

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
MARCH 18, 2019**

**8037**

The regular bi-monthly meeting of the Board of Trustees of the Village of Warwick was held on Monday, March 18, 2019 at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present were: Mayor, Michael J. Newhard, Trustees: Barry Cheney, William Lindberg, Eileen Patterson and George McManus. Also, present were: Village Clerk, Raina Abramson, Village Attorney, Stephen Gaba and DPW Supervisor, Michael Moser. Others present: Kati Bisaro, Lt. John Radar, John Bolger, Chip Murray, Alfredo Pacheco, Mateo Rodriguez, Rachel Bertoni and others.

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

**Acceptance of Minutes**

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to accept the Minutes of February 19, 2019 & March 4, 2019. Five Ayes

**Acceptance of Reports**

A **MOTION** was made by Trustee McManus, seconded by Trustee Cheney and carried to accept the Reports of – February 2019: Clerk’s Office, Justice, Building, Planning Board & ZBA. Five Ayes

**Authorization to pay all Approved and Audited Bills**

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to authorize to pay all approved and audited bills in the amount of \$446,591.03. Five Ayes

**Police Report**

No report at this time.

**Announcement**

Trustee Cheney: The Village of Warwick will again have the Brush Disposal Program. Valid picture ID showing Village Residency will be required at the site.

Only Village of Warwick Residents will be allowed to dispose of brush at the disposal site. The disposal area is located at the Village of Warwick Department of Public Works site in Memorial Park. No commercial operators will be permitted. Brush cannot exceed 6” in diameter. Bagged leaves will be accepted (paper bags only). No grass clippings are allowed.

Hours of Operation:

April/May/June - Saturday & Sunday's 12:00 pm-4:00 pm  
July/August/September - First and Third Weekends 12:00 pm-4:00 pm  
October/November – Saturday & Sunday's 12:00 pm-4:00 pm  
Site closed Applefest Sunday

Mayor Newhard: So, that will be on our Facebook page, website, and in the Warwick Valley Dispatch.

### **Correspondence**

#### 1. Orange County Transportation Council – Free Pedestrian Road Safety Audit

Mayor Newhard: They were informing us about a free pedestrian road safety audit and there was a deadline on it so I did respond to it and said that we were interested and we will be hearing more about what it actually entails but I thought that it could be a very helpful tool.

Trustee Patterson: Is the Town receiving the same opportunity? Because it could be a way to bring back the Safe Route to Schools because this would be great information to put towards a grant for that.

Mayor Newhard: Yes.

Trustee Cheney: My thinking was the intersection of Colonial and Maple and Main and Forester.

Trustee Patterson: Oh, yes.

Trustee Cheney: All of those streets right in there. We've looked at it but this might be an opportunity to have some other professionals look at it that do control the funding so I thought that it might be one to consider.

Mayor Newhard: And I just received a notice from the Citizen's Foundation about a workshop that they are going to have and the name of it is, "Is Your Main Street a NYS Highway?" Which ours is, Route 94, and so there's going to be actually a representative from DOT at this work session and Barry is going to come with me and it should be very interesting. I wanted Mike to come but he is doing training down in Rockland County, but I think it should be very interesting.

### **Presentation**

John Bolger from KC Engineering made a presentation regarding the Well #3 Treatment Evaluation Report.

**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.

Mayor Newhard: While John is breaking down, we will open it up to the privilege of the floor if you'd like to speak to the board please raise your hand.

Chip Murray: Yes, Mayor, Chip Murray. We were here last meeting on the 4<sup>th</sup> to talk about the parade, the Choose Life Parade. Originally, it was planned for April 27<sup>th</sup>. We were given the 11<sup>th</sup> or 18<sup>th</sup> as viable options and we agreed, everybody thought the 11<sup>th</sup> would actually work out better than the 27<sup>th</sup>.

Mayor Newhard: Oh, good.

Chip Murray: Yeah and the timeframe would fall in the same timeframe. We adjusted the route to comply to step off on High Street, down Main and end up at Railroad Ave.

Mayor Newhard: Great, very good. Thank you for doing the leg work, I appreciate it. It's on the agenda for tonight as a motion.

Mayor Newhard: Anyone else? Hi Alfredo, how are you? Good evening.

Alfredo Pacheco: Good evening everybody. I'm still here and I'm going to be coming here. Mateo is here also, and I talked to him about what we talk about and they just want to try and be here to see what else can happen. They were just talking about that; they say you'll probably like to stop it; ok They say that they have been treated good and they understand that. But is there any other way they can, that will make them feel like part of something.

Mayor Newhard: Right

Alfredo Pacheco: I was just saying, yes, but it's not something I'm saying, it's like you should talk to them and ask them because I'm not the person that is going to give them atonement. So, that's why they ask me, can we say that? I say, yes, you can say whatever you think is necessary for you. How do you feel about that? So, they are here.

Mayor Newhard: Good, good. Would you like to have the floor? Please and state just your name and...

Mateo Rodriquez: My name is Mateo Rodriquez and I am going to say a little of what I can speak. Even when I see someone, like Barry Cheney, he comes to the store where I work. Before, I didn't know him, and I've come here a few times and now I know him. The first time he opened the door, I felt so happy just to see him because before I didn't recognize him and who he was so even he recognized me, and I said yes. It was my pleasure to help him to get what he was going to get in the store. Also, I work with other people at my job and one of my friends where I work, he is going to Israel. He asked me to come with him and I am afraid to tell him that I don't have any kind of ID and I feel a little shy. I don't know what to say. He asked me if I have any identification or something like and I say I have my passport, but it's not for the United States, it's for my country. He started laughing and said oh, that's not good. You should get an ID for New York. I said, I can't get it. That's the reason, that's my point, that's in your hands.

Mayor Newhard: Well, I can tell you this, this is a discussion and a dialogue that started and will continue to go on and like I mentioned at the last meeting, I plan to go to one of your weekly meetings in the near future, actually if you could email me when the next one is, that would be great because I'd like to attend and Eileen wanted to come too, so we would like to see the families that are there and to talk with them directly about next steps and the folks we had in that focus group that were around the table, they were eager to hear too. So, that is all part of what this is about and in essence it maybe goes beyond just a photo ID, but it's not that it's not... we also have to see some of the other models. For example, yes, they did create one in Poughkeepsie and they did create one in Middletown, but they haven't even given them out yet. So, it's just new and so this Board, we're a small village and we take our steps carefully and with great consideration and we want you to feel that you are part of our community, but we have to see what's the best way too. So, that's the long way of saying that we are with you and this conversation continues.

Trustee McManus: But for the record, Middletown did start issuing them.

Mayor Newhard: Ok, they did, ok.

Alfredo Pacheco: The did start and I just wanted to mention something that happened in the first two days. There were a lot of people there and if you see the faces of those people when they walk out there, they feel so proud of being a part of Middletown. There is nothing else like seeing a person walk out of there crying just because they can finally say that they are from Middletown. Somebody wrote an article because he was there when they received the municipal ID, I think his last name is Green and he is part of the council. He was there and he watched that, and he was like, I can't believe that something like can make a difference for them. But I guess, it's like, we don't know what they go through until we really see it. It can be something very not important for some people, but for other people it means a lot. So, I guess you can see that, so in two days there were one-hundred and fifty-eight people who already had a municipal ID so it's

making a change and they are charging \$15 a piece so if you count the numbers, that thing pays for itself in no time, but I mean we have to talk about the next steps.

Mayor Newhard: Yes.

Alfredo Pacheco: So, they feel that.

Mayor Newhard: Yes.

Alfredo Pacheco: Thank you.

Mayor Newhard: Thank you and I appreciate you coming to our meetings. It's very important and you are a voice in our community and that's what these meetings are about.

Alfredo Pacheco: Great, thank you. I can see and recognize more people and see who they are, and they can know who I am too, and I feel comfortable.

Mayor Newhard: Thank you.

**Barton & Loguidice – Engineering Services for Water Storage Tank Improvements**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to accept the proposal from Barton & Loguidice dated January 3, 2019 for Engineering Services for Water Storage Tank Improvements at the Reservoir Storage Tank for a lump sum fee of \$108,800 and authorize the Mayor to enter into an Agreement for the same. Five Ayes

**Annual Chemical and Refuse Bid**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to go out to bid for the following: Chemicals for the Water and Sewer Plant to include delivery to Water Plant, Well #2, Well #3, and the Micro Filtration Plant. Refuse - pickup and delivery of 30-yard refuse container on an as per need basis. Bids will be for the Fiscal Year June 1, 2019 through May 31, 2020. Bid opening to be held April 12, 2019 at 12 p.m. at Village Hall, as per the recommendation of the DPW Supervisor. Five Ayes

**Discussion Prior to Vote**

Trustee Cheney: The refuse costs are going to go up significantly, probably twenty to twenty five percent because of the disposal costs. The disposal costs have gone from \$80, almost \$90 to \$104 - \$105.

Mayor Newhard: Did you count that in your budget?

Mike Moser: Accordingly.

Trustee Cheney: Yes.

Mayor Newhard: Ok, thank you.

**Employee Training - Rescind February 19, 2019 Motion – Boris Rudzinski**

A **MOTION** was by Trustee Cheney, seconded by Trustee Lindberg and carried to rescind the motion made on February 19, 2019 to grant permission to Boris Rudzinski to attend the Hudson Valley CEO Educational Conference on April 24 through 26, 2019. Five Ayes

**Employee Training – Boris Rudzinski, Building Inspector**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to grant permission to Boris Rudzinski, Building Inspector, to attend the Hudson Valley CEO Educational Conference at the Poughkeepsie Grand Hotel as per the attached agenda on April 24, 25, and 26, 2019 at a cost of \$300 for registration. The request includes use of the Building Department vehicle, overtime and travel time outside of the regular workday. Five Ayes

**Employee Training – Boris Rudzinski, Building Inspector**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to grant permission to Boris Rudzinski, Building Inspector, to attend the NYSBOC Training Wednesday, March 27, 2019, at a cost of \$60.00 for registration. This training will be held in Chester, NY at the Castle Fun Center from 7:30 a.m. to 4:00 p.m. Mileage reimbursement, travel time and overtime are not required. Five Ayes

**Employee Training – Michael Moser, DPW Supervisor**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to grant permission to Michael Moser, DPW Supervisor, to attend the NYSBOC Training Wednesday, March 27, 2019, at a cost of \$60.00 for registration. This training will be held in Chester, NY at the Castle Fun Center from 7:30 a.m. to 4:00 p.m. Five Ayes

**Facility Use – Railroad Green – Bertoni Gallery**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Patterson and carried to grant permission to Bertoni Gallery to hold a Peace, Love, Music and Art Festival on Railroad Green

on Sunday, June 2, 2019 from 10:00 a.m. to 6:00 p.m. and allow them to use five parking spaces in front of Railroad Green for unloading and loading. Completed park permit, security deposit and proof of proper insurance have been received. Five Ayes

**Discussion Prior to Vote**

Trustee Cheney: I guess I had a question about it because it seems like they are stating that there are services and items that are going to be for sale there on that day. Do we know if there is going to be a fee for exhibitors?

Rachel Bertoni: Yes.

Trustee Cheney: And how much would that fee be?

Rachel Bertoni: \$40.00

Trustee Cheney: Alright.

Raina Abramson: May I also say, I'm sorry, but the rain date was actually graciously given up for the request of the Pride Parade that will be coming up at the next meeting. She was kind enough to open that up, so I actually crossed that out on the request.

Trustee Lindberg: Ok.

Mayor Newhard: Any other questions?

**Facility Use – Memorial Park – Warwick Masonic Lodge # 544**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney and carried to grant permission to the Warwick Masonic Lodge #544 to hold their annual Lobster Bake in the Memorial Park pavilion, including the use of alcohol within the park, on Sunday, June 9, 2019 from 7:00 a.m. to 8:00 p.m. Tables and chairs and bathrooms are requested. Completed park permit, security deposit, and proof of proper insurance including Host Liquor Liability have been received. Five Ayes

**Village of Warwick Background Check Policy**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Patterson and carried to adopt the Village of Warwick Background Check Policy effective March 18, 2019. Five Ayes

**Discussion Prior to Vote**

Trustee Patterson: Just confirming that this policy includes probationary period as well.

Stephen Gaba: Yes, it is not in the language, but it would apply.

Trustee Patterson: Ok.

Stephen Gaba: Do you want to add it?

Trustee Patterson: Yes.

Stephen Gaba: Where will we insert it in?

Trustee Patterson: Well, where it says that this policy is applicable to all prospective employees, can't we just say...

Stephen Gaba: Where is that?

Trustee Patterson: In the first paragraph...to say that prospective and probationary employees.

Trustee Lindberg: But if you're hired, you're hired right?

Mayor Newhard: Well, there's a probationary period.

Trustee Lindberg: But you're hired.

Trustee Patterson: Unless...

Mayor Newhard: Unless something is found.



Trustee Patterson: It comes up in a background check.

Stephen Gaba: A true probationary employee is different than permanent employees. There is no question about that so if you want to make it applicable to probationary, you can just carry on with that. They will probably be duplicative going forward because there will be a background check before they are probationary. This just kind of covers this interim period.

Trustee Patterson: How long is the probationary period, is it three months?

Raina Abramson: Well, this is Civil Service and Civil Service has a six-month probationary period, as long as this is applicable are we ok with that. The individual that was recently hired wasn't hired with a specific probationary period that was presented to them.

Stephen Gaba: How could they not have a specific...oh, because it's under Civil Service.

Raina Abramson: Yes. And that's acceptable?

Stephen Gaba: Yes, they would count the same, absolutely.

Trustee Cheney: Just a question, on the implementation section it says that the Mayor and the Village Board of Trustees shall determine if any individual does not meet the Background Check Policy standards and then appealing a disqualifying report is then made to the Village Board. I guess I don't...it just seems like that's not a real appeal option because the ones that took the action and said your disqualified are the ones that are going to tell you whether you're disqualified or not if you appeal.

Stephen Gaba: I thought the Mayor made that determination initially? It's the Mayor and the Board?

Trustee Cheney: Under implementation on the first page it says the Mayor and the Village Board of Trustees shall determine if any individual is not...

Stephen Gaba: It does.

Trustee Cheney: I'm fine with it being just the Mayor.

Stephen Gaba: The Village Board shall convene in Executive Session, yes it really should probably be, you're right. It makes no sense to appeal to you from your own decision.

Trustee Cheney: Unless there's new information.

Stephen Gaba: So, yes, I would think you would want under implementation to see in the last sentence where it says, 'The Mayor and the Village Board' you should just make it the Mayor. And then you can have the appeal to the full Board in the event that they are not satisfied with the determination. That way the appeal process makes sense.

Mayor Newhard: Ok.

Trustee Cheney: Then I guess, relative to our employees that are under the age of eighteen, I understand why there are certain sealed records that we can't access. If we were to ask for a background check, those records wouldn't come through on a background check so I guess I don't see where why we would have liability in that case and a background check would include traffic violations and things like that which might be pertinent to a decision we make when hiring an employee under the age of eighteen.

Stephen Gaba: Well, if you wanted to so limit the background check, you could but there's a provision, it's a Human Rights Law that says that it is illegal to even ask a minor about if they have sealed convictions as a minor, sealed records anything along those lines.

Trustee Cheney: All we are asking them to do is to give us the right to do a background check and if we do a background check we're not going to get that information.

Stephen Gaba: That's true but you can't even ask them about it. So, if you said you wanted to do a background check but we're not going to look into any convictions as a minor or sealed records, that would be fine. You'd probably get traffic violations, but you can't say, give us permission to do a background check even though we know we're not going to get sealed records, it's illegal to ask.

Trustee Cheney: Ok.

Mayor Newhard: Ok.

Stephen Gaba: I mean as a condition of employment.

Trustee Patterson: Except the background check and the results of the background check will be a condition of employment.

Stephen Gaba: Well, yes, but I mean if you said you have to authorize a background check excepting out these type of items, you could probably get away with it but I've never heard of a background check that was so limited though. Background checks are pretty standard, they just look.

Trustee Cheney: But they wouldn't find anything because it's sealed.

Stephen Gaba: They wouldn't but when you ask the employee to sign off on allowing background checks, if you don't limit it saying, but we're not going to look at convictions as a minor and sealed records, you're violating the Human Rights Law, so you'd have to ask them to authorize a background check and say alright it's accepting out these things. Now you're going to turn to whoever is doing your background check and say I want you to background check but not look into these items. I don't know if people who do the background checks so limit their research.

Trustee Cheney: Then if we're not going to do a background check on anyone under eighteen, I think that we need to have a policy that says no employee under eighteen can drive a village vehicle.

Trustee McManus: Well, I think someone under eighteen we should be able to run their drivers abstract without any legal issues.

Stephen Gaba: You can for DMV violations, that's not an issue.

Trustee Patterson: Do we have employees who are teens driving village vehicles?

Trustee Cheney: The rec. program is full of them.

Trustee Patterson: They drive village vehicles?

Trustee Cheney: Well, I don't know that they drive village vehicles?

Mayor Newhard: I don't think so.

Trustee Cheney: No.

Trustee Patterson: It should be spelled out that they can't, yes.

Trustee Cheney: Who knows what might happen if somebody who didn't know the policy and was part of the rec program said why don't you take that vehicle and go there and get that and it was a seventeen-year-old that had a license?

Trustee Patterson: Well, yes, we just need to make sure that that never happens. I mean there should be a policy separate that says that Mr. Introini...I agree 100% Barry.

Mayor Newhard: Ok, so the follow up on that I think has to be a discussion or a policy outside of this. We have a second with corrections, ok.

Trustee Patterson: Do you have the changes?

Raina Abramson: I do, yes.

**Village of Warwick Investment Policy - Tabled**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Patterson to adopt the Village of Warwick Investment Policy effective March 18, 2019.

**Discussion**

Trustee Patterson: I remember when we rewrote the bond language several years ago with an eye towards making sure that it wasn't just one person who's overseeing every aspect of the investments, which I guess would be for Mr. Vernieri. Are we putting the oversight of all of our investments under one person's responsibility or is there...I don't see any place where there's like, and the Mayor will review or...you know. This is, just as a policy not personnel, but just as policy just think it makes sense for us to have more checks in balances in place, which is not to imply that Mr. Vernieri wouldn't have thought of that, but I would before we put this into action

I

would just like to have a conversation with Michael Vernieri asking those questions and we will see him next week so maybe we can make it part of that meeting.

Mayor Newhard: Yes.

Trustee Patterson: If that's ok. Unless...I mean that's my opinion.

Mayor Newhard: No, I think that makes sense. I mean we do have the language in the bonding that does that, but I agree.

Trustee Patterson: But that may supersede that, just in general.

Mayor Newhard: So, it's well worth taking a closer look.

Trustee Patterson: Even the second eyes the Deputy Treasurer or the Mayor or whatever.

Trustee Cheney: I also had a question that I reached out to our Treasurer about, but I haven't gotten an answer back. It wasn't going to do anything to hold it up tonight, but we'll be able to get an answer to that as well.

Trustee Patterson: Ok, good.

Mayor Newhard: So, we are going to table the motion.

A **MOTION** was made by Trustee Patterson, seconded by Trustee Cheney to table the motion to adopt the Village of Warwick Investment Policy effective March 18, 2019. Five Ayes

**Edmunds & Associates Credit Card Program WIIP – Water/Sewer Utility Payments**

A **MOTION** was made by Trustee Patterson, seconded by Trustee McManus and carried 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 one-time fee of \$90 for the purchase of a credit card swipe device. Five Ayes

**Discussion Prior to Vote**

Trustee Cheney: Question, I thought it was \$95, but maybe I'm wrong? How soon are they supposed to have the new swipe machine that is going to cost an additional two hundred and something dollars?

Raina Abramson: They don't even know.

Trustee Cheney: They don't know.

Raina Abramson: They don't know.

Trustee Cheney: Are they going to give us a \$90 credit off the \$290?

Raina Abramson: They can't, because they don't even know. It was something that he probably shouldn't even have mentioned when provided the PowerPoint and that's what he said.

Trustee Cheney: No, he should have mentioned it.

Raina Abramson: No, but it's something that's just in talk and they don't have a timeline, they don't even know when it's going to roll out and it may end up being the only option, so we may have to switch – we may not have to switch.

Trustee Cheney: Ok.

Mayor Newhard: Ok.

Trustee Cheney: It's a good step forward.

Trustee Patterson: Definitely, yes.

Mayor Newhard: Absolutely.

Raina Abramson: Yes.

**Employee Training – Michael J. Newhard, Mayor & Trustee William Lindberg**

A **MOTION** was made by Trustee Patterson, seconded by Trustee McManus and carried to grant permission to Mayor, Michael J. Newhard and Trustee William Lindberg to attend the NYMIR Discrimination & Harassment Complaint/Investigation Process Train-the-Trainer Seminar on April 11, 2019 from 8:30 a.m. to 11:30 a.m. at the Emergency Management Office, 22 Wells Farm Road, Goshen, NY at no cost for registration. Mileage reimbursement is applicable. Five Ayes

**Employee Training – Michael J. Newhard, Mayor**

A **MOTION** was made by Trustee Patterson, seconded by Trustee Cheney and carried to grant permission to Mayor, Michael J. Newhard to attend the NYCOM Annual Meeting from Sunday, May 5, 2019 through Tuesday, May 7, 2019 at the Otesaga Hotel in Cooperstown, NY at a cost of \$285 for registration and \$320 per night for lodging and meals. An additional \$130 per night for lodging and meals will be paid directly to the hotel by Mayor Newhard in order to include a guest. Mileage reimbursement is applicable. Five Ayes

**Facility Use & Parade – Railroad Green – Warwick Valley Council Knights of Columbus**

A **MOTION** was made by Trustee McManus, seconded by Trustee Cheney and carried to grant permission to the Warwick Valley Council Knights of Columbus #4952 to hold a “Choose Life Parade” on May 11, 2019 and use Railroad Green from 1:00 p.m. to 3:00 p.m. The parade will promptly step off at 1:00 p.m., with lineup beginning at 12:45 p.m. on High Street per the letter dated March 6, 2019. The parade route will be as follows: High Street, Main Street, Oakland Avenue to Railroad Avenue. Town of Warwick Police Department approval, completed park permit, proof of proper insurance and security deposit have been received. Five Ayes

**Road Closure – High Street – Choose Life Parade**

A **MOTION** was made by Trustee McManus, seconded by Trustee Cheney and carried to close High Street on Saturday, May 11, 2019 from 12:45 p.m. to 1:15 p.m. for the benefit of the Choose Life Parade. Five Ayes

**Discussion**

Trustee Patterson: Can we add a motion; I would like to have us to consider closing Railroad Avenue on May 11 from 1:00 p.m. to 3:00 p.m. I feel like even if it's a hundred people they will be milling about, there will be discussion, there will be chatting. I just think it's a risk if we don't close the road and it could be more than a hundred people, we don't know what the turnout is going to be.

Mayor Newhard: Chip do you have any comments?

Chip Murray: I don't know that you'd have to. If we're stepping off at 1:00 p.m. and walking slowly maybe from...because I'd hate to shut down Railroad Avenue for two hours, I'm sure you would too, although I did, in our Code of Conduct exert extreme pressure on the participants to show their appreciation to the Village by doing a lot of business with the merchants and ...

Trustee Patterson: Well, we hope that that is always the case too.

Chip Murray: But it certainly could be more than one hundred people. It could be close, like I indicated it could be a couple of hundred.

Trustee Patterson: Maybe it doesn't have to be the whole two hours, but if the parade is going to run from 1:00 p.m. to 3:00 p.m. you could be from High Street and Railroad Avenue in let's say twenty minutes so I would say like another hour after that but I don't think it would be bad to be closed between 1:00 p.m. and 3:00 p.m., 1:30 p.m. and 3:00 p.m.

Mayor Newhard: The only issue is that you have to start closing down much earlier than that really, right?

Mike Moser: Right.

Mayor Newhard: What time would we...

Mike Moser: We would have to start putting bags on meters and getting people out of there, well there's no two-hour parking on the weekends officially so. We would have to start telling people to get off the road at 10:00 a.m. or 11:00 a.m. and parking spots because people...

Trustee Patterson: On that road...what if we just didn't have...oh I see people park there before then.

Mike Moser: Cars will be in there.

Trustee Patterson: Ok, well then maybe I'm over complicating it. I'm just thinking in terms of safety and the amount...because it's an unknown. This is the first time this parade has happened. As an example, the Pride Parade, I think it goes without saying that we close Railroad Avenue. The Halloween Parade it goes without saying that we close Railroad Avenue. Maybe the first year we didn't close it but realized in hindsight that we should. I don't know what the amount of people will be but it's better safe...

Mayor Newhard: It's hard to know.

Trustee Cheney: Just in seeing some of the groups that have used the Railroad Green Park, they've had between one hundred and two hundred people there and it stays pretty much well within the park. I mean if it got bigger than that probably that would be good.

Trustee Patterson: Yes.

Mayor Newhard: There will be a police presence, so I think that's a very important thing as far as safety goes.

Mike Moser: We could have barricades there if something were too...

Trustee Patterson: Well, I think it comes right down to if the police decide that the road needs to be closed, they will close the road parked cars or no parked cars.

Chip Murray: Oh, it would be that flexible.



Trustee Patterson: That's a police decision, that's not up to us.

Trustee Cheney: That's a good idea to have the barricades there.

Trustee Patterson: Yes.

Mike Moser: Absolutely.

Mayor Newhard: But we will have that conversation with Lt. Rader and just tell them what this conversation was tonight.

Chip Murray: Ok, great. Thank you very much.

**Appointment – MaryAnn Benedict, Deputy Clerk**

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to appoint MaryAnn Benedict to the position of Deputy Clerk effective April 1, 2019 at an annual salary of \$34,000. Five Ayes

**Resolution Revising Village Employee Handbook**

WHEREAS, it is appropriate for the Village Board to periodically review and revise the Employee Handbook of the Village of Warwick to update the policies and procedures set forth therein in order to better serve the needs of Village, its employees and the community; and

WHEREAS the Village Board has before it a proposal to make certain revisions to the Employee Handbook; and

WHEREAS, the Village Board has reviewed and considered the said revisions, and finds them to be necessary and proper at this time;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That Section 4.1, "Hours of Work" of the Employee Handbook of the Village of Warwick is hereby amended to add a new item under "**Workweek**" reading as follows:

"The basic workweek by which salary shall be earned and overtime recorded shall be defined as any hours including paid time-off (holidays, vacation days, personal days, or sick days) in accordance with Section 2.0 of the Employee Handbook.

DPW Employees: Per Collective Bargaining Agreement"

2. That the aforesaid revisions to the Employee Handbook shall be retroactively effective *nunc pro tunc* as of June 1, 2018.

Trustee Cheney presented the foregoing resolution which was seconded by Trustee Lindberg,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting	Aye
William Lindberg, Trustee, voting	Aye
Eileen Patterson, Trustee, voting	Aye
George McManus, Trustee, voting	Aye
Michael Newhard, Mayor, voting	Aye

### **Discussion Prior to Vote**

Trustee McManus: What is that language?

Stephen Gaba: Nunc pro tunc literally means this for that. What it means is as though it had been done the other way to begin with, so the correction had existed from the beginning of the record. So, a retroactive correction.

Trustee Patterson: Can you clarify what 'DPW Employees per collective bargaining agreement' means?

Stephen Gaba: It means that the policy in regard to the workweek for them being per the Collective Bargaining Agreement.

Trustee Patterson: Ok, because it doesn't say anywhere that...it should say office staff; and this is the explanation and DPW employees per...right.

Stephen Gaba: Well, I think it's DPW excepted out and everybody else is implicate. I mean if you wanted to add Office Staff...

Trustee Patterson: I'm just saying if we're going to have headings...because the DPW...correct me if I'm wrong, but I think the DPW employee, everything they do is per their collective

bargaining agreement except those several sections that are listed in the Collective Bargaining Agreement where the employee contract supersedes the contract, so I think it's either not necessary or we should highlight that the above is about the Office Staff.

Stephen Gaba: I would do the later. You want to keep the Collective Bargaining except out in their all the time so there is never any opportunity for somebody to say well, what you have in your employee handbook violates our collective bargaining agreement, that's why you have that in there.

Trustee Patterson: Ok.

Stephen Gaba: If you wanted to add Office Staff or other...

Raina Abramson: But now, I'm sorry, but in Section 2.0 that we broke out the employees I think it would just be more than Office Staff. We have Office Staff, Part-Time, there are many headings that we refer to.

Trustee Cheney: So, it should be Non-DPW.

Trustee Patterson: Yes.

Trustee Cheney: But it doesn't say that now; I guess my question how is it structured now? With the headings and everything?

Raina Abramson: In Section 2.0, and I don't have it in front of me, we separated it out into Office Employees, Part-Time, Public Officials, Elected Officials and each of the Part-Time for example, there were headings like Recreation and whatnot.

Trustee Patterson: Well, then I think this should be Full Time Non DPW Employees because Part Time don't make overtime.

Raina Abramson: They would if they work more than forty hours.

Trustee McManus: If they work more than forty hours.

Trustee Patterson: They would, ok.

Raina Abramson: They have to.

Trustee McManus: Label it as non-collective bargaining employees.

Stephen Gaba: Well you don't have any headers anywhere else; I don't believe in the employee handbook separating out non-DPW from DPW. I think it is just implicated everywhere else, that there is an except after DPW and this applies to all other employees. It might not be a good idea...

Trustee Patterson: To make this complicated, ok. Just a question.

Mayor Newhard: Ok.

### **FY 2018-19 Back Overtime Schedule of Payments**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to approve the FY 2018-19 Back Overtime Schedule for overtime payments to the Village Employees listed thereon. Five Ayes

### **Reports**

#### **Mayor Newhard's Report –**

Just before we leave and before we close the meeting, it's not a report, it's just an outreach I wrote about in my Mayor's column and it's something that we put on Facebook at my store and it's about a local merchant, our book vendor who's having a bit of a rough patch right now. Running a small business is not an easy task, right Rachel? Especially, during this months, the fallow months of January, February, March and we pride ourselves in our vibrant downtown and we pride ourselves in having a book store and people come downtown and they bring their guests and they show everyone off and it's wonderful, but the only way we can have those wonderful things in our midst is to support them. So, I just urge everyone, because I went into to see Tom, Tom Roberts of Ye Olde Bookshop and said Tom how can we help you, what can we do? And he said just buy a book. Just come and buy a book that's all I really want and if everyone does that then I will be helped, so I pass that on and if anybody can pass that on beyond this statement, please do that because I think effectively has a community we do support each other and I think if we do give him that support we can get him through this rough patch.

### **Adjournment**

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to adjourn the regular meeting at approximately 8:30 p.m. Five Ayes

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Raina Abramson, Village Clerk