

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
NOVEMBER 5, 2018**

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The regular bi-monthly meeting of the Board of Trustees of the Village of Warwick was held on Monday, November 5, 2018. Present were: Mayor Michael Newhard; Trustees Barry Cheney, Eileen Patterson and George McManus. Trustee William Lindberg was absent. Also, present was Deputy Clerk, Barbara Ranieri. DPW Supervisor, Mike Moser was absent. Also present: Raymond Maher, Lugene Maher, Steve Gross, Bryan Tempeo, Mary Collura and Kathy Gerstner.

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

The Mayor requested a moment of silence for the victims who were murdered in the Tree of Life Synagogue.

The Deputy Clerk held the roll call.

Approval of Minutes

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to approve the minutes of October 15, 2018. Four Ayes.

Approved and Audited Bills

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson and carried to pay all approved and audited bills in the amount of \$536,337.05. Four Ayes.

Presentation – Verizon

A presentation was made by Bryan Tempeo on behalf of Verizon, a copy of which is in the Clerk's Office. The request is to put a small cell tower on the water tower on Highland Avenue or Ridgefield Road. The small cell tower is basically a utility pole about 35-40 feet high with an antenna at the top and all equipment on the pole itself. There are two large cell towers in the area and this smaller one helps the two bigger ones. Potentially it would service a couple hundred users. Trustee Patterson inquired if Verizon checked with the hospital to co-locate on the existing cell towers there. Mr. Tempeo said he would look into it. Trustee McManus said that it has been suggested that the Highland Avenue tank would be removed in the future. Mayor Newhard asked Mr. Tempeo to check out the hospital location first then come back to the Board if the hospital doesn't work out and the Board would consider looking into the other locations.

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Mayor Newhard: Under correspondence this evening we have a Declaration of Covenants and Restrictions of Warwick Commercial Properties LLC.

Trustee Patterson: Can I just ask that we make sure that either Mr. Gaba or Mr. Dickover review that and make sure that they're in agreement with it?

Mayor Newhard: Absolutely.

Trustee Patterson: I was satisfied with it but they're lawyers. He certainly did what we asked him to do, Mr. Singer.

Mayor Newhard: A letter from Albert Wisner Public Library thanking the Village for their support regarding the Warwick Children's Book Festival; a letter from Court Clerk, Karen Vermillion regarding Online Payments to the Justice Court; a letter from Cristina Hohmann, Applefest 2018 Coordinator thanking the Mayor, Board members, Village DPW and employees for their support; a letter from the law office of Elizabeth K. Cassidy regarding Village View Subdivision Public Comment. That was a letter addressed to the Planning Board but then it was also presented to our Board. A letter from Hudson Highlands Environmental Consulting regarding Valley View Cluster Subdivision and again it was addressed to the Planning Board, but it was sent to our Board as well.

Privilege of the Floor

Several Village residents expressed their concerns about the Village View Subdivision before the Planning Board. The Mayor advised the residents to speak at the Planning Board Public Hearing. One resident expressed difficulty in speaking to the Planning Board. The Mayor advised that even though the Public Hearing is closed the residents could still write letters to the Planning Board voicing their concerns.

Motions

Vacation Carryover

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson and carried to grant permission to James Quackenbush to carry over two vacation days. Four Ayes.

Credit Card Payments for Water/Sewer Bills

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus to accept the proposal from Edmunds & Associates Credit Card Program for Water/Sewer Utility Payments at an annual maintenance fee of \$600, a one-time licensing fee of \$600, and a

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one-time fee of \$90 for the purchase of a credit card swipe machine per the recommendation of the Village of Warwick Treasurer – TABLED

Discussion

Trustee Cheney: This is going to enhance the way we do things in a number of different ways. Currently we do accept credit card payments, but this will... because it's being done through Edmunds, who has the software for our billing, that we will automatically be able to populate the payment information by a key stroke as opposed to right now when Diane gets a print out of the information, she has to put it in manually. Also, the Treasurer receives Diane's information and she has to create a spreadsheet to do her bank reconciliation. She will, with a key stroke or two or copy it from the excel spreadsheet that she receives because it can be downloaded into an excel... will be able to more quickly do her bank reconciliation. In addition, they'll also be able to pay at Village Hall by either debit or credit card or as an e-check.

Trustee Patterson: They can pay online as well. The transaction fee is billed to the resident?

Trustee Cheney: Yes. Our only costs in this are the \$600 fee on an annual basis, the \$600 one-time fee and the \$90 for the purchase of the credit card swipe machine. One of the things that we probably need to discuss a little bit is the security for account access. There are basically two options available and they're each at an extreme of the security. I guess it's not so much security but it's the information that is readily available to anyone who might enter the process to make a payment. The most restrictive is you have to have your account number from the bill and a PIN that's on your bill to be able to make the payment.

Trustee Patterson: That makes sense.

Trustee Cheney: The less restrictive one, much less restrictive, is anybody can go in, designate what the property is by address or anything else and then they can bring up that bill.

Trustee Patterson: Is there a difference in the charge that you would have to pay for the more restrictive? Then I think we should go with the more restrictive.

Trustee Cheney: The issue may be with the more restrictive is for certain people they may not have the bill when they want to go pay it. That was one of the concerns that was raised.

Mayor Newhard: I think that's simply addressed by a phone call.

Trustee Patterson: If they came here to pay it Diane could produce it for them, I'm sure.

Trustee Cheney: Yes, that's done all the time. That's done currently.

Mayor Newhard: The Village of Chester has the same...

Trustee Cheney: Yes, they have Edmunds and they do the online payments through Edmunds and they have the security that requires you to enter your account and the PIN.

Trustee Patterson: We've recently used up all that extra space for the message on the water bill.

Trustee Cheney: We have a current message on there now about how to make an electronic payment.

Trustee Patterson: I would definitely do the more restrictive...

Trustee Cheney: I don't know that we've tried it, but the expectation is that it wouldn't be able to be done.

Trustee McManus: I'm assuming if we went with the more restrictive and it created a problem it can be changed.

Trustee Cheney: Yes, definitely.

Trustee McManus: I think we start out that way and they need their account number and a PIN and if the office has people coming in in a panic or anything then we'll talk about it.

Trustee Cheney: There is... thanks for the input on that. Obviously, that's the way we'll go with it. The costs, right now it's \$3.95 for a transaction so if you pay your bill you get a \$3.95 charge that's taken out by the credit card company. This is proposed to be 2.95%. So that's going to be the charge to the customer.

Mayor Newhard: The higher the bill...

Trustee Patterson: Why? How can they differentiate?

Trustee Cheney: It's the way we're doing it now with the other company...

Trustee Patterson: ...which is a flat fee.

Trustee Cheney: It's a flat fee and then this one the way they do it, the company that they have that works with them, that's basically the bank, their fee is 2.95% of your bill.

Trustee Patterson: That doesn't seem right. Can we go back and ask them to do a flat fee? Is that an option? This just doesn't seem right that someone who has a more expensive water bill is going to pay a higher transaction fee.

Mayor Newhard: ...because it's the same transaction.

Trustee McManus: ...(inaudible) the bank charges the same fee to the merchant. It's the same if your bill is \$5 or \$500. It's 2% or 1.75% or whatever your bank is but it doesn't change...

Trustee Cheney: This won't either.

Trustee McManus: I think we need a flat fee.

Trustee Cheney: I don't know that that's available. We can find out. I know that they did try to do a little negotiating relative to whether the fee percentage might be able to be lowered and they were told no.

Trustee Patterson: Can't we use the Edmunds software with our existing merchant services account? The merchant service account that actually processes the credit card is not Edmunds and sometimes you have more than one choice of merchant services account.

Trustee Cheney: I don't believe there is more than one choice. That was not the way it was expressed to me today.

Mayor Newhard: I think we should do a little bit more homework.

Trustee Patterson: Otherwise it's great. I'm happy about it but...

Mayor Newhard: It is great, but I agree, 2.95% should be looked at carefully before we jump in with feet first.

Trustee Cheney: Currently there are approximately 20 payments a month.

Trustee Patterson: But there could be more because this will be easier than the existing...

Trustee McManus: It probably would be more. Right now, they don't have a card machine here to swipe cards, so you have to go online and do it. If there were a machine

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available, we probably would have more, using Official Payments but maybe we need to look at whatever bank Official Payments uses or Official Payments and say how can we do it, having a machine to swipe cards here?

Trustee Cheney: But that won't get us the features that I indicated at the beginning...

Trustee McManus: I would rather give up some of the features and charge the people a flat fee.

Trustee Patterson: I think it's worth it to go back to them and say don't you have more than one option for merchant services. I do. I imagine you have more than I do because I have the specific software.

Trustee Cheney: We can do that.

Trustee Patterson: How many people come in to pay their water bill at all?

Mayor Newhard: A lot.

Trustee McManus: People walk it all the time.

Mayor Newhard: Many people say can I pay by credit card?

Trustee Cheney: Then they go to an ATM and get cash.

Mayor Newhard: I think that this discussion means there's a lot of questions. I'd like to table this until the next meeting and we'll do some fact finding.

Warwick Valley Gardeners

A **MOTION** was made by Trustee Patterson, seconded by Trustee McManus and carried to grant permission to the Warwick Valley Gardeners to hold their annual Garden Tour in Railroad Green on Saturday, July 13, 2019 between the hours of 8:30 a.m. and 4 p.m. with a rain date of July 14, 2019. Completed park permit, security deposit and proof of proper insurance have been received. Four Ayes.

A **MOTION** was made by Trustee Patterson, seconded by Trustee Cheney and carried to grant permission to the Warwick Valley Gardeners to use Railroad Green on Friday, July 12, 2019 from 4 p.m. to 5 p.m. for Pre-Tour ticket sales for the Garden Tour. Completed park permit, security deposit and proof of proper insurance have been received. Four Ayes.

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Chamber of Commerce – Horse & Buggy Rides

A **MOTION** was made by Trustee Patterson, seconded by Trustee Cheney to grant permission to allow the traditional horse & buggy rides to take place by the same fully insured company (Sean Geary) as last year during the holidays in the Village of Warwick. The rides will be offered during the following dates: November 18, December 1, 2, 8, 9, 15 and 16, 2018. The times for the ride will be approximately 11 a.m. until 4

p.m. The route will be the same as last year, starting on Railroad Avenue and continuing to Main Street, then onto South Street, ending back at Railroad Avenue. Proof of proper insurance has been received from all participants – AMENDED

Discussion

Trustee Cheney: The motion doesn't say who we're granting permission to, does it?

Trustee Patterson: It says Sean Geary.

Trustee Cheney: But we're not granting permission to him directly. This is being done through the Chamber.

Trustee McManus: It's on the Chamber's letter of request.

A **MOTION** was made by Trustee Patterson, seconded by Trustee Cheney and carried to grant permission to the Warwick Valley Chamber of Commerce to allow the traditional horse & buggy rides to take place by the same fully insured company (Sean Geary) as last year during the holidays in the Village of Warwick. The rides will be offered during the following dates: November 18, December 1, 2, 8, 9, 15 and 16, 2018. The times for the ride will be approximately 11 a.m. until 4 p.m. The route will be the same as last year, starting on Railroad Avenue and continuing to Main Street, then onto South Street, ending back at Railroad Avenue. Proof of proper insurance has been received from all participants. Four Ayes.

Chamber of Commerce – Free Parking

A **MOTION** was made by Trustee Patterson, seconded by Trustee McManus and carried that free parking be put in place for the period between November 18, 2018 and January 1, 2019. The policy has been much appreciated by our Village merchants in the past and the Chamber is happy to support it. The Warwick Valley Chamber of Commerce would also like to decorate the parking meters as in the past and will coordinate with the DPW if necessary. Four Ayes.

Discussion

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Trustee Patterson: This doesn't mean that our... I'm happy about this. I think it's a boon for the Village for sure, for the merchants in the Village. But I think it's important that we don't give the impression that our parking enforcement officer is on hiatus from November 18th until January 1st. There's still only two hours permitted at the meter, and only three hours permitted in the particular lot or four or twelve hours in the various lots. I think that it's important that if and when we publish this that we say you can still only park for two hours at the meter.

Trustee McManus: All parking rules still apply except for the fee.

Mayor Newhard: We'll do something on Facebook.

Chamber of Commerce – Santa on Railroad Green

A **MOTION** was made by Trustee Patterson, seconded by Trustee McManus and carried to grant permission to the Warwick Valley Chamber of Commerce to have Santa visit the sleigh in Railroad Green on Saturday, December 8, 2018 with a rain date of December 9, 2018 between the hours of 12 p.m. to 2 p.m. The Village to install the sleigh on Railroad Green again this year. Completed park permit, security deposit and proof of proper insurance have been received. Four Ayes.

Chamber of Commerce – Non-Profits on Railroad Green

A **MOTION** was made by Trustee Patterson, seconded by Trustee Cheney to grant permission to the Warwick Valley Chamber of Commerce to have Non-Profits such as the Warwick Valley School District organizations, Warwick Historical Society, Playground Dreams, etc. to sell items such as hot chocolate, warm cider and snacks on Railroad Green on the following days: December 1, 2, 8, 9, 15 & 16, 2018. Proof of proper insurance has been received – AMENDED

Discussion

Trustee Patterson: Whose insurance? Is it the Chamber? Is the Warwick Valley Chamber underwriting all of that or is it the various organizations?

Barbara Ranieri: The organizations.

Trustee Patterson: Have we received insurance from all the organizations?

Barbara Ranieri: We have from the School District and from the Historical Society and we have from the Chamber.

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Trustee Patterson: You do have it from the Chamber?

Barbara Ranieri: Yes.

Trustee Patterson: Because in saying “etc.” in the motion makes it sound like whoever they assign to come in, which for me means that the Chamber is underwriting it. That’s how that translates to me. I could be wrong. If that’s not the case I’d rather, at this point, change the motion to approve only those organizations from which we have received insurance.

Trustee McManus: Or if they are underwriting then specifically name the groups as additionally insured on their policy to us.

A **MOTION** was made by Trustee Patterson, seconded by Trustee Cheney to grant permission to the Warwick Valley Chamber of Commerce to have Non-Profits such as the Warwick Valley School District, Warwick Historical Society, Playground Dreams, etc. providing the Chamber underwrites the participating groups specifically as additionally insured on their Certificate of Insurance to the Village of Warwick - TABLED

Trustee Patterson: I think that's a good idea. We have another meeting before the first week, so we could maybe ask them to clarify? Can we table this? Would you like me to reach out to them?

Mayor Newhard: Raina will reach out to them.

Chamber of Commerce – Farmers' Market

A **MOTION** was made by Trustee Patterson, seconded by Trustee Cheney 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 12 through November 17, 2019 except for Applefest Sunday. Proof of proper insurance has been received. Four Ayes.

Warwick Lions Club – Ringing the Bells

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to grant permission to the Warwick Lions Club to ring bells for the Salvation Army at the business location 33-37 Main Street on the following dates and times: December 8th and 9th between the hours of 10 a.m. and 4 p.m. and December 15th and 16th between the hours of 10 a.m. and 4 p.m. Proof of proper insurance has been received. Four Ayes.

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Final Comments from the Board

Trustee Cheney: Election Day is tomorrow. Everybody please get out and vote. Exercise your right and vote and be part of the solution.

Executive Session

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to go into Executive Session to discuss 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. Four Ayes.

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to go back into the regular meeting. Four Ayes.

Adjournment

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus and carried to adjourn the meeting at approximately 8:40 p.m. Four Ayes.

Barbara Ranieri
Deputy Clerk