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VILLAGE OF WARWICK

INCORPORATED 1867

Village of Warwick Village Board Meeting

October 15, 2020 - 10:00 a.m.
Special Meeting Minutes

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
OCTOBER 15, 2020 - 10:00 A.M.
SPECIAL MEETING**

8643

A Special Meeting of the Board of Trustees of the Village of Warwick was held on Thursday, October 15, 2020 at 10:00 a.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 were: Village Attorney, Stephen Gaba and Village Clerk, Raina Abramson. 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 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, led in the Pledge of Allegiance, and read the Special Meeting Public Notice.

The Clerk held the roll call.

Discussion

1. Village Assessor

Mayor Newhard stated that an email was received from the Village's former Assessor, Rick Hubner, who had concerns regarding the timing of hiring a new Assessor. Mayor Newhard explained that the Village did publish an advertisement, and has only received one response besides Ms. Eurich, and the response was from an individual who was not qualified as far as the Civil Service qualifications the Village has to meet. Mayor Newhard expressed that he felt the Village should move on this matter and hire Ms. Eurich at this point because it could begin to affect senior and veterans' exemptions. Mayor Newhard also explained that next year the Village could put a note on the calendar prior to reorg, should the Village wish to get a greater feel for the position or to explore going with the Town roll.

Part-Time Village Assessor - Deborah A. Eurich

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg, and carried to appoint Deborah A. Eurich to the position of Part-Time Assessor for the Village of Warwick at a salary of \$12,000 per year.

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

Discussion

Trustee Cheney inquired if the individual to be hired would be an employee of the Village of Warwick, and not a contractor. Mayor Newhard that yes, the new hire would be an employee, which after consulting with NYCOM, is the way the position should have been. Trustee Cheney confirmed that the salary would be paid on a per annum basis, with the established salary broken down into monthly payments. Trustee Cheney agreed that the matter was something to continue to investigate, including the practices that the Village should better understand. Trustee Bachman expressed that based on Ms. Eurich's resume, she seems very qualified and due to the backlog, it is pressing that the Village hires someone as soon as possible.

2. Corinthian Equestrian Center – Headless Horseman

Mayor Newhard explained that the Village had discussions with the Headless Horsewoman who has visited the community many times in the past three years, but in the overall arching issue of COVID-19 and since the streets are closed for expanded outdoor dining, it became clear from Facebook posts that the activity has become an event.

Mayor Newhard stated that by State Traffic Law, horses can be ridden through the Village, but transportation is one matter and entertainment is another. Mayor Newhard also stated that the Village reached out to Corinthian Equestrian Center and expressed that an insurance certificate is required, along with Board approval. Mayor Newhard said that Corinthian is unable to acquire the insurance and that he wanted to Board to understand the backstory, and expressed that although it is a fun activity, it is public safety that is of great importance to the Village.

Trustee Lindberg explained that he read that Greenwood Lake is going to allow the owner of Corinthian to ride down the street. Trustee Lindberg also stated that at the first Apple Eve, the headless horseman road down street while Railroad Avenue was closed, which was a different circumstance.

Mayor Newhard explained that in the past it was a spontaneous event, but it has grown overtime. Mayor Newhard also explained that he consulted with Village Attorney, Steve Gaba, as well.

Village Attorney, Steve Gaba, explained that he understands that there is a history and that other villages are allowing the rides to occur, however he expressed that it is an event that requires Village permission and absolutely should have insurance. Mr. Gaba stated that a lot of things that could go wrong with having someone ride down the streets on a horse, particularly if people are lining the sidewalks, the village would be looking at a liability. Mr. Gaba expressed that although the Village has insurance, it is not unlimited insurance, and the Village certainly should have a policy from the person holding the event. Mr. Gaba stated that if the Village wanted to make an exception, it could and that it's not illegal to allow someone to conduct an event without having insurance, however it is unwise. Mr. Gaba explained that in particular, during this time with the

concern of the uptick in COVID, if the Village has a Headless Horseman event in Warwick, and given the past popularity of Halloween events, that it is likely that crowds of people will attend. Mr. Gaba also stated that Governor Cuomo has recently threatened that if municipalities do not enforce mask wearing within their municipal boundaries, they could be fined up to \$15,000 per day, therefore the Village would have to have sufficient COVID protocol in place during an event, or it faces an even greater potential for liability.

Trustee Cheney stated that to his understanding in the past, the appearance of the Headless Horsewoman has been more of a spontaneous situation or it has aligned itself with one of the events such as the Halloween parade. Trustee Cheney explained that publishing a schedule takes it from a spontaneous activity to an event and agreed that insurance requirements are necessary.

Mayor Newhard explained that Main Street is closed for outdoor dining and the Village is not allowing any other activities in an effort to not attract crowds and allow for social distancing, leaving little space for two horses.

Trustee McManus suggested that the event could be moved to Railroad Avenue and South Street. Mayor Newhard agreed, but reiterated the insurance issue, and suggested that someone may be able to cover the insurance to make the event happen.

Trustee Cheney confirmed with Mayor Newhard that when the Chamber of Commerce holds the holiday carriage rides, the Village obtains insurance from both the Chamber and the individual who owns the horses and carriage.

Trustee Lindberg suggested that the Village thanks the owner of Corinthian Equestrian Center for offering the event and to see what happens next year.

Trustee Bachman inquired if it was a matter of Corinthian Equestrian Center not being able to obtain insurance by this meeting or in general. Mayor Newhard explained that it was matter of an unexpected additional cost for the insurance certificate. Trustee Bachman agreed that insurance was necessary, so maybe the event could take place next year.

Trustee McManus asked the Village Board to place the matter on the October 19, 2020 agenda.

Executive Session

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus, 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 Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Discussion

Trustee Cheney stated that returning from Executive Session there will be no actions taken by the Board.

In Executive Session:

Present: Mayor Michael Newhard, and Trustees Barry Cheney, William Lindberg, Corey Bachman, and George McManus.

A **MOTION** was made by Trustee Cheney, seconded by Trustee McManus, and carried to exit Executive Session and resume the regular session of Village Board meeting.

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

Adjournment of the Regular Meeting

A **MOITON** was made by Trustee Cheney, seconded by Trustee McManus, and carried to adjourn the Village Board meeting at approximately 12:00 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