

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
AUGUST 2, 2021**

8970

The regular meeting of the Board of Trustees of the Village of Warwick was held on Monday, August 2, 2021, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Mayor, Michael J. Newhard, Trustees: Barry Cheney, William Lindberg, George McManus and Corey Bachman. Also, present was Village Clerk, Raina Abramson. Others present: Barbara Bald, Milda Sperauskas, Lissa Scott, Rosemary Coslit, Cather DeSeze, Aurelin DeSeze, Kathy Gerstner, Peter Rhodes, Linda Rhodes, Mark Rosen, John Castello, and others. Approximately 15 people were present.

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

Acceptance of Minutes

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus, and carried for the Acceptance of Minutes: July 6, 2021 & July 19, 2021.

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

Authorization to Pay all Approved and Audited Claims

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Bachman, and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$216,546.71.

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

Correspondence

1. Letter from the Warwick Lions Club regarding a proposed pump track in Memorial Park.

Mayor Newhard stated that he knows this letter is why the meeting room is filled. Mayor Newhard said that the matter wasn't under discussion this evening without members of the Lions Club being present because they've offered to come in and discuss the idea with the Village Board. He said that the Village Board did look at the idea earlier on and did have some questions

and concerns about space and placement, however the Village reserves the right to have the discussion with the Lions Club which would be potentially at the next Board meeting.

Mayor Newhard read the letter out loud to the public.

Privilege of the Floor

Please limit your comments to **three (3)** 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.

Aurelin DeSeze: Mr. DeSeze said that it was surprising that the Lions Club asks to be here in the letter that the mayor just read but they didn't show up so why should the Village talk about it.

Mayor Newhard said that they Lions Club did not say that they were going to appear, but that they welcome the opportunity to discuss this matter further, which would then be a response from the Village to have them come to a meeting and to discuss the matter further.

Catherine DeSeze: Mrs. DeSeze stated that they went to see the pump track in West Milford, which is in an area next to recycling, not in a residential area, and met with volunteers who run the operation. Mrs. DeSeze explained that the volunteers said that it takes a lot of work, where you constantly have to work on redoing the pass because it's dirt and sand. Mrs. DeSeze asked why the pump track would be at the level of the Village, and not the Town Park for the Town of Warwick. She said that Memorial Park already has many facilities for sports, including supposedly the skatepark. Mrs. DeSeze stated that the library has already extending their parking to be able accommodate more people and the skatepark is going to be next to the library. Mrs. DeSeze expressed that she cannot see the population that goes to the skatepark and the population that goes to the library being similar customers. She asked why the matter can't be taken up by the Town of Warwick. Mrs. DeSeze explained that she's been in Memorial Park by the skatepark several times and that everybody comes by car, including cars from New Jersey, so it shouldn't be because it should be the center of the Village, so the children are going to come on foot. Mrs. DeSeze stated that the pump track needs a lot of space and is labor intensive to maintain. She also asked the Board if they visited the West Milford pump track and explained that it's a big job to maintain. Mrs. DeSeze said that those things should be at the level of the Town and that the Village shouldn't become responsible for all the activities.

Barbara Bald: Ms. Bald said with Memorial Park there is very limited open, usable space within the Village, with active areas of Memorial Park and more passive areas with walking. Ms. Bald stated that if the Village was going to consider any changes to the park, it needs a longer-term

plan as opposed to reacting to the skatepark and now this pump track, which makes no sense to be in that type of a park based on the way it looks and the amount maintenance. She said that the Village is using what limited resources for what she thinks, will have limited use, and suggests that the Village takes the time to really study what kinds of things do they want in the park. Ms. Bald stated that there is a lot more area outside of the Village where this could be placed.

Lissa Scott: Ms. Scott stated that she was part of the group that met a number of years ago to come up with a plan for things that the group wanted to see around the town. She explained that some of them have come to fruition such as the path through the woods, but there were other things that still haven't been done like exercise stations, walks through other parts of the woods. Mrs. Scott stated that she feels the Village should have a comprehensive plan that includes the park, explaining what it is the Village wants the park to be because people walk through the all the time.

Peter Rhodes: Mr. Rhodes explained that his concern is that there are twelve to thirteen members of the Village at this meeting based on an agenda item that is not going to be discussed at this time and they were notified that it was going to be brought up. Mr. Rhodes asked how they would know in the future or if this was common policy.

Mayor Newhard explained that it was under correspondence and guessed that if the Lions Club was present, and the Village knew they were coming, then the matter would have been under discussion or under presentation which is usually how it works. Mayor Newhard added that for a letter to come to the Village doesn't mean that it's going to be a presentation or that the discussion with the Lions Club was going to happen. Mayor Newhard said that a call to the office may have clarified that, however since they are at the meeting, they are able to speak about the correspondence freely and it becomes part of the record and minutes which can be shared with the Lions Club because the information is important.

Mr. Rhodes asked that if, and when it comes back for discussion with the Lions Club, if it will be on the agenda as notification. Mayor Newhard replied, yes.

Linda Rhodes: Mrs. Rhodes explained that on Saturday that there was a lovely, family firemen's picnic and had a beautiful space, were able to barbeque, the children had blowups and slides and if you put in something like the pump track, aesthetically it ruins the whole park and limits what happened on Saturday. Mrs. Rhodes said that to bring in three big blowups, a water slide, a bouncy house, for the space to be able to accommodate a firemen's family that gives so much to this community, is priceless. Mrs. Rhodes said that to allow the pump track would be terrible.

Mark Rosen: Mr. Rosen asked if there were other areas in the Town like Wickham Park or the Kutz area that won't be as impactful to the community, because traffic would increase because from what he understands the pump bikes have to be brought in by car.

Mayor Newhard stated that it would be a question for the Lions Club, that the Village would gladly ask.

John Castello: Mr. Castello inquired how he would get a chance to see a pump track.

Mayor Newhard stated that he could probably Google it or find something on YouTube about pump tracks. He also added that there is one in West Milford which could give an indication of what it entails and that he believes that there may be one in Port Jervis as well.

Trustee McManus said that the one in West Milford is just dirt and the one in Port Jervis cost \$300,000 and is concrete with plastic Trex platforming and much larger than anything being proposed. Trustee McManus added that the bicycles are not special but are normal children's bicycles so ninety percent of Warwick children riding on the dirt track, riding their bikes to it instead of trying to bicycle out to the Town Park where there is no safe way for them to get there.

John Castello: Mr. Castello inquired how it would get financed and does the Village Board know how much they are willing to spend.

Mayor Newhard explained that this is a very preliminary letter and that there is no design, no cost estimate or anything at this point other than a discussion.

Catherine DeSeze: Ms. DeSeze asked the mayor if this matter already came up before the Board and what the result was.

Mayor Newhard said yes, and that the Board had some of the concerns that were brought to the Board's attention, however now the matter has come back.

Aurelien DeSeze: Mr. DeSeze asked if anything was done at that point.

Mayor Newhard said that the Board asked the Lions Club to look further afield at the Town facilities.

Motions

Purchase from Core & Main – 2 Handheld Meter Reading & Programming Devices

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried to approve the purchase of two (2) Handheld Meter Reading and Programming Devices, Model #FL7502-GB, from Core & Main in the amount of \$8,401.20 each for a total cost of \$16,802.40 per the recommendation of Water Distribution Supervisor, Christopher Bennett. Funds are

appropriated in budget code F.8340.4.

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

Facility Use – Rescind Motion, Memorial Park Pavilion July 18, 2021

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus, and carried to rescind the motion made on July 6, 2021, granting permission to Travis Podolec to use the pavilion in Memorial Park on Sunday, July 18, 2021.

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

Facility Use – Memorial Park Pavilion, August 13, 2021

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus, and carried to grant permission to Travis Podolec to use the pavilion in Memorial Park on Friday, August 13, 2021, from 4:30 p.m. to 8:30 p.m., with the event beginning at 5:00 p.m. and ending at 8:00 p.m., to hold a birthday party, including use of electricity, restrooms, Ahearn Field, and the grass area across from Ahearn Field. The event is in coordination with the Warwick Little League. All activities must be in accordance with the Orange County and NYS Departments of Health. Completed park permit, proof of proper insurance, and security deposit have been received.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Facility Use – Memorial Park Pavilion, August 29, 2021

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney, and carried to grant permission to Brian Collazo to use the pavilion in Memorial Park on Sunday, August 29, 2021, from 11:00 a.m. to 6:00 p.m., with the event beginning at 2:00 p.m., to hold a birthday party, including the use of alcohol, electricity, restrooms, tables and chairs. All activities must be in accordance with the Orange County and NYS Departments of Health. Completed park permit, proof of proper insurance including Host Liquor Liability, and security deposit have been received.

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 McManus asked if the Village can ensure that the insurance has an alcohol allowance it in that is specified. Mayor Newhard said, yes. Raina Abramson said that it is and was received.

FY 2021-22 Village Tax Refund due to Clerical Error on Senior Exemption

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney, and carried to approve a refund in the amount of \$350.47 for FY 2021-22 tax bill # 1269, 42 Highland Ave., Warwick, NY SBL: 215-3-55, due to clerical error per RPTL §550 (2)(c), per the request of Village Assessor, Deborah Eurich.

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

Appointment of Deputy Clerk, Jennifer Mante

A **MOTION** was made by Trustee Bachman, seconded by Trustee McManus, and carried to appoint Jennifer Mante to the position of Deputy Clerk at a salary of \$36,000 per year, at 32.5 hour per week, with a start date of August 9, 2021.

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

Facility Use Request – Memorial Park, Warwick Valley VFW Post 4662

A **MOTION** was made by Trustee McManus, seconded by Trustee Cheney, and carried to grant permission to Warwick Valley VFW Post 4662 to use the Memorial Park Median area on Friday, August 27, 2021, from 11:15 a.m. to 1:00 p.m. to commemorate ‘Ben’s Garden’. All activities must be in accordance with the Orange County and NYS Departments of Health. Completed park permit, proof of proper insurance, and security deposit have been received. Traffic control will be provided as deemed necessary by the Warwick Police Department.

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

Final Comments from the Board

Trustee McManus stated that the normal sequence of correspondence getting on the agenda does not open it up to public discussion, that is normally just that the Village receives correspondence and just goes on. Trustee McManus said that the Lions Club didn’t plan on coming tonight because they wanted the letter to appear and then it would be asked to be placed on the agenda for discussion. Trustee McManus wanted to clarify how it moves from correspondence onward.

Trustee Cheney stated that the purpose of correspondence is to present the matter to the other Board members because they haven’t seen it.

Trustee McManus said that there is usually not a discussion, it is usually moved from correspondence to a discussion area if the Board plans on it.

Mayor Newhard stated that the matter also proceeded the ability for the floor to speak.

Trustee McManus said that the public asked how the matter got on the agenda without it being brought up tonight and wanted it on the record of how that happened.

Executive Session

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus, and carried to go into Executive Session to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

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

Trustee Cheney stated that when the Village Board returns to regular session, they will not be taking any action.

Adjournment

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg, and carried to exit Executive Session, resume the regular meeting, and adjourn the regular meeting at approximately 8:30 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