

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
JUNE 3, 2019**

**8167**

The regular bi-monthly meeting of the Board of Trustees of the Village of Warwick was held on Monday, June 3, 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 Deputy Clerk, Maryann Benedict. Absent was DPW Supervisor, Michael Moser. Others present; Kati Bisaro, Alfredo Pacheco, Oscar Figueroa, Matias Rodriguez and others.

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 Patterson and carried to Acceptance of Minutes: April 29, 2019, and May 6, 2019. 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 patt\$144,297.36. Five Ayes

**Announcement**

**1. Village of Warwick Annual Bicycle Parade**

Mayor Newhard: The Village of Warwick is going to be sponsoring a bicycle parade and it is part of the first annual family day which will be at the Warwick Valley Community Center on Hamilton Avenue. The parade line up is going to be on Campbell Road, and it is going to go down Welling, over to Orchard Street and around the corner onto Hamilton Avenue. All are invited, it's free and when you get to the Community Center there will be a set up for the bicycle rodeo which will be on the grounds of the Community Center. And, there will be some bike inspections, bike safety folks there from the Orange ...

Trustee McManus: Orange County Bicycle Club.

Mayor Newhard: Thank you very much, Orange County Bicycle Club. Thank you, George. So, it should be a lot of fun and after this bicycle rodeo there will be community and family events and activities, field races, and competitions. And the entry into that is \$3.00, one registration fee for all the games and it is all inclusive. There are auctions, raffle prizes on June 23<sup>rd</sup> from 12:00 PM to 3:00 PM. Rain date is Sunday, June 30, 2019. The Village itself is sponsoring the bicycle parade and I think that started with you Eileen.

Trustee Patterson: Oh my gosh, that's a long time ago.

Mayor Newhard: I know.

Trustee Patterson: It was through Park Ave. School.

Mayor Newhard: Oh, it was through Park Ave School and you were the force, I think.

Trustee Patterson: Great, that's good.

## **2. Village of Warwick Tax Collection**

**Village taxes are payable June 1<sup>st</sup> - July 1<sup>st</sup> without penalty**

### **Payment Schedule:**

- June 1 – July 1, no penalty
- July 2 – August 1, 5% penalty;
- August 2 – September 1, 6% penalty;
- September 2 – October 1, 7% penalty;
- October 2 – November 1, 8% penalty.
- After these dates, Village taxes are payable to the Orange County Commissioner of Finance in Goshen, NY from Nov. 2 through Nov. 15. Unpaid taxes after November 15 will be re-levied onto the January County/Town tax bill.

You may pay your taxes number of ways:

### **1. Pay Your Taxes Online:**

From the Village of Warwick Online Tax Payment & History System, you may pay your taxes online 24 hours a day, 7 days a week by using your Visa, MasterCard, Discover or American Express credit card (2.45% convenience fee will apply), Visa Debit card (\$3.95 flat fee will apply) or by Electronic Check (\$1.75 flat fee will apply). Convenience and flat fees are collected by the web service provider, not by the Village of Warwick and are subject to change without notice. You will receive an email confirmation of your payment. The website will not reflect your payment until it is updated the next business day.

From this site you may view and print current tax bills or receipts and five years of tax payment history at the village level. If prior year taxes show unpaid you can check with Orange County to verify payments on delinquent taxes.

Once you pull up your property, there will be a 'pay now' button that will take you directly to a secure payment site. [Go here to access tax bills and pay your bill: www.villageofwarwick.org](http://www.villageofwarwick.org)

**2. Pay Your Taxes Via Mail:**

Checks payable to:           The Village of Warwick  
Mail payments to:           The Village of Warwick  
  Attn: Village Clerk  
  77 Main Street / P.O. Box 369  
  Warwick, NY 10990

**3. Pay Your Taxes in Person:**

Village of Warwick tax payments are also accepted at Village Hall - 77 Main Street, Warwick, NY 10990 beginning June 1st through November 1<sup>st</sup> during regular office hours, Monday – Friday 8:30 a.m. - 4:00 p.m. We are closed for all government holidays. Taxes are payable in person via check, cash, money order or credit/debit card. Credit/Debit fees will apply and are subject to change without notice: Visa, MasterCard, Discover or American Express credit card (2.45% convenience fee), Visa Debit card (\$3.95 flat fee).

Please make checks payable to the Village of Warwick

For further information or full taxes without exemptions, please contact the Village Clerk's Office via email at [clerk@villageofwarwick.org](mailto:clerk@villageofwarwick.org) or by phone at 845-986-2031 ext. 102.

**Correspondence**

**1. Letter from Susan Charity regarding Village View**

Trustee Cheney: Is that going to get referred to the Planning Board?

Mayor Newhard: It has been, yes, I'm sorry. I think we were cc'ed but it has been sent...

Trustee Cheney: No, it was to you.

Trustee Patterson: Well it's only asking about what, it's not about the decision the Planning Board is going to make, it's about if that decision is made, is the Village going to take responsibility.

Trustee Cheney: There were a number of items, that's one of them.

Mayor Newhard: Right. But it was...

Trustee Patterson: I agree it should be in the Planning Boards hands, I'm just saying.

Mayor Newhard: You know what, I checked with the Planning Board and there was a letter, the exact letter...

Trustee Cheney: Oh, they got the same letter.

Mayor Newhard: Yes.

Trustee Cheney: Ok.

**2. Letter from Village of Warwick Planning Board Chairman, George Aulen  
reestablishing the lead agency status for Village View Estates subdivision and site plan  
project**

Trustee Cheney: Question on that, they're going to be lead agency, do we need to send them a letter since we're going to be an involved agency, right? I don't know the approach they are going to take, but there are more units that are allowed by right.

Mayor Newhard: Right. I would imagine that would be a precautionary step.

Trustee Cheney: Its appropriate...

Trustee Patterson: (Inaudible) for a special permit...

Trustee Cheney: I'm not sure what process they use to do it.

Trustee Patterson: Haven't they been, all along, before us for a special permit?

Trustee Cheney: Yes.

Trustee Patterson: For cluster?

Trustee Cheney: For the clustering, but are they still considering clustering?

Trustee Patterson: I thought they were.

Mayor Newhard: I thought they were.

Trustee Cheney: Ok. Alright. So, then they have to be so, I would think we would want to have the Planning Board as they did the last time, be in charge of the process, the lead agency in charge of the process.

Trustee Patterson: Right that doesn't take away their application to us for the special permit...

Trustee Cheney: Right.

Trustee Patterson: And last time it was done out of order, not that it ever came to completion, but it was done out of order and there was some confusion about that. Because they were waiting for an answer on those cluster fees for us.

Trustee Cheney: But they wouldn't have to do two separate environmental impact statements.

Trustee Patterson: Ok. I hear you.

Trustee Cheney: That's the point, things would be done in conjunction in one with the other.

Trustee Patterson: What about the annexation, would that be included in that same, there is a sliver of land.

Trustee Cheney: Yes, that would be part of it...

Mayor Newhard: And she is bringing that up (inaudible)...

Trustee Cheney: Didn't they decide to not annex that sliver? I thought they took the sliver out and they weren't going to need to annex it with the new configuration.

Trustee Patterson: But we haven't, and again, my thought was that they were before us for a special permit and they showed us their next iteration for the property but not with any particular application. It was just a review for us, so we haven't completed that special permit process, and nor have we been given a solid, it was literally a drawing.

Trustee Cheney: No, we don't have an application.

Trustee Patterson: Right, so my answer to your question which is before us now, is it that one where they're annexing the property from the town or is it the latest iteration where they're potentially taking it out and if so, I think that needs to be clarified with the application or something in writing.

Trustee McManus: Technically neither one is before because there is no application.

Trustee Cheney: There is an application before the Planning Board. There is nothing for the special permit. And all it mentions is, a site plan for a proposed road in the town is contiguous to village property for the purposes of ingress and egress on the village property so there is no mention of any annexation in the notice we have.

Trustee Patterson: Right, my point is, and no offense to our Planning Board Secretary, but there was some confusion last time. So, I guess my request is to have Mr. Dickover get a handle on exactly what is before the Village as a whole and then specifically before the different Boards so that it doesn't go out of order again. There was a reason for it last time, it wasn't lack of information or lack of knowledge but I think that reason has passed us by so we can do it in order this time. But at Barry's base I agree that the environmental...

Trustee Cheney: It would be done coincidentally

Trustee Patterson: Yes.

Trustee Cheney: for all the actions that are necessary and that they would be the lead agency from our point of view.

Trustee Patterson: For that, yes. But I still think we should reach out to Mr. Dickover.

Mayor Newhard: And going back to your original question, whether we would be an interested party, should I speak to Mr. Dickover about that? I mean it seems...

Trustee Cheney: I don't remember how we handle it the last time but definitely things moved forward together.

Mayor Newhard: We also have a letter from Village Engineer. Any other comments on that?

**3. Letter from Village Engineer, David Getz – Stanley Deming Park Playground**

**4. Certificate of Substantial Completion from Play by Design – Stanley Deming Park Playground**

Trustee Cheney: Question on that, I was hoping to see that they said somewhere in that it was completed in accordance with the plans and specifications, substantially in accordance with the plans and specifications that they prepared. So, we might want to...

Mayor Newhard: It didn't really say that.

Trustee Cheney: No, it didn't.

Trustee Patterson: No, and it would also be good to have follow up that the punch list was completed as well.

Trustee McManus: It says it is.

Mayor Newhard: It said that in the letter.

Trustee Patterson: Oh, but I mean, I guess, ok.

Mayor Newhard: But it would be good if it said that.

Trustee Patterson: So why would it say substantially complete Barry? From an engineering, is that just a technical, do they just...

Trustee Cheney: Well no, it's they never refer to the fact that it was their plans and specifications that were used as a basis for it. So, I feel it should make that statement, that it was substantially completed in conformance with the plan and specifications prepared by Play by Design.

Trustee Patterson: So, at this point right now wouldn't we have to have a dedication like we would a road?

Mayor Newhard: We should...

Trustee Patterson: Like a formal dedication.

Trustee Cheney: Well, aren't we accepting a gift?

Mayor Newhard: Right.

Trustee Cheney: Which would be different, I think, than a dedication.

Mayor Newhard: We are at the next meeting; we have a contract that our counsel made that is the acceptance of it as a dedication.

Trustee Patterson: Ok.

Mayor Newhard: It wasn't ready for this meeting; we're covered by insurance.

Trustee Patterson: Yes, that was my next question. If something happens between now and then.

Mayor Newhard: We are completely covered.

Trustee Patterson: On the Village's insurance?

Mayor Newhard: On the Village's.

**5. Letter from Chip Murray – Choose Life Parade**

**6. Letter from Warwick Playground Dreams – Stanley Deming Playground**

Mayor Newhard: And that is from Hannelore Chambers and basically that's sort of saying, here is a gift. But it's not formal and it's what we will be doing at the next meeting, the formal contractual acceptance.

**Discussion**

**1. Community Choice Aggregation**

Mayor Newhard: I don't know if you guys had a chance to look at what is in the package, it's pretty much a simplified version of this program. It's a program that myself, the two other Mayor's, and the Supervisor are looking at almost simultaneously. This has been a push in New York State for a couple of years. This group, Clean Energy, came to us over a year and a half ago and came to myself and Mike Sweeton at that time it was very new, both Mike and I felt we should wait and see where it is going to go. In the meantime, NYSERDA has backed it as well as NYCOM and the Association of Towns. And what Clean Energy is, the provider of this aggregate energy, so what it means is that we as a community would buy our energy together and we would have to go through certain steps as the municipality to put the program in place in which case everyone in the village would be part of the program but they can opt out if they do not want to be part of it, they can very easily opt out, it's a very simple process. The idea of course is to have lower energy costs and if you take a look at the last page and you look at the Village of Warwick in the annual savings for our residents would be \$386,839. It's a two-year term so it would be double that over the two-year period.

Trustee Cheney: That's divided up among a little under 3,000 customers?

Mayor Newhard: That's right.

Trustee Cheney: But it's still a substantial.

Mayor Newhard: It's still substantial, yes.

Trustee Patterson: So, the residents would have the opportunity to opt out not opt in?

Mayor Newhard: Right. So, everyone is opted in initially.

Trustee Patterson: Yeah.

Mayor Newhard: And they would have to opt out if they do not want it.

Trustee Patterson: I am not a fan.

Trustee Cheney: Yeah, I have struggled with that myself.

Mayor Newhard: I know, I know but, I understand exactly.

Trustee Cheney: But the law is the law of course and the way this is set up.

Trustee Patterson: That New York State set it up. It behooves us to do a fair amount of due diligence and make sure people are aware of it.

Trustee Cheney: The other thing I would suggest we do, although I don't believe we are required would be have a public hearing so that...

Trustee Patterson: Yeah, because that always works.

Trustee Cheney: so, the people have the opportunity to come in and say you know, I don't like this about it, I don't like that about it. I believe there is also the opportunity for individual homeowners to select a green energy verses a standard energy. The green energy is going to be naturally a little more expensive.

Trustee Patterson: Right.

Trustee Cheney: But still it should be less than what energy costs are now on the bills.

Trustee Patterson: The provider is still Orange and Rockland...

Trustee Cheney: The distributor of the energy is Orange and Rockland.

Trustee Patterson: Ok, so there is no technical change or mechanical change then, everybody has to make it their own, it's just...

Trustee Cheney: And those costs are going to remain the same, that component of the energy bill will remain the same I believe, utility bill.

Trustee Patterson: I personally gone to a separate supplier, I guess, and in this case, it was a savings and it wasn't complicated at all, but again I opted into it.

Trustee Cheney: Yeah

Trustee Patterson: I can see the logic of it, I just think it's only fair to spend some to look at that.

Trustee Cheney: By aggregating and saying that I have 2,000 customers for you, this is approximately how much energy I'm going to buy, then the people they buy the energy from say I'll give it to you for this much the next two years.

Trustee Patterson: Absolutely.

Mayor Newhard: Because the other way you would have to go to door to door and say hey. But I believe that the Village of Greenwood Lake is having a public hearing at their next Board meeting and the folks did give a presentation at the town. Barry and I went to that and they also appeared at the...

Trustee Cheney: Associates Towns and Villages.

Mayor Newhard: Associates Towns and Villages for the County. So, they recently just got these numbers and this I think helps their case, it really shows the level of savings that is available.

Trustee Cheney: Has our attorney reviewed the resolution and commented on it?

Mayor Newhard: No, he just gotten it.

Trustee Cheney: How tied this is to the law that is in place, there might not be much flexibility in it.

Mayor Newhard: That was my plan was to send it on his way to ...

Trustee Cheney: And the other thing that I wanted to point out is they are basically going to do a study to tell us how much we can save and then we at some time adopt an agreement with them to do this. I just have trouble understanding why they need us to do this resolution before they do that study.

Trustee Patterson: Because they have to put time and energy into it. I mean they have to know if we are interested in it otherwise why would they bother maybe.

Trustee Cheney: Yeah

Mayor Newhard: Yeah. So, I will send that information over or I have sent the information over to Steve so we will go through the motion and see if this is, I think I'm going to try and go to the Greenwood Lake meeting to see exactly how that...

Trustee Patterson: Well that's a good idea.

Trustee Cheney: You're going to miss ours then.

Trustee Patterson: Oh yeah, they're meeting on this too.

Trustee Cheney: Their meeting is the same as ours.

Mayor Newhard: Oh, they meet on Mondays as well.

Trustee Cheney: Unless they do the public hearing ahead of time.

Mayor Newhard: Yeah, I'll call.

Trustee Cheney: They are the third Monday so that's our working session.

Mayor Newhard: Oh, ok.

Trustee Patterson: I think they run it on their website.

Trustee Cheney: Your intentions were good.

Mayor Newhard: Yeah, I could watch it on the website. Thank you.

### **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: Gentlemen. You want to speak to the Board this evening?

Matias Rodriguez: Good evening, my name is Matias. I just want to say thank you Ms. Patterson, Mr. Lindberg and Mr. Newhard for coming to our meeting. Thank you so much to (inaudible) our (inaudible) and we hope in the future we get something. Thank you.

Mayor Newhard: Thank you.

Trustee Patterson: I would just say I was really happy to be there, it was great information, great to hang out for a while and hear more from you. But the other important thing that happened last week was that Mr. Bix, finally after months, came back with the answers that we have been waiting for. That was a big holding point for me anyway, we had really specific questions for him going back to January...

Mayor Newhard: That's a long time, yeah.

Trustee Patterson: he finally came back with solid answers, so that was great. Thank you.

Matias Rodriguez: Thank you so much.

Alfredo Pacheco: I just want to know what next steps are for us, for this? How can we get...

Mayor Newhard: Well, we are going to talk to our legal counsel about the possibilities. And see where that will take us. So, if you'll be patient with us.

Alfredo Pacheco: Yes, alright.

Mayor Newhard: And we want to have that conversation, he's not here, he only comes to one meeting and so he'll be at the next meeting. I think that it was a very good meeting we had with you.

Alfredo Pacheco: It was great.

Mayor Newhard: And I think again, what Eileen said, those questions were really important questions, they really shed a lot of light on questions that we had as a Board and it was important that they were answered, so, I'm glad we finally got those. But more importantly I think we realize the value of this as a way of honoring and giving a level of acceptance of the folks that live here. And we are looking at that, we see the importance of that.

Alfredo Pacheco: Thank you very much. And regardless to the other thing we sent you, the resolution. Did you guys get it?

Mayor Newhard: We did get it, yes. I think we had some concerns about some of the language of it. It was strong and we understand why it should be strong, but we will take another look at it again. Could you resend it to me?

Trustee Patterson: I have it, it's in our email.

Mayor Newhard: Ok, I'll look in my emails I have.

Alfredo Pacheco: Yes, if we can get a response so we know what the questions are so we can send it to the organization that is working on that so we can give you answers.

Mayor Newhard: Ok.

Alfredo Pacheco: Alright?

Mayor Newhard: Yes, thank you very much. Anybody else, gentlemen? Ok we will move onto motions.

### **Sludge Conveyor System Project – Increase Scope of Work**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson and carried to increase the scope of work for the Sludge Conveyor System Project contracted with J Squared Construction Corp. in the amount of \$630, increasing the total cost to \$158,630 and to authorize the Mayor to sign the Change Order dated May 16, 2019 per the recommendation of Village Engineer, David Getz. Five Ayes

### **Sludge Conveyor System Project – Payment #1**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to approve payment #1 in the amount of \$4,750 to J Squared Construction Corp for the Sludge Conveyor System Replacement Project per the recommendation of Village Engineer, David Getz. Five Ayes

### **Music for Humanity – Raffle Tickets**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney to grant permission to Music for Humanity to sell raffle tickets beginning June 28, 2019 in the Village of Warwick. Raffle tickets being sold at music events and/or street fairs are subject to the approval of the event organizers. The Village has the raffle consent forms that are verified by the State of New York on file. **AMENDED**

**Discussion Prior to Vote**

Mayor Newhard: I have a concern, this gentleman has come before us before and I believe in our permit it does say that the, or in the motion, that they have to get approval from the event organizer for street fairs which includes Applefest. Last year this gentleman set up on Main Street and it was pretty mind blowing I had to have him move...

Trustee Cheney: So, he was in the sidewalk, interfering with...

Mayor Newhard: No, he was in a parking spot.

Trustee Patterson: Oh.

Trustee Cheney: Oh.

Trustee Lindberg: Were the cars in it?

Mayor Newhard: Not with his car, with a tent.

Trustee Cheney: Yeah, well, hopefully we made it clear enough to him last year that this year wouldn't be any different.

Mayor Newhard: Yes, I hope so. I thought it was pretty loud and clear.

Trustee Patterson: My concern is that the New York State Gaming Commission has not signed any of these. And it says that the consent forms are verified by the State of New York. There is no signature where it says New York State Gaming Commission.

Trustee McManus: Last year was the first year we allowed them to sell it because we always thought people coming to concerts had to buy a ticket to be there.

Trustee Patterson: Yeah.

Trustee McManus: I think there is a difference between somebody setting up a table off to the side and a person being called up to the front of the stage by the organizer and giving a speech about the raffle.

Mayor Newhard: Yes, it's not a village authorized, it's a separate...

Trustee Cheney: The event you are referring to...

Trustee McManus: Concerts.

Trustee Cheney: Our concerts, well then, we should be able to set the guidelines for how that is handled at our concerts.

Trustee McManus: I like it the way it was prior to last year where we just said no because it gives the impression that concert goers, have to buy tickets, or suggested to buy tickets to attend the concert, that's not true. The concerts are free concerts that are put on by the Village.

Trustee Cheney: Right.

Trustee McManus: Without someone hawking tickets there.

Trustee Cheney: You mentioned allowing to set up a table, was that a suggestion or ...

Trustee McManus: Well, we had in the past by the corner by Caffé A La Mode out of the way but last year since it was approved last year, he was called up to the front to give a speech about the...

Mayor Newhard: He wasn't approved, he was only approved to be able to sell tickets, he wasn't approved to come to our concerts.

Trustee McManus: That should be clarified with the Coordinator.

Mayor Newhard: Concert Coordinator, ok.

Trustee Patterson: Don't you think these should be signed.

Mayor Newhard: Yes, it should be signed.

Trustee McManus: It's not even signed by the Municipal Clerk.

Trustee Patterson: Well, that would be us, wouldn't it? I don't know, I feel like we have the wrong form. Because there is only one spot for the Municipal Clerk to sign, yet all of these municipalities are listed.

Trustee McManus: Well it's supposed to be one form per municipality.

Trustee Cheney: The cover memo, the second paragraph says please approve or deny the proposed raffle ticket sales. And this is to the Municipal Clerk, our raffle drawing and sign the attached form, retain a copy for your records, return a copy to the New York State Gaming

Commission within ten days of the date of this notice and upon receipt by the Commission completed forms will be sent to the organization. So that happens and if we don't get that form then we would have to tell them that it hasn't been approved.

Trustee Patterson: I hear you but I'm just saying the village, the consent forms are verified by the State of New York. I don't ...

Mayor Newhard: But they're after the fact.

Trustee Cheney: After we sign ...

Trustee Patterson: I know the motion says that the village has the raffle consent forms that are verified by the State of New York. So that has to change.

Mayor Newhard: That should be different.

Trustee Cheney: So, we should, instead of that sentence, we should authorize the Clerk to sign the application, the consent for the municipality and return it to the state. I will move to amend the motion to strike the last sentence and add to the motion that the motion authorizes the Village Clerk to sign the form provided and that the applicant will not be allowed to conduct the raffle until such time as the completed form signed by the state is returned to the Village.

Trustee Patterson: What about the part that the Village concerts?

Mayor Newhard: That's our own local ...

Trustee Cheney: That's procedure.

Mayor Newhard: That's procedure, yes.

Trustee Patterson: I would second as amended.

Mayor Newhard: Ok, all in favor.

A **MOTION** was made by Trustee Cheney, seconded by Trustee Patterson and carried to grant permission to Music for Humanity to sell raffle tickets beginning June 28, 2019 in the Village of Warwick. Raffle tickets being sold at music events and/or street fairs are subject to the approval of the event organizers. The motion authorizes the Village Clerk to sign the form provided and that the applicant will not be allowed to conduct the raffle until such time as the completed form signed by state is returned to the Village. Five Ayes

**RESOLUTION INTRODUCING PROPOSED LOCAL LAW TO AMEND VILLAGE  
CODE CHAPTER 135**

WHEREAS, the Village Board of the Village of Warwick is considering amending Village Code Chapter 135 entitled “Vehicles and Traffic” to impose parking restrictions on Elm Street, Park Lane, and Wheeler Avenue and to allow the Village Board to amend the list of highways with pavement markings by resolution; and

WHEREAS, the Village Board has before it a proposed local law by which the said amendment to the Village Code may be enacted;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the movant of this resolution does hereby introduce the attached proposed local law; and
2. That a public hearing on the proposed local law is set for June 17, 2019 at 7:30 o'clock p.m. and that due notice of the same is directed to be given by publication and posting.

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

The vote on the foregoing resolution was as follows:

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

**Discussion**

Trustee Lindberg: Just for clarification we did mark Wheeler around the turn...

Trustee Patterson: Yes, I saw that.

Trustee Lindberg: so, 175 and 350 it's on the inner side, inner circle, I talked to a couple chiefs and Mike and I measured it.

Trustee Patterson: A couple of chiefs?

Trustee Lindberg: A couple of chiefs, Fire Chiefs...

Trustee Patterson: Oh, ok.

Trustee Lindberg: for a recommendation and the part that says marking really doesn't say anything in our codes.

Trustee Cheney: Right.

Trustee Lindberg: So, one suggestion would be markings on all Village Parks and Village Streets and Mr. Gaba made a change to make it helpful for us. We will keep a list of what our markings are. Example, the markings on South Street, by the church, that will be a yellow stripe marking.

Mayor Newhard: Could I just bring something up, it's been brought to our attention that our markings on South Street, along from Third Street to Clinton, there are no designated parking spots and so there is the new playground, chaos seems to ensue and also sight distance for people coming out of Belmar becomes a real problem. So, if we could take a real good look at that and I think act on it more quickly.

Trustee Lindberg: The only advantage of South is that right side is wider...

Trustee Cheney: Lane.

Trustee Lindberg: lane and so it is an advantage.

Trustee Patterson: Is there parking on South Street on that side?

Trustee Cheney: On that side?

Trustee Lindberg: Yeah.

Trustee Patterson: Ok and are we completely opposed to painting the curb yellow where there is no parking?

Trustee Lindberg: No, absolutely.

Trustee Patterson: Well I think Barry is.

Trustee Cheney: Um...

Trustee Patterson: I mean you're just one vote.

Trustee Cheney: I'm trying to remember why, just thinking that its preferable to have the hatching on the payment in areas where you don't want it so...

Trustee McManus: Your opposition was the continued maintenance or painting it...

Trustee Lindberg: Yeah but you have that either way.

Trustee Patterson: Right but I feel like there's less ...

Trustee Cheney: Less to do.

Trustee Patterson: it's on the curb and it sticks around longer on the curb, right? I mean, I don't know, maybe it doesn't but also, we recognize that, I understand that the lines on the street are pretty obvious, but I think everywhere else you go it's on the ...

Trustee Cheney: curbside...

Trustee Patterson: most places you go it's on the curb. I think that would be more cost effective too, or both.

Trustee McManus: I would rather see curb, the pavement you wouldn't do curbs, that's fine but...

Trustee Patterson: You think the pavement is better?

Trustee Cheney: Certainly, we should start out as minimum with painting the curbs, I think that would probably make sense. And then where...

Trustee Lindberg: Painting the streets?

Trustee Cheney: No, the curbs.

Trustee McManus: I mean we have tons of people now who don't know what those yellow and red stripes mean and use them as parking spaces. So, the more we can put yellow and red stripes down, so they eventually get the idea I think the better off we are then trying to paint the curb and they are going to go, I never saw that.

Trustee Patterson: Right. Are we also, as part of those markings, are we planning on doing a focus on the yellow lines down the middle of the road, in particular Park Avenue?

Trustee Lindberg: Yes.

Trustee Patterson: I'm sorry, not Park Avenue, Park Lane?

Trustee Lindberg: And Elm.

Trustee Patterson: And Elm as well. Ok, great.

Trustee Lindberg: Those we can do at ours.

Trustee Patterson: Right, they are not state roads.

Trustee McManus: I think Mike wanted to wait to do Elm until construction was done and he can pave because it's just going to get eaten up.

Trustee Patterson: I think ...

Trustee McManus: That's what I thought he said.

Trustee Patterson: Yes, I think you're right.

**Part Time Court Attendant – Grace Giulini**

A **MOTION** was made by Trustee Patterson, seconded by Trustee McManus and carried to hire Grace Giulini to the position of Part Time Court Attendant at a salary of \$15.00 per hour as per the Village Justice's recommendation. Five Ayes

**Vacation Carry Over Request – Raina Abramson**

A **MOTION** was made by Trustee Patterson, seconded by Trustee Cheney and carried to grant permission to Village Employee, Raina Abramson, to carry over one (1) vacation day. Five Ayes

**Vacation Carry Over Request – Cat Richards**

A **MOTION** was made by Trustee Patterson, seconded by Trustee Cheney and carried to grant permission to Village Employee, Cat Richards, to carry over twenty-seven (27) vacation hours. Five Ayes

**2019 Summer Recreation Staff and Salaries**

A **MOTION** was made by Trustee Patterson, seconded by Trustee McManus and carried to approve the 2019 Summer Recreation staff and salaries as per the enclosed list pending the receipt of approved background checks. Five Ayes.

**Discussion Prior to Vote**

Trustee Patterson: Where did we end up on that?

Mayor Newhard: There's been some discussion back and forth with the provider of the background checks and there were some incredible hidden costs.

Trustee Patterson: Yes, I saw that.

Mayor Newhard: And even more that were found out today, so that discussion is still ongoing. I haven't heard anything new.

Maryann Benedict: I didn't hear anything today but last week, like you said, there was a lot of discussion and hidden costs.

Trustee Patterson: Ok. So, they're still pending, the background checks.

Mayor Newhard: Yes.

Trustee Patterson: Great.

Mayor Newhard: So, we have a motion, we have second, all in favor.

**Road Closure - Warwick Valley Community Bandwagon Family Day**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried to close a portion of Hamilton Avenue in front on the Warwick Valley Community Center on Sunday, June 23, 2019 from 12:00 p.m. to 4:00 p.m., with a rain date of Sunday, June 30, 2019 for the benefit of the Warwick Valley Community Bandwagon First Annual Family Day event per their letter dated May 28, 2019. Five Ayes.

**Facility Use – Railroad Green – Warwick Valley Community Center**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried to grant permission to the Warwick Valley Community Center to use Railroad Green on Sunday, June 9, 2019 from 1:45 p.m. to 2:15 p.m. for the ‘Pride Parade’ event. Completed park permit, proof of proper insurance, and security deposit has been received. Five Ayes.

**Road Closure - Warwick Valley Community Center Pride Parade**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried to close Railroad Avenue on Sunday, June 9, 2019 from 1:30 p.m. to 2:30 p.m. for the benefit of the Warwick Valley Community Center "Pride Parade" event. Five Ayes

**Summer Intern Position – Ryan Pfingst**

A **MOTION** was made by Trustee Patterson, seconded by Trustee Lindberg and to hire Ryan Pfingst to the position of Summer Office Intern at a salary of \$12.50 per hour at 20 hours per week for approximately 8-12 weeks with a start date of June 5, 2019. **AMENDED**

**Discussion Prior to Vote**

Trustee McManus: I thought part time was 16 hours a week because of the work schedule of the office?

Trustee Cheney: I think you’re right. It’s half of the normal work week.

Mayor Newhard: Right. So, we will change that.

Trustee Cheney: So, we have to amend that.

Trustee Patterson: So, modify it to be...

Trustee McManus: 16 and quarter hours I believe it comes out to, right?

Trustee Patterson: 32 and a half divided by 2.

Trustee McManus: 16 and a quarter.

Trustee Patterson: That is what I was going to say. Should we just make it 16 hours a week?

Trustee Cheney: I trying to remember whether it's, that's for a part time position, this is a seasonal. I don't know whether this would be different.

Trustee Patterson: I think the, correct me if I'm wrong, but I feel like you might be thinking about rules that went into hiring the clerk for the court.

Trustee Cheney: Yes.

Trustee Patterson: That it had to be, there was a very specific calculation on ...

Mayor Newhard: For civil service.

Trustee Cheney: It couldn't exceed half of the normal workday.

Trustee Patterson: But as far as part time versus full time which is the answer between whether they would receive benefits and don't receive benefits. I believe it's less than 26 hours a week.

Trustee McManus: Not according to civil service.

Trustee Patterson: But it's a civil service position.

Trustee McManus: We are still under civil service rules, as a Village.

Trustee Patterson: Oh.

Mayor Newhard: I would of thought Raina would have vetted that because she's so on top of this.

Trustee Patterson: But we do have some Village employees that work 40 hours a week.

Mayor Newhard: We do.

Trustee Patterson: Cat and Boris. I don't know, I ...

Mayor Newhard: Could we just put in there a maximum; he's going to start ...

Trustee McManus: Maximum 20 hours a week.

Trustee Patterson: Because it could change his answer as to whether to accept the position.

Trustee Cheney: As allowed by law.

Trustee Lindberg: I'm not quite sure why we couldn't determine what a part time position could be.

Trustee Patterson: As long as there are no benefits, that's another thing I'm thinking.

Trustee Cheney: I think it was clear as you pointed out that when we were doing the part time court clerk it couldn't exceed half of the normal workday for the court clerk.

Trustee Patterson: Right.

Trustee McManus: Which therefore it basically says we can't decide what part time is.

Trustee Cheney: Under that particular circumstance.

Trustee Patterson: Yes.

Trustee Cheney: It may be different for someone who's a seasonal employee.

Trustee Patterson: I think it was very specific to the role.

Trustee Cheney: The relationship between the full-time clerk and the part time deputy clerk.

Trustee Patterson: Oh, no I was saying the Senior Clerk position or the Court Clerk position, it was very specific. I know that they went through a lot to try and figure it out, I just remember hearing about that, trying to calculate, but it was very specific to that position as I recall but I can be wrong.

Trustee McManus: I would amend it to a maximum of 20 hours ...

Trustee Patterson: Pending.

Trustee McManus: pending research and approval.

Trustee Cheney: I second that amendment.

**MOTION** was made by Trustee Patterson, seconded by Trustee Cheney and carried to hire Ryan Pfingst to the position of Summer Office Intern at a salary of \$12.50 per hour a maximum of 20 hours per week pending research and approval for approximately 8-12 weeks with a start date of June 5, 2019. Five Ayes

Mayor Newhard: Just a comment, as people in our community seen these large New York State DOT signs at the main thorough fares of our Village and there's been a lot of questions. We finally had a meeting with the DOT at the end of last week and we now have a clear schedule of the work activities. The bridge in question is the Main Street or Oakland Avenue bridge which is right by the railroad tracks by Railroad Green and work is going to commence this week ...

Trustee Cheney: It says tomorrow.

Mayor Newhard: The work that is, it's not going to be closed, the work that they are going to start with, help me Barry ...

Trustee Cheney: I'm not sure which side they are doing it.

Mayor Newhard: Where the pickle guy, the beef jerky guy is, Green Reality.

Trustee Cheney: The west side.

Mayor Newhard: Yes, the west side, thank you.

Trustee Patterson: I was going to say west side.

Mayor Newhard: It's the west side story. So anyway, it's on the west side. They're going to then go to the east side and fix that sidewalk. At that time, the beginning of July is when they will actually close down the street but there will be pedestrian access.

Trustee Cheney: Right, I believe they are going to do the one sidewalk first and then they will close the other sidewalk and do the other sidewalk and the two driving lanes.

Mayor Newhard: Ok. So anyway, obviously the signs are big, and everyone is questioning it. We have all that information on our website now so if you want to know all the details about that. The most amazing thing is that there is no parade in the Village of Warwick during this period of time which is pretty shocking.

Trustee McManus: There is ... The Pride Parade.

Trustee Patterson: The Pride Parade.

Trustee Cheney: No, it doesn't close until July, the closure won't occur until July.

Trustee McManus: Oh, ok.

Mayor Newhard: So, during the month of July there is no actual parade and of course the big parade is coming up in September and we will be ready for that, that's the Fireman Parade. So anyway, just for anyone to know they can go to our website and get that information and we are going to try to leverage some paving out of it as well so keep your fingers crossed and we will see what we can do. Any final comments from the Board?

Trustee Cheney: It was brought to my attention that at the Farmer's Market, on Sundays, that there have been some issues related to people who bring their dogs to the Farmer's Market. That is not allowed under the agriculture and markets laws, so I ask everybody to abide by that and be respectful when you're told if it so happens you have to leave, and you can't be in there with your dog.

Trustee Patterson: I've been hearing here and there about, which was bound to happen, and I know there is a honeymoon period about parking around the park.

Mayor Newhard: Yes.

Trustee Patterson: And we will start to ...

Mayor Newhard: Enforce, I believe we ...

Trustee Cheney: It has gotten better over the last week.

Trustee Patterson: But it rained a lot last week.

Trustee Cheney: Even on the non-rainy days.

Trustee Patterson: Ok, good.

Trustee Cheney: But it seems at least the area up around where we put up the rope that people have gotten better about knowing they are not supposed to park there. Especially parking head in they will get the wheels off the pavement and then their car will block one lane. So that is happening less and less.

Mayor Newhard: And we are slated to do barriers along that area similar to what we done in Memorial Park.

Trustee Cheney: The guardrail ...

Mayor Newhard: The wooden guardrails. So, we're going to build that in the next month or so.

Trustee Patterson: Ok, great.

Mayor Newhard: But yes, we are looking at it every day and very carefully to see where the weak points and where the issues are and of course the neighbors have been extremely patient, and I truly appreciate that.

Trustee Cheney: Feel free to park in front of our house, it's fine.

Trustee Patterson: You are going to regret saying that.

Trustee Cheney: They park there, it's fine.

Trustee McManus: You should put a sign up, park here.

Trustee Cheney: Five dollars.

Trustee McManus: I didn't say that. I just said park here.

Trustee Patterson: And then I just want to officially request that we've been smiling when Mr. Moser says it, but we need to bring pick up back to May. Because to see the amount of people out for Memorial Day Parade was awesome but to see the amount of ... and this reminded me of that we had a few nice weekends and people are working on their properties and there was a high school graduation this weekend, you know what I mean. So, it's not just Warwick's High School graduation but there are college graduations, there is confirmation, lots of opportunities for people to have family over and you don't really want, there is a reason we put it in early May.

Mayor Newhard: On the same topic, there has been some situations where the people have abused this program and there was an incident, a resident on Colonial Avenue was completely out of control and I think we have to look at the overall program and if something like that happens there needs to be penalties or there needs to be something in place that we have some way of dealing with it. Because it ended up being a tremendous amount of, the home was being vacated so things were, tremendous amounts were being placed out.

Trustee Cheney: There was probably a dumpster load at least. One dumpster load at least and I saw another one on another street.

Mayor Newhard: And then people pick through it ...

Trustee Patterson: And then it's a mess.

Trustee McManus: All over the place.

Mayor Newhard: It's a mess.

Trustee Patterson: Are pianos ok? That's a question that somebody asked me. It doesn't say they are not.

Trustee Lindberg: Appliances and construction materials ...

Trustee Patterson: Right, yeah.

Trustee Lindberg: Construction materials is kind of a gray area.

Trustee Patterson: Construction debris.

Mayor Newhard: Before the parade the pickup wasn't even at that time and people were putting things out. We went around and asked people to put them back into ...

Trustee McManus: Mr. Moser has stated that he was going to get us to push it to the fall and no he's not.

Trustee Patterson: But to be fair to people who put stuff out it's been around that time for so long they don't want to miss it, they may think, they were putting it out when we would be normally picking up so it's you know.

Mayor Newhard: Ok.

Trustee Patterson: And then the kayak, canoe, or both is cool, it's awesome. Somebody mentioned to me today that we should use our Linear Park in South Street parking lot as a place to park so people can come out and shop and get back into their kayak.

Mayor Newhard: We had a some ...

Trustee Cheney: They want to take their kayaks out of the water at South Street?

Trustee Patterson: No, they want to tie up.

Trustee Lindberg: Yeah, to like a restaurant ...

Trustee Cheney: Put steps in.

Mayor Newhard: It's a great idea.

Trustee Patterson: It is a great idea.

Mayor Newhard: That's a park, who's are liaison for parks?

Trustee Patterson: I think it's Bill. I'm not sure.

Trustee Cheney: They can come out at the west end of Memorial Park and leave the kayaks there and walk a block to get to downtown.

Mayor Newhard: And that's actual where they been, that whole entourage ended up in Memorial Park and got off at the pond.

Trustee Patterson: As long as they are not walking down the railroad tracks.

Trustee Cheney: They have to walk up to High Street.

Trustee Patterson: Yeah, I think it's a cool idea.

Mayor Newhard: They are actually, I have seen a group, Bart and his friends a month ago come down and park their kayaks a little further down near Railroad Green and then go to Barney Station for lunch and then get back into their kayak and head on.

Trustee Patterson: It's fun.

Mayor Newhard: Yeah, it's a great thing. So, if we can formalize it, maybe there's a way.

Trustee Patterson: And Wolfies has a deck out back that they can, we have to be careful with the DEC, that's why.

Trustee Cheney: Yes, that's the practical difficulty of getting steps to get them from the water up ...

Trustee Patterson: Right.

Trustee Cheney: to the street level.

Trustee Patterson: Maybe just a cargo net or something.

Trustee Cheney: A climbing net.

Trustee Patterson: And then the other thing is the, and I have to follow up on this, but I may need your help, I feel like we should at least have a meeting with the hospital. I heard; I think we probably all received letters that they are not going to be accepting Empire Blue Cross Blue Shield because they weren't able to come to terms with their rates. I know all of the Village employees are impacted by that and many of the people who live in the community if they have New York State insurance, whether they are police office or whoever, I feel like maybe it's a good idea to approach the hospital and see if we can get more detail on that, maybe advocate.

Mayor Newhard: Yes.

Trustee McManus: Westchester Medical Center decision.

Trustee Patterson: Right but I mean if we go through our, I'll start those phone calls maybe tomorrow.

Mayor Newhard: That would be great.

Trustee Patterson: And you'll join me.

Mayor Newhard: Yes, absolutely. Anyone else? Can I have a motion to close the Board Meeting?

### **Adjournment**

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to adjourn the regular Village Board meeting at approximately 8:25 p.m.

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Maryann Benedict Deputy Village Clerk