

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
JANUARY 17, 2017**

7125

The regular bi-monthly meeting of the Board of Trustees of the Village of Warwick was held on Tuesday, January 17, 2017 at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present were: Mayor Michael J. Newhard, Trustees: Barry Cheney, George McManus, William Lindberg and Eileen Patterson. Also present were: DPW Supervisor, Michael Moser, Village Clerk, Jo-Ann Rome and Village Attorney, Michael Meth. Others present: Lt. John Rader, Jesse Gallo, Billie Gallo, Jordan Novak, Lawrence Polsky, Katie Bisaro, Kathy Gerstner and others.

The Mayor called the meeting to order and Led in the Pledge of Allegiance.

The Clerk held the roll call.

Acceptance of the Minutes:

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to accept the minutes of January 3, 2017. Five Ayes

Acceptance of Reports:

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried to accept the Building Annual Report and the Justice Report for the month of December. Five Ayes

Authorization to Pay All Approved and Audited Bills:

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to pay all approved and audited bills in the amount of \$158,589.55. Five Ayes

Mayor Newhard: Anything with Coffee with a Cop?

Lt. Rader: It's in the works. We believe we've nailed down a location.

Mayor Newhard: I've been meeting with the different groups about the blue line and long term things that we are hoping to do and you being the liaison to the Village we would like you to possibly participate to some degree if you can in some of these follow up meetings.

Lt. Rader: Great.

Mayor Newhard: It's very constructive and very positive.

Discussion:

12 Main Street – Request for Lot Line Change:

Mayor Newhard: Michael, could you give us some guidance with what's going on with that particular request?

Michael Meth: With conversations with Mr. Dickover, the Planning Board attorney stands that we're not sure who owns the property that the applicant is asking to be deeded. They're saying that their title company would be satisfied with a quitclaim deed from the Village which conveys any interest we have if any at all and that would allow the proposed buyer to purchase the property. There is an issue with the fact that part of the applicant's property is encroaching on Village property which may want to be deeded part of his property back to us. If the Village wants to do that, then you approve it and then enter into an agreement with the proposed applicant. Once the terms of that agreement are sussed out and agreed to and executed, then that lot line agreement can be given to the Planning Board in accordance with the rest of the provisions pursuant to Section 21 and the lot line change can proceed so that's basically where we stand. The choice the Board has is if you want to give a quitclaim deed to the applicant for that requested property and if you want to take any back in return.

Mayor Newhard: Who gives the quitclaim?

Michael Meth: The Village (inaudible) in the right of way.

Trustee Cheney: In what right of way?

Michael Meth: The right of way that this building encroaches on.

Trustee McManus: Whose right of way is it?

Michael Meth: Well, the issue is not one of liability yet. We're still trying to sort that question out. The Village has two choices at this point. If you want to give a guaranteed deed, then you have to figure out who owns it. Apparently for the purpose of the proposed purchase, the title company of the proposed purchaser will be satisfied with the quitclaim deed from the Village and then the lot line change. Obviously it's impossible for us to predict where the other end of the ripples of that will end, but at least for the purposes of this transaction that will satisfy the proposed applicant's title company. In my opinion there are issues that (inaudible) in both ways, but who owns it can be resolved by we don't know who owns it and we don't need to know who owns it to give a quitclaim deed.

Trustee Patterson: What impact does that have on our right of way should we have to do anything in the future for example the bridge.

Mayor Newhard: It's not our bridge. It belongs to the State.

Trustee Patterson: Is the State aware of the above? Is it our responsibility to pass that along before this takes place?

Mayor Newhard: Well they built the bridge and the bridge actually came first and then it came after because that bridge has been rebuilt.

Trustee Cheney: What's DOT's ownership? The triangular piece that doesn't look like it's theirs because of the sidewalk. If we take ownership of that, does that mean we own that piece of the sidewalk?

Michael Meth: Not necessarily, but I haven't done any more research on it other than what I just told you because at this point it's whether it's the applicant's responsibility to (inaudible) the answer to these questions or whether you want it to be something that is the Village's responsibility and then have a discussion after deliberation.

Trustee Cheney: I'm not sure I would want to take ownership of that triangular piece that's part of the sidewalk.

Trustee Patterson: I don't want to take ownership of the expense of chasing down the answers either. I thought that we were going to have a conversation.....

Michael Meth: I spoke to Mr. Zeiger who is the applicant's attorney and Mr. Dickover spoke to Mr. Zeiger also I think more than once and he also spoke to Mr. McGloin who is the surveyor so we did a limited amount of inquiry to try to solve some of the issues and what we learned was that they don't know who actually owns it.

Trustee McManus: I think until we know who owns it and everybody who owns it is involved I'm not interested in signing anything.

Mayor Newhard: Your outreach to your counsel was exactly that to.....

Michael Meth: I left him a message and I will communicate that - we need these answers and we want it to be at their expense now ours.

Mayor Newhard: And in the meantime we'll reach out to NYCOM.

Michael Meth: And NYMIR as well.

Adopt-A-Street Program:

Trustee Cheney: We're going to put that off until the next meeting.

Trustee Patterson: That's on me. I thought I could edit this PDF, but I can't. We're going to ask the Town if they can give us the original because that's Barry's idea to just change what they have because they have a working program.

Trustee Cheney: There are a couple of items in there that I don't necessarily agree with that I'll shed light on when we all have a copy of the document in front of us.

Privilege of the Floor:

Jesse Gallo: I'm here to ask the status updates on the hearing that took place for the Warwick Wine Bar. It's been three or four months at least and we've heard nothing to date and there are still noise issues there. Apparently they went to the Planning Board too to authorize the use of the second floor for the Wine Bar which has been utilized since last February. We're looking to get some sort of resolution on this.

Mayor Newhard: In some ways it's out of our realm, but I did bump into the Judge and I was curious myself and I said what's going on and she stated and I believe you were there Jo-Ann was that that determination would be made this week so that's what I heard from her lips to my ears. Of course, she couldn't reveal anything.

Lawrence Polsky: I'm here because it feels like the burden has been on the people of the block for a long time and it's been an unfair burden when the people who are violating or making noise and creating problems have now had months and months and months to continue to make problems. We don't hear from the court case and now it's four months and it seems to me rather strange that it's going to be decided this week when tomorrow the Planning Board is meeting to decide on this application when it would seem that it would be smart that that should either have been delayed until the decision was made or the decision could have been made so I don't know what's going on it looks sort of stinky to me.

Mayor Newhard; The Planning Board isn't meeting tomorrow. They're meeting Thursday.

Lawrence Polsky: When originally the Gallo's were told it would be a month or two and now it's four months so that in itself just as a side note it seems sort of strange. I'm really here because I want to officially get on record the issues that we've had. I know that I've sent emails to Eileen and to Michael. I don't know who has seen them or if only you two have seen them or if you forwarded them.

Trustee Patterson: I forwarded them.

Lawrence Polsky: There have been an ongoing set of issues. All we're really looking for is some simple common sense solution. We're trying to be good neighbors and we're not getting

good neighbors back. I just want to start with a proposed simple solution and then I want to go through what the issues I see are. It's very frustrating, but the simple solution is if the Wine Bar would simply keep their doors closed. They have these open French doors on the second floor that in the summer I live across the street and I can't sleep with my windows open because there are people laughing and having a good time and the music is playing. The sound just goes right out onto the street and they have people gathering on the bottom so that seems like a simple solution if there was some sort of time limit set on that let's say 8 p.m. or whatever it was that would prevent that and then additionally they continually use amplified music and Dan Kelly had told me directly and it's in various code that amplified music you shouldn't be able to hear it for 60 feet from its source so if I can hear amplified music in my house I live more than 60 feet diagonally across the street then that's a violation – so if there were some simple steps put into place around the doors being open and the amplified music, that would solve 80% of the problems and we would be able to coexist but the person who owns that establishment doesn't talk. He won't sit down and talk. He just says call my lawyer. It's completely impossible to have a discussion and come to any agreement. He's routinely breaking the noise ordinance and so then what happens as you probably know is the burden is on us to call the police which who wants to do that. I don't want to bother the police with noise. They have better things to do. We call the police, the police come and if the sound set is over, they say oh there's no noise and then we look like we're calling just to create a problem. The Code Enforcement Officer says there is nothing the Code Enforcement Officer can do all he can do is take the complaint and bring it to the court. The summer has come and gone when most of the problems are. Dan said well when their complaint is done then the complaint that we submitted months ago then that complaint can be brought up. You can't submit two complaints at once. It has to be one, go to the court, get a ruling on it and then the second complaint so now already they spoke in February, the complaints were probably submitted the beginning of March and now it's January. It's just ridiculous. To me the next biggest problem is safety. It's a one way street and we've seen an increase in people driving the wrong way up the street. We used to see that occasionally who doesn't realize it's a one way street. There are seven kids that live on that street. It's just an accident waiting to happen and part of that I couldn't say but I can assume is the increased traffic because of the Wine Bar. There's increased traffic, foot traffic, increased parking. People double park in front of both of our driveways regularly, temporarily which I mean it's okay, but there's not enough parking and there is no parking plan. That's a whole separate issue. There is not enough parking and with that establishment which is now originally a Wine Bar for mature adults we were told on the first floor that's what they got allowance to do and they immediately operated on both floors and now they have a full menu so you can have dinner which is fine. I'm not anti-business let people make money.

Michael Meth: This is more than five minutes. He should go to the Public Hearing for the Planning Board.

Lawrence Polsky: Since they've opened they have been in violation of the approval that they got because they're only approved for the first floor, but they've been operating on the second floor and then they finally asked for permission to operate on the second floor which they've been doing for months and no one did anything, no one can do anything, the Board can't do anything, the Village Planning Board can't do anything, the police can't do anything, no one can do anything. We have nowhere to go and so we've been trying to go through the process. Trying you know to work the system whatever it is which is the Planning Board, but they can't do anything. Everything is like through the cracks and it's not really our job and talk to the Board so it's just exasperating. There is nowhere to go and now Thursday there is going to be this ruling which I'm sure that they're going to say well what can we do? We have to give them, there are no grounds they'll say and we'll have to bear the burden and continue to file these complaints and wait six months and then summer comes and it really ruined my life. In terms of the summer it's ruined the quality of life. I can't sleep with my windows open. I can't go in the backyard and just hang out. I hear the music.

Mayor Newhard: Is the Public Hearing still open?

Jesse Gallo: No.

Mayor Newhard: If you would like to give us your comments though so that we can read them. Can you do that?

Lawrence Polsky: They're scratch notes.

Mayor Newhard: Can you email them to us? I'd like to read them.

Trustee Patterson: Did you speak at the Public Hearing?

Lawrence Polsky: Yes. We all spoke. Thank you and I hope you can do something because I'm going to have to sue someone and I don't even know who to sue. That's how I feel. I moved to the Village because I like the Village. It's just ridiculous.

Trustee McManus: But in the meantime I would urge you to just keep calling the police because that is where it really has to go to. The law is on the books and it's their job to enforce the law. You don't want to bother them, but please take my advice and bother them. Keep calling them. If they leave, call them back. I know it's annoying and I know it's a burden for you and your neighbors, but that's going to have to be part of the process.

Lawrence Polsky: It has been for months. That's why I'm here. That hasn't worked.

Trustee McManus: Then keep doing it please.

Trustee Patterson: Once we write the code and set up the mechanism to file the complaint, we can't legislate the court. We can't get involved with the process of the judge and making a decision, or how long it takes the judge to make a decision, what goes into making that decision. All we can do is create the mechanism by which you can file the complaints and if there is a way that we need to change that mechanism which you know any of the things you said haven't convinced me that there is a way that we need to change that mechanism, I agree with George. It's not bothering the police. It's the police's job. You have reported back to us and some of the comments from the police are that it's up to the Village Board to enforce this or it's up to this person and that education needs to be provided to the police that that is in fact not the case. That it's not up to the Village Board to enforce anything so that's information that we need to have. I know you're so frustrated and I know you've lived here for a long time and have never had reason to or desire to be in this situation and I do feel bad about it, but again there is a boundary with which we have to stop being involved and that's with writing the code except in as much as there's information that we need to feed back to the police to say you need to stop telling the Polsky's and the Gallo's that it's the Village Board's job. We need to fine tune that education to the Police Department.

Lawrence Polsky: They never complain to me they come and they say keep calling. I have no issue with the police.

Trustee McManus: The code you're looking under would be Peace and Good Order.

Billie Gallo: Oh we know. We physically photocopy and hand the police the code. Every time they come they're uneducated about the code. We have a stack of the code and we highlight it and we hand it to them and so we talk to them about the code. They don't know the code; they don't recognize that they have the ability to enforce it. The code says that they can or Dan Kelly can. Dan has been I'm sure you know a lame duck since I guess he decided to retire so he's done nothing for us – zero. I just wanted to say normally I come with prepared statements and quotes and emails, but I'm exhausted because this has been going on for a year. For a year the police have been responding and saying we can't do this and for a year you haven't told them they can which is frustrating but I really think you all should be very concerned that this is a four month long court case. That's unacceptable whether it's a murder case or a noise complaint. It's unacceptable. You should all be very concerned and I agree with Lawrence and it's not coincidental that Chris Littell's decision will be made this Thursday and that this just so happens to be when the court case will allegedly be determined and frankly I'm not even going to hold my breath for that but I think that you all need to urge the Planning Board not to rule on this decision until the court case is resolved. It's unacceptable to allow Chris to continue his illegal behavior and get the outcome he's looking for from the Planning Board prior to this case that opened in August being resolved. That's just absurd and I think it's your responsibility to encourage the Planning Board to think twice about that. It's inappropriate. I can't agree with Lawrence more. This has been going on now since February 9th of last year and it's time for the

Board to become more involved because nothing is happening. Also in addition to the court case there are three outstanding civil complaint forms just from the two of us. I don't know how many more have been submitted but they still have yet to be addressed because Dan Kelly said don't submit any more civil complaint forms until this case is resolved well that's awful convenient because now we've been sitting on our hands but even after the case is resolved there are still forms to be addressed. We have them via email. Dan has dated them but has refused to sign them. I'm sure you all saw it. I started copying everybody I could think of on the email correspondence because nothing was happening.

Mayor Newhard: Lawrence when you were speaking to the Planning Board, did you outline the closing of those doors and that type of thing as well as what you had mentioned to us tonight?

Lawrence Polsky: I'm sure I mentioned it. I tonight mentioned it very succinctly for that purpose. I didn't want it to get lost because it seems like a simple thing.

Jesse Gallo: Actually it's captured in the Planning Board attorney's letter to be addressed Thursday I guess. It was one of his suggestions. It's a suggestion. The Planning Board doesn't have to do anything with that.

Trustee Patterson: The Planning Board attorney advised the Planning Board that they could not they had to move forward with the application they could not delay the application until the outcome of the case was decided on by the Judge. It just seems to me that complaints are dated before the decision was made and if there are penalties to be paid again not knowing what the Judge's decision is going to be, those will have to be dealt with retroactive to any decision the Planning Board makes.

Billie Gallo: It would be unbelievably convenient if the Judge found that there were no penalties to be paid and the Wine Bar began utilizing their second floor the way they've utilized it this entire time. It just seems frankly corrupt.

Mayor Newhard: You know what let's not presume the law.

Billie Gallo: I won't presume, but when this case is resolved I will come back here and say I told you so the problem is that's not going to get me anywhere. I still can't sleep at night.

Jesse Gallo: We don't want to be forced to hire a lawyer. We are very close to that right now. We've waited four months. If it happens quickly and we get an answer, great one way or the other at least it was timely. This is ridiculous – four months.

Billie Gallo: And it's the court case too which we were not invited that should be restated and that's been in all the correspondence with Mr. Meth and Mr. Kelly and all of you and that's particularly troubling.

Mayor Newhard: Thank you for coming tonight and addressing the Board. Lawrence if you would send me I'll make sure the rest of the Board gets your comments and the Planning Board.

Motions:

Spring Street Drainage Improvements – Regal Utility Services – Final Payment:

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to approve final payment to Regal Utility Services in the amount of \$24,968.85 for the Spring Street Drainage Improvements as per the Village Engineer's recommendation. Five Ayes

Spring Street Drainage Improvements – Regal Utility Services – Maintenance Bond:

A **MOTION** was made by Trustee Cheney and seconded by Trustee Lindberg to accept from Regal Utility Services a Maintenance Bond in the amount of 100% of the final contract price of \$302,766.64 in lieu of the 5% retainage required by the contractor as per the Village Engineer's recommendation. Five Naves

Discussion: Trustee Cheney: Mr. Meth did you receive a copy of the Maintenance Bond to take a look at?

Michael Meth: I did receive a copy of it.

Trustee Cheney: Is it in proper form?

Michael Meth: I looked at what I received, but I received no other information about it.

Trustee Cheney: Did you need any other information?

Michael Meth: I can't answer a question like that. I looked at it in respect to whether it is compliant.

Trustee Cheney: So have you deemed it to be complaint or not?

Michael Meth: I got an email. I was asked to look at it, but I wasn't told anything that was happening with this so I apologize. I can have it ready for the next meeting.

Trustee Cheney: My other question is, is a full Maintenance Bond deemed to be acceptable substitution for the 5% retainage?

Michael Meth: No. Retainage is supposed to be you know cash.

Trustee Cheney: So it would cost us to receive the proceeds of the bond were we to need it.

Michael Meth: Correct. I don't know if it would cost you, but you would have to incur expense to enforce it I guess you know collect it. Whose idea was that to accept the 100% instead of the 5%?

Trustee Cheney: I think that was what was offered by the contractor and the engineers passed it along. If we vote yes, there is no need to do anything. If we vote no, then we're going to have to go back to square one.

Trustee Lindberg: I don't think we know enough about it.

Mayor Newhard: Okay we should vote on it.

DPW Laborer - Full Time Position:

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to advertise to hire a full time laborer at a rate of \$15.00 an hour as per the DPW Supervisor's recommendation. Five Ayes

Public Hearing – Improvements to and Extension of Orchard Street and Realignment of River Street for the Howe Street Bridge Reconstruction Project:

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson and carried to schedule a Public Hearing for Monday, February 6, 2017 at 7:30 p.m. to consider the improvements to and extension of Orchard Street creating a connection to River Street and the realignment of River Street for the Howe Street Bridge Reconstruction Project. Five Ayes

Warwick American Legion Post #214 – Memorial Day Parade:

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Patterson and carried to grant permission to the Warwick American Legion Post #214 to hold their annual Memorial Day Parade on Monday, May 29, 2017 at 11 a.m. as per their letter dated January 1, 2017. The proper insurance has been received. Five Ayes

Warwick Valley Farmers' Market – 2017 Season (AMENDED):

A **MOTION** was made by Trustee Patterson and seconded by Trustee Cheney to grant permission to the Warwick Valley Chamber of Commerce to hold the Warwick Valley Farmers' Market in the South Street Parking Lot from May 14th through November 19th, 2017. The proper insurance has been received. **(AMENDED)**

Discussion: Trustee Cheney: This is the way we've been doing it every year for however long, but do we need to make any other consideration in the motion relative to Applefest because right now it pretty much says Applefest can occur at the South Street Parking Lot right which it doesn't. Applefest does occur - the Farmers' Market doesn't occur in the South Street Parking Lot.

Trustee McManus: The Farmers' Market moves doesn't it?

Trustee Cheney: Right, but it's not in the South Street Parking Lot.

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson and carried to grant permission to the Warwick Valley Chamber of Commerce to hold the Warwick Valley Farmers' Market at the South Street Parking Lot from May 14th through November 19th, 2017 except for Applefest Sunday, October 1st. The proper insurance has been received. Five Ayes

Reports:

Trustee Cheney's Report:

I know I've been letting everybody in on the status of the drought watch. It remains in effect for New York State, but the good news is for the Village of Warwick is that all three of the reservoirs are now full and overflowing. I would encourage our customers to continue to conserve water in ways that would be helpful. It's always helpful to conserve that resource.

Trustee Lindberg's Report:

The Gazebo and Pavilion in Stanley Deming Park is just about done. We met with them last week and Mr. Moser has a meeting with them next week to do a final inspection and get the keys, but in my opinion they did a great job. They finished pretty much on time. They worked through some pretty tough weather. The contractor said that the parts that came fit properly and they had no problems there so it was a marriage of two companies and we're excited to use them.

Mayor Newhard: It looks great – beautiful and having light in the park is I think a real plus. It has never had any light. It was a very dark park. It looks safe now.

Trustee Lindberg: So thanks to a lot of people – Mr. Moser, Karen Arent, the Landscape Architect, Dave Getz, and Karen Emmerich – everything came together.

Mayor Newhard: And in the spring our men will be working on the pavers.

Trustee Patterson’s Report:

The renewal notices are out from the Chamber for membership. There is an extra line item in the dues notice to support the tourism effort and I just want to put it out there it helps. They’re working as hard as they can to work on increasing tourism to make Warwick even more of a destination then it has become organically and just to support what the Chamber does. They really do work hard. Last meeting I asked about whether the Chamber is charged for electricity for Applefest the way that the Farmers’ Market is charged for electricity for the Farmers’ Market and they’re not. That’s troubling because they have a fee associated with if you’re going to use electricity there is an additional fee that you pay. I’m not sure what it is. Barbara did some research and said it’s difficult because it’s just one day so it’s hard to tell the spike or what they would have to pay, but I feel that we need to look into that.

Mayor Newhard: I agree.

Trustee Patterson: I feel that we put out a lot of effort that day. We pay the electricity for a lot of generators and all of that so I just would like to ask that maybe we call Orange & Rockland and find out did we have a spike that day is our October bill higher than our September and November bill. Either that or we have to say to the Farmers’ Market we’re not going to charge you anymore because that’s not fair that we’re dealing with our own local farmers and then we have all these vendors coming in from out of town who are not.....you know what I mean it just doesn’t seem right. I would just like to kind of get that started.

Trustee McManus: How about since the Applefest and the Farmers’ Market both are sponsored by the Chamber when they apply you just have a fee. Come up with a number - \$100, \$50 or something and just say that’s the fee for the electricity for the day.

Trustee Patterson: Each day because it’s going to be different. It’s a different amount of electricity used.....

Trustee McManus: We’re going to spend more money figuring it out than we are going to collect so why don’t we just set a fee and say to use the parking lot for any event there is “x” fee to go along with the electricity you’re going to use.

Mayor Newhard: Well according to Eileen the Chamber charges a fee.

Trustee McManus: They do so we should charge a fee when they come to apply for the permits to use the parking lot for the Farmers' Market and for Applefest.

Trustee Patterson: I agree, but I don't think the fee should be the same for both because there is a lot more electricity used for Applefest than it is for the Farmers' Market and for Applefest it's throughout the Village it's not just in the South Street Lot so I think it should be relative, a proportional amount – I don't know. I think that's the work that we have to do to find out what the spike in electricity is that day in October versus the Sundays throughout the summer.

Trustee McManus: How do they reimburse us for the Farmers' Market?

Trustee Patterson: The Market Manager comes in and reviews the bills with Barbara Ranieri and I think she also reviews the port-o-john bills and pays her share of it. She's very diligent about it. She charges her farmers \$7.00 a week I think for electricity verses the Chamber charging the vendors closer to \$50.00 for one day for electricity.

Mayor Newhard: I don't understand why they're charging for electricity when they're not paying for that electricity.

Trustee Patterson: That's exactly my point.

Mayor Newhard: So I think that that's the bill we should be sending them - \$50 per vendor.

Trustee Patterson: If that's what they're getting paid, that should be ours because they're not paying for it. I think it's worth the staff hours to look into it unless it gets ridiculous. Jo-Ann, do you think it would be an inordinate amount of time for the staff?

Jo-Ann Rome: That I don't know I would probably have to have Raina do it.

Trustee Patterson: A phone call to Orange & Rockland I think is a good start. Do you guys agree?

Trustee Cheney: Is it something that we would have to have O&R come and read the meter? Or we can read the meter right?

Michael Moser: Either that or you can request it and they would read it on Friday before Applefest and then come around Monday and read all the meters in that vicinity by Railroad Green and whatever you have. That's a service that they should provide.

Trustee Patterson: That's perfect. We should let the Chamber know that it's going to happen this year and that we will be expecting...we're not going to do it retroactively. I think it's just something going forward and if that's possible, I think that's a great way to do it.

Michael Moser: Oh I know they can do it.

Trustee Patterson: Okay.

Mayor Newhard's Report:

We have started meetings on the Coalition on Police Relations and I think that it's wonderful coming together and I think some really great things are going to come out of it. We're bringing the Library in to bring a potential series on different subjects that touch our community but I think the most important thing is that we're seeing how we can really come to the table and grow and I'm excited about that. It's a very important piece of the entire issue that was presented to us that evening. The other thing I wanted to mention was that the Sesquicentennial Committee is continuing to meet and they're working with the Lions and the Rotary on a Valentine Day Dance which is going to include a big band and it's at the Park Avenue gym and the children of Park Avenue are making the decorations as we speak and there will be wonderful hor d'oeuvres and desserts and I think it is going to be a wonderful evening. It is Valentine's night, February 14th from 6 p.m. to 8 p.m. You will see more about it. There are press releases that are coming out, but that is sort of the next big event that the Sesquicentennial Committee has been planning. The ongoing series of talks, Second Sunday Conversations and the next one is at the Library. It will be February 12th and it's an interactive workshop of What is my Perfect Warwick and you get the ability to make your own flag or the flag of this perfect community. I think that's kind of a fun exercise for kids and for adults and that's at 2 p.m. on that Sunday. That's all I have for today.

Trustee Patterson: I don't want the meeting to end without acknowledging that Dan Kelly is retiring and I actually don't think he's been a lame duck. He has worked so hard and I want to say 16 years he's been a tremendous asset to the Village. He is a fountain of information. He takes his job very seriously and he always goes above and beyond – does whatever he is asked to do whether it's literally herding cats to dealing really generously and compassionately with anyone who comes to him with questions or needs answers or is in the process of building. We will miss him tremendously. I don't want anyone to leave the room thinking he has been doing anything but the best of work for his entire time here.

Mayor Newhard: I couldn't agree more and I thank you for stating that. Also, as you said above and beyond, but he has been this remarkable ambassador for our community. I brag to other communities about his work because it is so thorough and it is so strong and he is such a good ambassador and he has a great empathy and understanding of what community building is all about. I definitely will miss him. He has become a friend and he's been so respectful to this

Board. He has reported to us. If there have been questions, he has answered our questions. We're starting the process of interviewing this coming week and I hope we can find a candidate half as good as Dan Kelly.

Trustee Patterson: Who's doing those interviews?

Mayor Newhard: Barry and myself.

Trustee Patterson: Okay great, good luck with that. It's going to be tough and whoever it is has big shoes to fill.

Executive Session:

A **MOTION** was made by Trustee Patterson, seconded by Trustee McManus and carried to go into Executive Session to discuss 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 and the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Five Ayes

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to move back into the regular meeting. Five Ayes

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to adjourn the meeting. Five Ayes

Jo-Ann Rome
Village Clerk