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VILLAGE OF WARWICK

INCORPORATED 1867

Village of Warwick Village Board Meeting – July 20, 2020

Pursuant to Governor Cuomo's Executive Order 202.1, Village of Warwick meetings will be conducted virtually through Zoom Videoconference until further notice.

To View the Meeting:

FACEBOOK LIVE - The public may view the meeting live by going to the Village of Warwick's Facebook page: <https://www.facebook.com/VillageofWarwick>

VILLAGE'S WEBSITE – The public may view the meeting a day or so after its completion by going to the village's website: www.villageofwarwick.org

To Comment - During Privilege of the Floor Only:

FACEBOOK LIVE – Comments may be made during the Village Board Meeting through Facebook Live within privilege of the floor by going to the Village of Warwick's Facebook page: <https://www.facebook.com/VillageofWarwick>

TELEPHONE – Comments may be made during the Village Board Meeting by calling the Village Clerk's Office within privilege of the floor at (845) 986-2031 ext. 102.

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
July 20, 2020**

8589

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, July 20, 2020 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, Eileen Patterson, and George McManus. Also, present was: Village Clerk, Raina Abramson and Village Attorney, Stephen Gaba. Trustee, William Lindberg and DPW Supervisor, Mike Moser were absent. There were no others present via Zoom Videoconference. In consideration of the current COVID-19 health crises and pursuant to Governor Cuomo's Executive Order 202.1 the public was able view the meeting and comment during privilege of the floor at the above date and time via Facebook Live on the Village's FB page <https://www.facebook.com/VillageofWarwick>.

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

Acceptance of Minutes

A **MOTION** was made by Trustee McManus, seconded by Trustee Cheney, and carried for the acceptance of minutes: June 15, 2020, July 1, 2020, July 6, 2020

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

Trustee Cheney Aye Trustee Lindberg Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Acceptance of Reports

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried for the acceptance of reports, June 2020: Clerk's Office & Tax Collection Summary, Justice, & Building Department.

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

Trustee Cheney Aye Trustee Lindberg Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson and carried for the authorization to pay all approved and audited claims #20002080 – 21000250 in the amount of \$171,113.19.

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

Trustee Cheney Aye Trustee Lindberg Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

1. Police Report - *Suspended to Streamline Meeting due to COVID-19*

Announcement

1. Village of Warwick Bulk Pick-Up

Correspondence

1. Request from Dr. David Leach to expand the outdoor classroom located at the Hallowed Ground.

Discussion ensued regarding the request from the Warwick Valley Central School District to expand the outdoor classroom located at the Hallowed Ground for the benefit of Park Avenue Elementary School. The Village Board agreed to allow the expansion, subject to revision and the school district providing the Village of Warwick with a certificate of liability.

Discussion

1. Outdoor Dining.

Mayor Newhard explained that this past weekend was the last weekend approved by the NYS DOT for the expanded outdoor dining on Main Street and that the Village has the ability to expand the dates for up to 120 days. Mayor Newhard stated that he reached out to the restaurants and the Warwick Valley Chamber of Commerce who concluded that Sunday was a day they could do without and that they felt that the outdoor dining was very helpful and that the public has embraced it. Mayor Newhard asked the Village Board if they would consider extending the dates pending the approval of the NYS DOT and NYS Liquor Authority.

The Village Board discussed the extension and agreed to close Main Street, Thursday's – Saturday's to the end of August, subject to NYS DOT and NYS Liquor Authority approval, and asked Mayor Newhard to have further discussions with the restaurants located on Railroad Avenue and Spring Street to find out what their specific needs were.

The Village Board also discussed covering the 'Right Turn Only' sign at the intersection of Wheeler Avenue and Main Street only on the evenings of the outdoor dining. Trustee McManus

inquired if the NYS DOT is aware that the Village covers the sign and Trustee Patterson requested to ask the NYS DOT if the sign can be removed because people are turning left regardless.

Privilege of the Floor

Please limit your comments to **five (5)** minutes. If reading a document, please submit a copy to the Clerk. Please note all remarks must be addressed to the Board as a body and not to individual Board members. Please state your name clearly before speaking. These rules are taken from the Handbook for Village Officials – New York State Conference of Mayors and Municipal Officials.

No comments were made.

Expansion of Outdoor Classrooms at Hallowed Ground – Park Avenue Elementary - AMENDED

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson to approve the request of Dr. David Leach for outdoor classes at the Hallowed Ground subject to change or modification of the use and/or location approved by the Village Board and subject to a provision of a certificate of General Liability Insurance naming the Village as an additional named insured in an amount not less than \$1,000,000.

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

Trustee Cheney ____ Trustee Lindberg ____ Trustee Patterson ____

Trustee McManus ____ Mayor Newhard ____

Expansion of Outdoor Classrooms at Hallowed Ground – Park Avenue Elementary

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson and carried to approve the request of Dr. David Leach for outdoor classes at the Hallowed Ground subject to change or modification of the use and/or location approved by the Village Board and subject to a provision of a certificate of General Liability Insurance naming the Village as an additional named insured in an amount not less than \$1,000,000 per incident, \$2,000,000 per aggregate.

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

Trustee Cheney Aye Trustee Lindberg Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Engineering Design Services for Well #3 - Pitingaro & Doetsch Consulting Engineers, P.C.

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson and carried to accept the proposal and authorize the Mayor to enter into a contract with Pitingaro and Doetsch Consulting Engineers, P.C. to provide engineering design services for Well #3 Treatment System based on the proposal dated June 13, 2019 at a fee not to exceed \$40,700. Funds are appropriated in budget code F1440-4950 in the 2020-21 budget.

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

Trustee Cheney Aye Trustee Lindberg Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Final Design & Bidding Services for the WWTP Improvement – Barton & Loguidice

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson and carried to accept the proposal dated July 7, 2020 for engineering services from Barton & Loguidice for Final Design and Bidding Services for the Wastewater Treatment Plant Improvements Project and authorize the Mayor to enter into an agreement for the same at a total lump sum fee of \$798,000. Funds are appropriated in budget code G1440-4950 in the 2020-21 budget.

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

Trustee Cheney Aye Trustee Lindberg Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Vertical Spiral Screen, Orchard St. Pump Station – Payment #1, TAM Enterprises

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus and carried to approve payment #1 in the amount of \$9,025 to TAM Enterprises, Inc. for the Vertical Spiral Screen for the Orchard Street Pump Station Project which includes payment for bonding and insurance per the recommendation of the Village Engineer, David Getz. Funds are appropriated in budget code G.8120.4950 in the 2020-21 budget.

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

Trustee Cheney Aye Trustee Lindberg Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Vacation Carry-Over – Art Wendel

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson and carried to grant permission to DPW employee, Art Wendel, to carry over 15 vacation days.

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

Trustee Cheney Aye Trustee Lindberg Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Facility Use – Memorial Park Football Field, Warwick Youth Football & Cheer

A **MOTION** was made by Trustee Patterson, seconded by Trustee McManus and carried to grant permission to Warwick Youth Football and Cheer to use the football field in Memorial Park for practices and games from August 1, 2020 through November 30, 2020 pending Governor Cuomo's Executive Orders, NYS Regional Phased Reopening Plan, and NYS Department of Health. Completed park permit, proof of proper insurance, and security deposit have been received. It is the responsibility of Warwick Youth Football and Cheer to enforce that parking is in the designated parking lot and not in the grass on the entrance roads. Warwick Youth Football and Cheer will also be responsible to reimburse the Village of Warwick for Orange & Rockland electric charges for use of the lights in Memorial Park.

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

Trustee Cheney Aye Trustee Lindberg Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Facility Use – McFarland Parking Lot & Pavilion, Fit Body Boot Camp - AMENDED

A **MOTION** was made by Trustee Patterson, seconded by Trustee McManus to grant permission to Fit Body Boot Camp to use the parking lot on McFarland Drive for outdoor fitness classes from July 21, 2020 through September 1, 2020 with daily sessions from 6:00 a.m. to 9:00 a.m. & 4:00 p.m. to 6:00 p.m., including use of the pavilion in Memorial Park during inclement weather, pending Governor Cuomo's Executive Orders, NYS Regional Phased Reopening Plan, and NYS Department of Health. Completed park permit, proof of proper insurance, and security deposit have been received.

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

Trustee Cheney ____ Trustee Lindberg ____ Trustee Patterson ____

Trustee McManus ____ Mayor Newhard ____

Discussion

Trustee McManus stated that Fit Body Boot Camp should understand what the music volume limits will be, especially at the 6:00 a.m. class. The Village Board agreed that they must respect the music limits if any is used. Mayor Newhard stated that the initial request was for the use of the Memorial Park parking lot, but due to the other activities that were already approved in the park it is suggested to have the classes further down, but the noise is a concern. The Village Board also discussed the use of the McFarland parking lot and preferred Fit Body Boot Camp to use the pavilion in Memorial Park and the surrounding grassy area.

Facility Use – Memorial Park Pavilion, Fit Body Boot Camp

A **MOTION** was made by Trustee Patterson, seconded by Trustee Cheney 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 July 21, 2020 through September 1, 2020 with daily sessions from 6:00 a.m. to 9:00 a.m. & 4:00 p.m. to 6:00 p.m., pending Governor Cuomo's Executive Orders, NYS Regional Phased Reopening Plan, and NYS Department 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 Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Facility Use – Stanley-Deming Handball Court, Wickham Works - AMENDED

A **MOTION** was made by Trustee Patterson, seconded by Trustee Cheney to grant permission to Wickham Works to paint 'postcards' on one side of the handball wall located in Stanley-Deming Park, including a single giant postcard on the opposite side of the wall, as part of the Words from Warwick community public art project. Facility use permit, proper insurance, and security deposit have previously been received as part of the Words from Warwick application approved on June 15, 2020.

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

Trustee Cheney ____ Trustee Lindberg ____ Trustee Patterson ____

Trustee McManus ____ Mayor Newhard ____

Discussion

Trustee Cheney suggested to ask Wickham Works to provide any artwork and wording to the Mayor for his review and preapproval. Mayor Newhard explained that different artists will be creating the postcard and agreed that there should be some oversight.

Facility Use – Stanley-Deming Handball Court, Wickham Works

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson and carried to grant permission to Wickham Works to paint ‘postcards’ on one side of the handball wall located in Stanley-Deming Park, including a single giant postcard on the opposite side of the wall, as part of the Words from Warwick community public art project. The artwork and wording to be submitted to the Mayor for preapproval. Facility use permit, proper insurance, and security deposit have previously been received as part of the Words from Warwick application approved on June 15, 2020.

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

Trustee Cheney Aye Trustee Lindberg Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Discussion

2. Skatepark Banner

Mayor Newhard explained that a banner was put up on the skatepark, which was discussed during the last meeting, but normally as a Board, it is discussed when banners are placed in alternate locations. Trustee Patterson stated that we asked the Warwick Skatepark Initiative to provide a banner request, including insurance.

General Village Election – September 15, 2020

A **MOTION** was made by Trustee Patterson, seconded by Trustee McManus and carried to hold the General Village Election at the Goodwill Hook & Ladder Company, 25 Church Street Extension, on Tuesday, September 15, 2020. The polls will be open from 6:00 a.m. to 9:00 p.m.

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

Trustee Cheney Aye Trustee Lindberg Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Extension of Outdoor Dining on Main Street

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson and carried to submit to the New York State Department of Transportation the proposed application for a COVID-19 Recovery Temporary Use Permit allowing temporary closure of a portion of Main Street (Route 94) to permit outdoor dining, and upon approval of the application by the DOT, to close the roadway on Thursday's, Friday's, and Saturday's through August 29th from 4:00 p.m. to 11:00 p.m.

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

Trustee Cheney Aye Trustee Lindberg Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Reports: *Suspended to Streamline Meeting due to COVID-19*

Final Comments from the Floor – No comments were made.

Final Comments from the Board

Trustee Patterson stated that she had several people reach out to her since the last meeting who noticed the signs that are placed throughout the Village reminding people to wear masks, and a question she received several times was, 'What happens if I see somebody not wearing a mask?' Mayor Newhard stated that signs were posted for the purpose to try to create a zone around the outdoor eating areas, however beyond that, it's up to the individuals. The Village Board discussed the importance of wearing masks and who is responsible for the enforcement. Mayor Newhard stated that he will contact NYCOM, NYMIR, and the Orange County Department of Health for further guidance and clarity on this issue.

Executive Session

A **MOTION** was made by Trustee Patterson, seconded by Trustee Cheney and carried to go into executive session to seek the confidential advice of counsel.

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

Trustee Cheney Aye Trustee Lindberg Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Adjournment of Executive Session

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried close the executive session and resume the regular meeting.

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

Trustee Cheney Aye Trustee Lindberg Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye

Adjournment of Regular Meeting

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson and carried to close the regular meeting at approximately 9:00 p.m.

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

Trustee Cheney Aye Trustee Lindberg Absent Trustee Patterson Aye

Trustee McManus Aye Mayor Newhard Aye