close to the Village so she would be able to bike to the pump track.

Trustee Lindberg said that he sees very few folks bike in the Village. Ms. Anderson replied that it is because there is not a safe place for them to ride but if the pump track is installed, she feels that there would be people riding on the track every day. Ms. Anderson explained how busy the West Milford pump track is on a daily basis.

Trustee Lindberg clarified that he sees very few kids ride their bikes to the park because they get carpooled in. Kayleigh Maher stated that this is because they don't have a reason too, however

once a pump track is installed it will give kids and families a chance for something different to do. Trustee Lindberg said that he understands but that parents drive their kids to football games, soccer games, skateparks, baseball games and you don't see people walking or biking into the parks. Trustee Lindberg stated that in his opinion it is less important to have the pump track in the center of the Village versus someplace else. Trustee Lindberg said that he knows the park is right in the middle of the Village and easy to get to, but the majority of people get carpoled into the park.

Ms. Anderson replied that they also don't have bicycles because if you're carpooling and you don't have a vehicle that fits your bicycles, you're not going to be able to carpool, limiting the population of people who can then use the pump track if it's moved outside of the Village.

Trustee Cheney asked if the cost of the design is included in the \$5,000 - \$10,000 that the Lions Club would pay. Ms. Anderson replied, yes, it is. Trustee Cheney asked if any of the designers have been to the site to look at the proposed location. Ms. Anderson said that the designer has not been to the site but is aware of it, knows where it is, is interested in the project, and is willing to come to the park and do a site visit with whomever is involved in the process. The designer would work with the Lions Club and volunteers to have the pump track installed similar to the way that the playground was built. Trustee Cheney stated that the pump track doesn't really have the construction of anything other than earth moving. Ms. Anderson said yes, but the way that the bumps and the banks are, it is a calculated area that a professional will need to determine where each bump is going to be and how far it will be from the next one and what the degree on the bank is going to be. Trustee Cheney said that he was thinking more of the volunteers and them having access to the heavy equipment that would be needed to actually move the earth. Trustee Cheney added that the playground was something that you could give volunteers jobs, with equipment needed, but nothing to the magnitude of what is envisioned to be needed for the pump track to actually move the earth. Trustee Cheney also stated that he assumes the designer would be there with the necessary surveying instruments to make sure that his design was constructed in accordance with what he proposed. Ms. Anderson replied, yes. Trustee Cheney asked Ms. Anderson for clarity since the designer hasn't been to the site, and she expressed the desire to try and maintain trees within the area to some degree, but since no designer has really looked at it, we don't know the implications of the design relative to the trees that exist. Ms. Anderson said that Trustee Cheney is correct that the designer must access the site to determine what trees would be able to stay but they know that pump tracks can be designed around existing landscape with a tree line or trees to help protect the track and provide shade. Trustee Cheney said that he could see a conflict in some instances where the trees would be an impediment to the safety of the riders. Trustee Cheney stated that the Village expenses that Ms. Anderson would expect to be brought forth to create the pump track would have to be clarified early in the process.

Mayor Newhard thanked the Lions Club for their continuous work in the community and for making this presentation. Mayor Newhard also thanked the Lions Club for their generous donation to the 9/11 monument that came out beautifully and couldn't have happened without their help.

Mayor Newhard said that he has some of the same concerns as Trustee Lindberg in terms of the stress level within the park because it is extraordinary in that it attracts a lot of people. Mayor Newhard stated that on a summer day the use is very intense and crowded. He added the example of attending a fireman's function where there were numerous baseball games happening, the skatepark was at full tilt and there was not a scrap of earth left for anything else, which was great to see, to have this incredible park, but Mayor Newhard that he has a certain fear of that stress level, especially if the skatepark is as successful as he hopes it will be. Mayor Newhard added that the skatepark initiative has done a tremendous amount of work, going through rewrites and changes to try to satisfy the needs of neighbors, designing the park with the veterans in mind, since this is Veterans Memorial Park, which is something that is part of the design inclusion. Mayor Newhard said that the skatepark initiative has been very conscious about the landscape and very clear that they want the skatepark to be beautiful. Mayor Newhard stated he has concern because in some of the recent pictures he has seen of dirt pump tracks, they look somewhat unkept and raw, and if that is the case then there may be high levels of maintenance needed which would probably come on the back of the Village. Mayor Newhard said that he wonders about that, and if there's a volunteer effort that is fantastic but that sometimes that peters out which he understands.

Trustee McManus said that he walked the area with Mike Moser, Trustee Lindberg, and Ms. Anderson's husband and that Mike Moser didn't think it would be a tremendous effort to move things around that would have to be moved and that some of the maintenance could be incorporated into the normal work schedules. Trustee McManus said that right now the area is just a bunch of scrub brush with some trees sticking out of it, therefore no one is looking to deforest the land, but maybe clean it up and make it even more usable than it is now and even enhance the walking path by taking away a lot of the scrub brush that is there.

Mayor Newhard said that the Village received many letters and will read the ones that were asked to be read during privilege of the floor but that all the letters will be placed online so the Lions Club can look at them. Mayor Newhard thanked the Lions for their time this evening.

Privilege of the Floor

VIA EMAIL OR MAIL - Comments may be sent to the Village Board prior to the Village Board Meeting via email to: clerk@villageofwarwick.org or via mail: Village of Warwick, Attn: Village Clerk, P.O. Box 369, Warwick, NY 10990. Please indicate in your correspondence that

you wish to have your comments read during privilege of the floor. Please limit your comments to **three (3) minutes**.

1. Mayor Newhard read the following letter from Lisa & Bill Cavanagh:

Dear Village Board of Warwick, NY

There is a dead Village tree on Dunning Rd. that is within close proximity to our home as well as the neighborhood power lines. We have reached out via letter on 6/2020. We've had two Village representatives come out to look at the tree. They have declared the tree not the responsibility of the Village.

We have recently obtained a survey map from the county, clearly showing all lot lines near the tree. The tree is part of the village easement/roadway. One of us visited the Village Hall office of Boris Rudzinski the week of 9/20/2021. We looked over the lot lines regarding the tree. This visit only confirmed for us that the tree is not on our property.

We have also reached out to a tree service for an estimate on removal of the tree. The proposal came to \$1800.00 to cut and remove entire tree. OR \$1400.00 to cut down but leave wood to be removed by others, perhaps the DPW?
Either option is a bargain considering the immense size and girth of the tree!

Our home is located at #13. We would like to hear from the Village as soon as possible so we can address removal of this potential hazard.

Thank you,
Lisa & Bill Cavanagh
13 Dunning Rd.
Warwick, NY

Mayor Newhard commented that because a tree is in the Village's right of way it does not always mean that the Village owns it and if it is a street tree that is planted by the Village, then the Village does take that responsibility. Mayor Newhard said that an important factor is that the Cavanagh's say the tree is near the powerlines which creates a hazard so it would be worth reaching out to Orange and Rockland who does a tremendous amount of tree work in the community throughout the year to see if they would be willing to be a good neighbor. Mayor Newhard said that he will reach out to Orange and Rockland and get back to the Cavanagh's with hopefully a solid answer.

2. Mayor Newhard read the following letter from Kayleigh Maher:

Dear Members of the Village Board,

I am writing to you to petition that the village Halloween curfew be extended to 9pm. Many village residents like myself spend up to a month decorating for this amazing day and to have a curfew so early takes away from these displays being able to be fully enjoyed. Neighboring hamlets like Florida, NY have a curfew of 9pm and have not had any issues. I understand that as long as a minor is accompanied by an adult they can stay out past 8pm, but for those old enough to not need an adult but are under 18 8pm is early. I do not think extending it by one hour is a huge ask, I just want to allow people more time to enjoy the decorations and of course get more candy and have my hard work enjoyed.

Thank you very much for your consideration.

Sincerely,
Kayleigh Maher

Mayor Newhard said that he can attest to the incredible job that Kayleigh does on her home and that she was part of Scare the Mayor last year and was one of the winners.

Trustee Bachman asked what some of the reasons are for having the curfew set at 8:00 p.m. Mayor Newhard said that he thought it was based on younger children and bedtime but wasn't sure. Trustee Lindberg asked if it was something the Village has done for a long, long time. Trustee Cheney said the curfew has been in place since maybe the early 90's and was more necessary at that time because things got out of hand with older youth, generally going into other neighborhoods and doing what had been known at that time as the typical things relative to the night before Halloween. Trustee Cheney stated that he believes there is good reason for a curfew and that the 8:00 p.m. curfew works and has worked and wasn't sure if extending it for one hour is going to make much of a difference because what happens is that the parade usually ends at about 5:30 p.m. and all the people disperse into the neighborhoods, and they have a good 2.5 hours to trick-or-treat so wasn't sure why they would need the third hour. Trustee Cheney also added that the Village hasn't experienced the problems the Village had in the past because of the existence of the curfew. Trustee McManus said that he thinks that those who finish the parade disperse into the neighborhoods surrounding the parade, but they don't reach the outlying neighborhoods until much later because by the time they go down through Welling and Oakland Court it could easily be 7:30 p.m. or 8:00 p.m.

Mayor Newhard said that he felt it was a benign request and it would be fine to extend the curfew another hour because he doesn't think that much mischief is going to happen and it will be ok. Trustee McManus said that the Village could try it for a year and if it doesn't work, the curfew could go back to 8:00 p.m.

Trustee Lindberg asked if there were any input or suggestions from the Warwick Police. Trustee McManus said that they don't usually make suggestions but will go by whatever the Village sets. Mayor Newhard said that the mischief would be by older kids and would begin after 9:00 p.m. anyway. Trustee Bachman said that he doesn't see the issue with extending the curfew another hour.

Mayor Newhard read the following letters that were received prior to the presentation of the pump track therefore he explained that they are more about the concept than the actuality of what was spoken about tonight.

3. Tamer M. Mohamed:

Greetings,

I am one of the residents of Warwick, my two kids go to Warwick valley school district. We are super excited and totally in support of the Pump track idea.

It provides a safe place for our kids to play with their bikes. We need our elected board and Mayor to help get this done for the Warwick kids.

Kindest Regards,
Tamer M Mohamed

4. Charlene Hirschberg:

To Mayor Newhard and the Village Board,

I am very concerned about the proposal for a pump track at Memorial Park. I think this type of proposal would be better addressed by the Town of Warwick, perhaps at the town park.

There is a limited amount of open space in Memorial Park, the space that so many residents used during COVID restrictions and continue to use as a respite from work/home/Zoom. Passive recreation space has been touted as some of the best use for open space.

Furthermore, we have waited several years for the promised Bocce courts. This is a better use for recreational space in Memorial Park, and would benefit all residents, including innumerable senior citizens who live within walking distance of Memorial Park.

Respectfully,
Charlene Hirschberg

5. Kayleigh Maher:

Dear Members of the Village Board,

I am writing to you to show support for the pump track being proposed by the Warwick Lions club. As a village resident and someone who grew up here as a kid, I can safely say I wish I had this around when I was growing up. The proposed pump track will provide kids and adults alike an activity to enjoy together. Not only is the proposed location in Veterans Memorial Park a great location, but this will provide kids an outlet and a fun activity to partake in. Its proximity to the sports fields is optimal for parents that have children that play sports as well as children that do not. While one child is having practice or a game the other can be enjoying the pump track nearby. Having the pump track in the village will allow users to ride their bikes to the track and not have to drive and have an abundance of cars parking at the park or the library. Since the proposed track will be dirt it will not require a great deal of upkeep and will not be costly to maintain. There are similar tracks in surrounding areas, and they have had positive responses from the community and have provided an added benefit. Anything that gets families outside and away from screens is a great idea. Pump tracks do not require special bikes or anything with a motor so it will not produce any noise other than laughter and conversations between friends and families. Pump tracks are inclusive to all ages, skill levels and abilities, you do not have to be a pro to enjoy. This will also provide its users with great exercise! I hope you will strongly consider this for the benefit of the community as it would be a great addition that I am very excited about and would love to use.

Thank you very much for your consideration.

Sincerely,
Kayleigh Maher

6. Carly Foster:

Hello, I am writing to share my gratitude to the Warwick Lion's Club for their unending service and generosity in our community, and to ask the Board to approve the pump track. Pump tracks provide a structured recreational opportunity for people of all ages, from my 4-year-old pictured here on her first time at a pump track, to teenagers, to adults to help them expend energy and build fitness. The location of the site is perfect and will not disrupt existing uses in the area. There is no noxious noise, except the sounds of

conversation and joy; I have been to others and observed how they are used. The pump track will contribute to our community's walkability and bikability (we will no longer have to drive 20 minutes for the same benefit; we can simply bike there) and will help our children build skills that are not very safe to try to build elsewhere in the village. We do not have bike lanes and our neighborhood is not safe for our children to bike in because of people speeding (which is a separate issue in our neighborhoods that we must address). Knowing our children have a safe place like this - free of the risk of cars and to pedestrians - to bike will therefore also provide peace of mind. In short, such an addition will only increase the value of our community to our existing children, teens, and adults who need more opportunities to constructively stretch their legs. Please allow it to proceed. Thank you to the Village in advance and thank you so very much to our Lions Club.

Carly Foster
Village Resident

7. Kristina Garritano-Hoti:

I would like to state my support of the pump track, being generously sponsored by the Lions Club. The proposed location is ideal, nestled between Memorial Park and the Albert Wisner Library, both of which are already important destinations for Warwick families.

The benefits that a pump track would provide for people of all ages as a fitness opportunity right in the village that is outdoors and safe from traffic, are immeasurable.

My daughter is seven and we live in the Village. Warwick is a valley; we all know that. We relish in the sweeping mountainous views and spectacular sunsets of our neighborhood, nestled into the side of prehistoric mountains, but my daughter cannot safely ride her bike there.

Driving through town, I regularly see teenagers riding bikes down the street and practicing tricks, which they naturally want to do, and should do, as they explore their rapidly expanding bodies and skillsets. There are no truly safe places for them to do this, with NJ transit buses barreling through town, and ever-increasing traffic congestion. I am constantly fearful for their safety.

Adults and aging adults who consider availing themselves of the pump track could reduce hypertension, prevent weight gain, and improve muscle tone. They could alleviate depression, anxiety, and reduce isolation and loneliness.

Would it be too much to hope for, that socialization occurs across a multi-generational divide? Perhaps, and perhaps not. If we have an accessible, shared, free, outdoor, community space where commonalities can be nurtured, anything is possible. The pump track would provide this for anyone willing to experience it.

Last but certainly not least, I will take this opportunity to express my sincere gratitude and appreciation for the Lions Club. Their commitment to the Warwick community is simply above and beyond; it is the quintessential characteristic that makes Warwick the place that it is.

Thank you very much to Mayor Newhard and the Village Board, for your time in hearing my comments.

Kristina Garritano Hoti

8. President, Donald Humphrey of the Warwick Grove HOA spoke to the Village Board via Zoom:

Mr. Humphrey thanked Mayor Newhard and the Village Trustees for their time and wanted to say that he represents the Warwick Grove Homeowners Association as the recently elected president. Mr. Humphrey explained that on the topic of the pump track, he hasn't found any residents that are strongly in support of the pump track, but in fact he had a few residents approach him that were opposed to the track. Mr. Humphrey said that the residents want pickleball and bocce courts. Mr. Humphrey said he and the Board recommend to the Village Trustees that instead of a piecemeal approach of someone looking for this or that, it would be a better idea to have a master planning committee for the park where the Village can get a cross representation of residents to sit on the committee and plan out the final vision of what the park could look like rather than in bits and pieces with an add on here and an add on there. Mr. Humphrey stated that maybe next year or this year a master plan commission, together as a community, people could put together their ideas and come up with the best way the park should be set up. Mr. Humphrey also mentioned that he is a biker who no longer rides in the Village because he has had too many close calls, so he put a hitch on the back of his car and brings his bike to the Heritage Trail or the Wickham Woods Park. Mr. Humphrey said that he finds it hard to believe that people are just going to start riding their bikes through the streets of the Village to get to Veterans Memorial Park and that Forest Avenue is narrow with a lot of traffic. Mr. Humphrey stated that if the Village planned out the whole park in its entirety with various residents of different demographics, it might be the way to go.

9. Rosemary Coslit:

To the Village of Warwick Board,

I am new to Warwick. I moved to Warwick because of its beauty and green space. I read in the recent Hook Magazine about the farms bought by the Town. I quote.” Regardless of the direction into which you enter the Village or Warwick, there’s a feeling of peacefulness that washes over you. It’s the physical barrier of fields and pastures that you pass as much as anything else that lets you know you’re entering a quiet, pleasant part of NY State”. (Hook Magazine, July/August 2021)

One of my favorite things to do every day is walk in Memorial Park. It’s beautiful. People walk their dogs. Small groups walk and talk. It doesn’t matter whether I walk in the morning or afternoon, it is a well-loved place close to nature. I am disturbed to hear that a pump track is being considered for this location.

I assume the proposed Pump Track would be somewhat like that in West Milford. I took a ride over to it this past Saturday so I could see what it looked like. I would suggest everyone do this.

These were my observations:

-It was ugly. There is just nothing else to say about a combination of dirt, grass and weeds.

-It is built in an area of town maintenance and playing fields - far from walking paths and housing. i.e., its looks don’t bother anyone

-There were 2 boys and a dad at the track, and 2 boys leaving when I arrived. All between the ages of 3-8. Since the hills in the track are small, it seems to appeal to younger kids, who need to be transported by car. I would have thought more would use it on a weekend.

So, I am disappointed you would want to put something ugly in an area where people from hundreds of homes in Homestead Village and Warwick Grove walk and enjoy its peace and beauty. It is difficult to put a value on a sloping green lawn or measure the wellbeing value to individuals who use it. But Nature is valuable because it is beautiful. Based on your commitment to preservation of land, I hope you will consider putting this pump track elsewhere.

Rosemary Coslit

***Please see the attached letters regarding the proposed installation of a pump track at Veterans Memorial Park that were not read out loud during the October 4, 2021, Village Board meeting.**

Motions

DPW Laborer – Justin Trone

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried to hire Justin Trone to the position of Full Time Laborer at a salary of \$18.00 per hour in accordance with the Collective Bargaining Agreement with a start date to be determined by DPW Supervisor, Michael Moser.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Amendment to Existing Professional Agreement – Barton & Loguidice, D.P.C.

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried to accept the proposal from Barton & Loguidice, D.P.C. to provide professional services for the pursuit of affordable financing for the water system improvements through the NYSEFC WIIA program and authorize the Mayor to amend the existing Professional Services Agreement for those services at a lump sum cost of \$9,500.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Acceptance of Proposal – Realterm Energy US, L.P.

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried to accept the proposal from Realterm Energy US, L.P. dated August 18, 2021, for professional services for the LED Street Lighting Conversion project and authorize the Mayor to enter into an agreement with Realterm Energy.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

2021 Halloween Parade

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus, and carried to grant permission to the Village of Warwick Recreation Department to hold a Halloween Parade on Sunday, October 31, 2021. 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. The Warwick Police have been notified and will assist with the event.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Road Closure for Halloween Parade – AMENDED

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney to close Oakland Court, Welling Avenue and Orchard Street west of Elm Street on Sunday, October 31, 2021, from 4:00 p.m. until 8:00 p.m. and also close High Street from 4:00 p.m. to 5:00 p.m. on October 31, 2021.

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

Trustee Cheney ___ Trustee Lindberg ___ Trustee Bachman ___

Trustee McManus ___ Mayor Newhard ___

Discussion

Trustee Cheney asked if the Village Board is going to extend the curfew until 9:00 p.m., should the closure of these streets also be extended until 9:00 p.m. Mayor Newhard said that he believed so to keep it clear and simple.

Road Closure for Halloween Parade

A **MOTION** was made by Trustee Cheney, seconded by Trustee Bachman, and carried to close Oakland Court, Welling Avenue and Orchard Street west of Elm Street on Sunday, October 31, 2021, from 4:00 p.m. until 9:00 p.m. and also close High Street from 4:00 p.m. to 5:00 p.m. on October 31, 2021.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

2021 Halloween Curfew

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Bachman, and carried 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 Saturday, October 30 to 6:00 a.m. on Sunday, October 31, 2021, and again on Sunday, October 31, from 9:00 p.m. to 6:00 a.m. on Monday, November 1, 2021.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Budget Modification

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney, and carried to approve the budget modification and transfer request as per the Village Treasurer's memo dated September 27, 2021.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Memorial Policy

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Bachman, and carried to adopt the Village of Warwick Memorial Policy effective October 4, 2021.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Nay Mayor Newhard Aye

Discussion

Trustee Lindberg stated that the Memorial Policy is being introduced because the Village has received many requests for memorials, whether for trees or benches, and the Village did not have a standard policy. Trustee Lindberg explained the Memorial Policy details including the application fee, fee for the trees, benches, markers, and plaques.

Mayor Newhard asked that under the list of approved trees, the policy would include the language, 'This list may be modified from time to time by the Shade Tree Commission.'

Trustee Lindberg explained that the review committee for the benches and trees would be the Mayor, Village Park Liaison, DPW Supervisor, and Shade Tree Commissioner.

Trustee McManus asked why there was an application fee for trees and benches when there are no other application fees for use of parks or anything else that the Village does. Trustee Lindberg stated that the Village is going to be planting and maintaining the trees and installing the benches. Trustee Lindberg said that it is an over and above type of cost if someone wants a special memorial, and it helps to cover the costs. Trustee McManus said that the person who wants the memorial is paying for the tree and/or bench, they are paying for the plaque, so why is there an application fee being charged for someone who wants a memorial and the Village doesn't charge application fees, not saying the Village shouldn't charge application fees, but why is the Village specifying that this one does have an application fee when the trees, benches, or plaques are being paid by the applicant. Trustee McManus said that the DPW would plant a tree regardless of how the policy was written, with or without an application fee, because someone is donating the tree or bench. Trustee Lindberg said that Trustee McManus had a good point, but when reviewing and researching other municipalities policies with the same process, on a consistent basis there was an application fee. Trustee McManus stated that if the Village is going to charge application fees, then all the permits should have application fees to be fair to everybody across the board since it's an application that someone is filling out and the Village is accepting. Trustee Lindberg explained that the Village is marking up the cost of the benches and

trees a small amount and the Village will be responsible for planting the tree, preparing the site for the benches, the maintenance of it, so the application fee is another way to breakeven. Trustee Lindberg said that if the Village wants to get rid of the application fee, then he would suggest raising the price of the benches and trees to cover the costs. Trustee McManus felt then the Village should charge more for the tree and more the bench but don't charge someone to fill out a piece of paper.

Trustee Cheney asked if someone makes an application and the committee decides that they can't come to an agreement as to what is going to happen with it, will the application fee be refundable. Trustee Lindberg stated that he felt it would be a perfect reason to issue a refund as part of the application process. Trustee Cheney said that he believed the application fee would be a way to minimize the number of frivolous applications that the Village might receive. Trustee Cheney also said that maybe the Village needs to consider other applications that the Village requires to look at whether those would benefit from having a fee as well from the standpoint of the time it takes in Village resources to process the information and make decisions relative to whether it is acceptable or not.

Trustee Bachman stated that he didn't see an issue with charging an application fee for the time being and maybe reviewing that policy down the road.

Amendment to Village of Warwick Schedule of Fees – Memorial Benches

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney, and carried to amend the Village of Warwick Schedule of Fees to include the heading 'Memorial Benches' effective October 4, 2021, as follows:

<u>Type of Fee</u>	<u>Amount</u>
Memorial Bench Application Fee	\$50
Memorial Bench Plaque Fee	\$150
Memorial Bench Fee Per Location -	

<u>Location</u>	<u>Model</u>	<u>Cost</u>
Stanley Deming Park	Worlds Fair	with back: \$1,500 without back: \$1,300
Stanley Deming Playground	Playground Material	<i>Contact Warwick Playground Dreams</i>
Memorial Park	Worlds Fair	with back: \$1,500 without back: \$1,300
Hallowed Ground	Worlds Fair	with back: \$1,500 without back: \$1,300
Lewis Woodlands Park	Rustic	<i>Price TBD – Made to Order</i>

Railroad Green	Worlds Fair	with back: \$1,500	without back: \$1,300
Village Streets	Worlds Fair	with back: \$1,500	without back: \$1,300

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Nay Mayor Newhard Aye

Amendment to Village of Warwick Schedule of Fees – Memorial Trees

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney, and carried to amend the Village of Warwick Schedule of Fees to include the heading ‘Memorial Trees’ effective October 4, 2021, as follows:

<u>Type of Fee</u>	<u>Amount</u>
Memorial Tree Application Fee	\$50
Memorial Tree Marker Fee	\$400
Memorial Tree Fee	\$400

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Nay Mayor Newhard Aye

Cyber Security Policy

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Bachman, and carried to adopt the Village of Warwick Cyber Security Guide & Policies effective October 4, 2021.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Amendment to Managed Service Agreement – TCG Solutions – AMENDED

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney to amend the existing Manage Service Agreement for Professional Services between the Village of Warwick and TCG Solutions dated March 1, 2021, to add a monthly charge of \$150.00 for Errors and Omissions Insurance Coverage and eighteen (18) online web portal email accounts at a cost of \$8.50 each, to increase the number of Hosted Email accounts from seventeen (17) to nineteen (19) at a cost of \$10.00 each and reduce the number of Sophos devices from thirty-nine (39) to twenty (20) at a cost of \$8.00 each, with a total monthly service charge increase of \$171.00 per TCG Solutions proposal dated September 28, 2021.

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

Trustee Cheney ___ Trustee Lindberg ___ Trustee Bachman ___

Trustee McManus ___ Mayor Newhard ___

Discussion

Trustee Cheney proposed an amendment to include that the Master Services Agreement be reviewed by the Village Attorney prior to the Mayor signing.

Amendment to Managed Service Agreement – TCG Solutions

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus, and carried to amend the existing Manage Service Agreement for Professional Services between the Village of Warwick and TCG Solutions dated March 1, 2021, to add a monthly charge of \$150.00 for Errors and Omissions Insurance Coverage and eighteen (18) online web portal email accounts at a cost of \$8.50 each, to increase the number of Hosted Email accounts from seventeen (17) to nineteen (19) at a cost of \$10.00 each and reduce the number of Sophos devices from thirty-nine (39) to twenty (20) at a cost of \$8.00 each, with a total monthly service charge increase of \$171.00 per TCG Solutions proposal dated September 28, 2021. Master Services Agreement to be reviewed by the Village Attorney prior to the Mayor signing.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Facility Use – Memorial Park Pavilion, Stacy Cordero

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus, and carried to grant permission to Stacy Cordero to use the pavilion in Memorial Park on Saturday, October 9, 2021, from 4:00 p.m. to 9:00 p.m. to hold a birthday party, including the use of electricity, restrooms, tables, and chairs. All activities must be in accordance with the Orange County and NYS Departments of Health. Completed park permit, proof of proper insurance, and security deposit have been received.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Facility Use – Memorial Park Pavilion, Fit Body Boot Camp

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Bachman, and carried to grant permission to Fit Body Boot Camp to use the pavilion and the surrounding grassy area in Memorial Park for outdoor fitness classes from October 5, 2021, to November 15, 2021, during the following times: Mondays - Fridays from 5:00 a.m. – 10:00 a.m. & 4:00 p.m. – 6:00 p.m. and Saturdays and Sundays from 7:00 a.m. – 10:00 a.m., including use of pavilion lights. Availability is subject to change based on further applications to use the pavilion. All activities must be conducted in accordance with the Orange County and NYS Departments of Health. Completed park permit, proof of proper insurance, security deposit, and facility use fee have been received.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Nay Mayor Newhard Aye

Discussion

Trustee Cheney expressed concern that the request would tie up the use of the pavilion by others and asked if there was any thought given if another application came in, would the Village be able to honor that request and ask Fit Body Boot Camp to modify their schedule. Village Clerk, Raina Abramson, stated that in Fit Body Boot Camp's letter to the Village Board, Mr. Jarer included a statement that he is aware that certain events take place during the year that may overlap and has no problem cancelling on those days, which is why the motion includes, 'Availability is subject to change based on further applications to use the pavilion.'

Trustee McManus said that a couple of people wanted to use the pavilion because the gyms were closed, but now that facilities are open, why is Mr. Jarer not able to use his own business.

Mayor Newhard said that it was a good question and that the Village is currently rewriting the facilities use permit because there are basic loop holes. Mayor Newhard said that there is nothing in the Village Code that talks about commercial activities happening and there should be. Mayor Newhard said that these changes would basically clarify that issue, and this would be the end of any commercial activity unless there's a situation like COVID again.

Outside User Agreements – Pioneer Farm – (TABLED)

A **MOTION** was made by Trustee Bachman, seconded by Trustee Lindberg to approve the proposed Outside User Agreements for central sewer service and central water service requested by Pioneer Farm, LLC for the Pioneer Farm Subdivision property located at Carroll Drive, Warwick, New York and to appoint Pitingaro & Doetsch Consulting Engineers, P.C. as the Village of Warwick engineer for this application.

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

Trustee Cheney ____ Trustee Lindberg ____ Trustee Bachman ____

Trustee McManus ____ Mayor Newhard ____

Discussion

Trustee Cheney stated that he has an overriding concern, that in addition to connect water and sewer to these two properties that were created through a subdivision done in the Town, these two properties are basically going to receive all Village services including extra police protection, snow removal, road maintenance to reach their driveways, and they're not paying the full freight of Village taxes because they're in the Town. Trustee Cheney said that he can only think of one other property in the Village where this is also the case, on Clinton Street Extension. Trustee Cheney stated that he is concerned that this is a way to get all the Village services but not pay Village taxes.

Mayor Newhard asked about the homes along Colonial Avenue/Kings Highway that are outside water users, not in the Village and they receive the same perks, but they also pay a premium for water and sewer. Trustee Cheney said that they don't get sewer and the additional premium that they pay is used to offset the fact that they don't pay the land tax for water which the Village residents pay, which is the basis for those rates increased to outside water users. Trustee Cheney stated that this is something that does exist in the Village elsewhere and the subdivision has been

approved by the Town and it seems that it may be well beyond the ability to change it at this point in time. Trustee Cheney said that he doesn't know if looking into the possibility of a PILOT agreement for these properties and how that might work, but he would like to see them paying for the benefits that they are receiving. Trustee Cheney said he didn't know if there can be a PILOT agreement between the Village and a property that is outside the Village but was something that came to mind as an alternative to annexation of the properties, which the property owner would have to request.

Mayor Newhard said that if this parcel of land was to be annexed to the Village, then they would have the ability to subdivide it with greater density because instead of the Town zoning which is three-acre lots, they would then have the ability to do half-acre or quarter-acre lots resulting in a much larger footprint of homes with more people, which he feels would have a greater impact on the neighborhood.

Trustee Cheney said that it's a quiet, dead-end street, and he's sure the residents would like to see remain a dead-end street, but to the mayor's point, they would probably prefer two houses versus six.

Trustee McManus said that he prefers new residences in new places being built pay the same fair share that they are paying for property taxes for the services. Trustee McManus said that if the Village gives them sewer and water there's no need for them to annex into the Village, they have all the services they would possibly need and everybody else is footing the bill for them.

Mayor Newhard said that one of the reasons he thinks Pioneer Farm wanted to connect to the water and sewer is because of the lay of the land since the entire area is wet and it may be very difficult for wells and septic in that particular part of the Village.

Trustee McManus said, not to sound mean, however it isn't the Village's property, and it isn't the Village's problem for a developer who has an issue with their land for sewer and septic, which is why they want the benefit of the water and sewer from the Village, but they are not paying any taxes for it which is not fair to the other 7,000-8,000 residents in the Village of Warwick.

Mayor Newhard said that the only way he sees it to be possible is to increase the out of Village water use again. Trustee McManus said that it would only help to substitute the land tax that they wouldn't be paying for the upkeep for the water and sewer systems, not any of the services they would receive.

Mayor Newhard suggested further analysis of the amount of tax they should be paying and figure out a way for them to pay it.

Trustee Lindberg asked if when Ms. Newman made a presentation a few years ago, if she was exactly asking to be given this service from the Village. Mayor Newhard said that he believed so. Trustee Lindberg said that he agrees with Trustees Cheney and McManus that there needs to be a little more research.

Mayor Newhard said to Trustee McManus' point that it isn't the Village's problem, in essence it is our environment so if they move forward and put septic in a place that is environmentally sensitive, it wasn't great. Trustee McManus replied that he doesn't think that they would because the first homeowner that has a problem after their house was built with having their septic backup because of the grade or because they are wet, will complain to everybody and probably stop the rest of the building because no one else is going to buy there but to give them services of the Village is not fair to any resident of the Village. Trustee McManus said that they want the sewer and water to avoid the problem you're speaking of, but they want it basically for free because the homeowner is going to pay for the water use, not the developer. Trustee McManus stated that the only person receiving a benefit is the developer and that isn't the Village Board's job or responsibility, that is nowhere in the fiduciary responsibility as a Village Board to benefit a developer by giving them water and sewer and not being paid anything for the rest of the services, the homeowner will foot that bill, not the developer.

Trustee Cheney suggested the Village Board table the motion at least until the next Board meeting for further study. Mayor Newhard agreed because he needed more analysis and greater understanding that the Village would be allowed to charge or come up with some kind of intermunicipal agreement that would cover those costs.

Outside User Agreements – Pioneer Farm - TABLED

A **MOTION** was made by Trustee Bachman, seconded by Trustee Lindberg, and carried to table the motion to approve the proposed Outside User Agreements for central sewer service and central water service requested by Pioneer Farm, LLC for the Pioneer Farm Subdivision property located at Carroll Drive, Warwick, New York and to appoint Pitingaro & Doetsch Consulting Engineers, P.C. as the Village of Warwick engineer for this application.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Final Comments from the Board

Trustee McManus questioned how to proceed with giving the Lions Club some type of answer on the pump track, whether the Board is going to do more review, talk more, or if the Board is going to tell them no.

Mayor Newhard said that he didn't know if the Board is ready to make that determination tonight. Trustee McManus asked if the matter will be kept alive and have further conversation or kill it. Trustee McManus said that he wasn't saying that the Board needed to vote yet or is the Board going to pursue further discussion or review or get more details. Mayor Newhard stated that each Board member presented the positives and/or concerns and felt that it was up to the Lions Club to take that information and define the project because right now, in his mind, it is conceptual since there's no design, it's not clear exactly where it is going to be put, so it's at the beginning stage. Trustee McManus said that he's ok with that answer that the Lions need to come back and address the things that were said tonight. Trustee Cheney said that he felt it was beneficial for the Board to have an open discussion during a meeting on the matter since there was a presentation tonight and the Board reacted to the presentation with questions, some were answered and some weren't, to the extent that the Lions can come back to the Board with answers to some of those questions prior to the discussion.

Mayor Newhard asked Trustee McManus to please have the Lions Club reach out to the skatepark initiative to get their take on the proposal as well because if the track is in the proposed place, they will be neighbors therefore it will be important to have that dialogue.

Adjournment

A **MOTION** was made by Trustee Bachman, seconded by Trustee Lindberg, and carried to adjourn the regular meeting at approximately 9:20 p.m.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye