

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
DECEMBER 17, 2018**

**7932**

The regular bi-monthly meeting of the Board of Trustees of the Village of Warwick was held on Monday, December 17, 2018 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: Katie Bisaro, James Gerstner and Lt. John Rader.

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

Mayor Newhard: Please remain standing. I would like to have a moment of silence on behalf of the Village Board of Trustees, the Office Staff and Department of Public Works. We send our condolences to former Mayor Frank Lacalamita and family at the recent passing of Kathryn Lacalamita and also condolences to the family of former Trustee William Wendel and DPW employee Art Wendel and their families on the loss of William Wendel, Jr.

The Clerk held the roll call.

**Acceptance of Minutes**

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to accept the Minutes of December 3, 2018. Five Ayes

**Acceptance of Reports**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried to accept Reports: Clerk's Office (November 2018), Justice (November 2018), Building (November 2018), Planning Board & ZBA (November 2018). 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 \$93,366.54. Five Ayes

**Police Report**

Lt. John Rader: Trustee Lindberg included me on the emails for Apple Eve, so we will be assisting with that and we will also be stepping up DWI patrols during the Holidays.

Mayor Newhard: Ok. Will the State Police be here as well?

Lt. Rader: We haven't notified them yet.

Mayor Newhard: Ok, I mean often they are around New Years, New Year's Eve.

Lt. Rader: I'm sure they will be.

Mayor Newhard: Yes.

**Announcements**

1. Santa's Toy Box – The Village of Warwick will be collecting new unwrapped toys through December 21 as part of the annual toy drive for the children of Orange County.
2. The Village of Warwick will be hosting Apple Eve 2019 on Railroad Green Monday, December 31, 2018 from 10:00 p.m. to 1:00 a.m. January 1, 2019.

Mayor Newhard: Also, know that we are collaborating with the Warwick Fire Department because it is the beginning of their 150<sup>th</sup> Anniversary as a volunteer Fire Department so we are very excited about that and as we had our year of sesquicentennial celebration, the Fire Department is going to have a year of events too so it should be a lot of fun for 2019.

Trustee Lindberg: It's going to be fun the whole year. They have not monthly, but maybe seven or eight nice events to get the community involved, meet the firemen and hopefully we're going to have a couple firetrucks again this year, depending on the weather, that will be used to raise and drop the ball.

Mayor Newhard: Great.

Trustee Lindberg: Hopefully, our new ladder truck will be there, again it depends on the weather.

**Correspondence**

1. Letter from the Homestead Village Homeowners Association regarding the expansion of the sewage pump station.
2. Letter from the Department of Health regarding the Campbell Road water main extension project.
3. Letter from Village Engineer, David Getz, regarding the review of construction drawings and 3-D renderings for the proposed new playground at Stanley-Deming Park.

Trustee Patterson: He says in his letter that he doesn't think that an engineer's certification is needed, based on his conversations with the people from Play by Design. Just saying it out loud, I think it should be. I think our insurance will probably have something to say about it if we don't.

Mayor Newhard: I agree. It was vetted by our insurance company but none the less I think that I want our engineer to be there onsite and to watch what's going on exactly.

Trustee Patterson: And to specifically just certify the drawings. Because I think he's planning on being there, I think he's planning on being involved but he's saying he doesn't feel that they agreed that an engineer's certification is not needed. I disagree, but I'm not an engineer. Barry do you have an opinion?

Trustee Cheney: I have not spoken to Dave about it, so I would rather not surmise anything at this point.

Trustee Patterson: Ok.

Mayor Newhard: Well I think we can have that conversation with him. I think that he would be open, so. Thank you.

### **Discussion**

#### 1. Streets

Mayor Newhard: Bill Lindberg and Trustee Patterson if you want to lead this conversation because you guys have been involved with looking at some of our streets and parking areas.

Trustee Lindberg: Trustee Patterson had some suggestions on three locations in the Village; Elm Street, Wheeler and Park Lane. Specifically, as far as parking, widths of the streets, etc. So, I met with Barry and Mike Moser. We went out a couple of times and actually measured the streets and took a look at the situations and what we have is three pages here. I did another one just to clean it up because the package was a little bit noisy, I guess.

Trustee Patterson: What do you mean?

Trustee Cheney: More detail then we probably needed.

Mike Moser: You asked for things, you got things.

Trustee Lindberg: So, Elm Street, the suggestion was parking only on the west side of Elm and we basically took the recommendations from the study from Yesterday's.

Mayor Newhard: Yes.

Trustee Lindberg: Ok, and that's in your package, first of all, about five pages, and their recommendations are that we put a yellow double stripe center line down Elm. Actually, put a stop bar at the intersection of Elm and West, just before the sidewalk. And recommended that we

place two 'no parking here to the corner' signs thirty feet from the intersection from Elm and West. And one more, they suggested putting a 'no parking' for fifty feet across from the entrance to the new Yesterday's restaurant on the southbound side.

Trustee Patterson: My concern didn't have anything to do with Yesterday's, it's the Friday nights when there's a graduation at the UMAC and there's classes or whatever at the new and very busy dance studio.

Mayor Newhard: On Wheeler?

Trustee Patterson: On Wheeler, yes. So, that whole area gets really congested and apart from it getting congested, it's all little kids excited to go graduate at UMAC or to go to dance. So, that makes me really nervous and those cross walks are not really as...people don't pay as much attention to them as they do to the ones on Main Street so, that was why I was saying it, so to incorporate the traffic study from Yesterday's is a good idea, but I think this is specific to Yesterday's and I don't think they had this study done on a Friday night.

Trustee Lindberg: Well, they did. It's a fifty-four-page report. They did the traffic study throughout the day and at night, weekends so I mean reading it, it was pretty comprehensive as far as many times. I'm hoping they were there when...I'm assuming based on all the times they listed, they were there when those places were open.

Mayor Newhard: But what you're talking about is actually another location, which is on Wheeler.

Trustee Patterson: Wheeler too.

Trustee Cheney: Right, the original recommendation was parking only on the west side of Elm.

Trustee Patterson: West side of Elm which is the side...

Trustee Cheney: Southbound side.

Trustee Patterson: Don't use...

Trustee Cheney: Towards the railroad tracks, west. That side as you're going down the hill.

Trustee Patterson: If your heading...

Mayor Newhard: From West Street.

Trustee Patterson: Yes, on the carwash side.

Trustee Cheney: Yes.

Trustee Patterson: That is the side that I think there should be parking.

Trustee Cheney: There should be?

Trustee Patterson: Or there shouldn't be, I'm sorry. There shouldn't be parking because then they're not crossing over so it's the opposite side, on the bagel store side. Those are my best directions.

Trustee Cheney: I got it.

Trustee Patterson: Those are my important landmarks in town.

Trustee Cheney: Somebody looks at this fifty-years from now and there's no bagel store there, they're going to go, 'What was she talking about?'

Trustee Patterson: They can go to the compass rose, but I can't.

Mayor Newhard: It's all local.

Trustee Patterson: Really, I'm just thinking about it because then the kids aren't crossing the street or the parents with kids in strollers and stuff aren't crossing the street to get to UMAC.

Mike Moser: On the bagel store side.

Trustee Patterson: We can say east now, we've clarified that that's east.

Mike Moser: Well, either way, from the stop sign you have a limited amount of area like thirty-feet and then you have the UMAC driveway which takes up another hundred and whatever feet, very small little parcel of land and then a driveway for that house that's there and then there's like a secondary driveway on the other end of the house and a catch basin and then there's the feed store. There really isn't a lot of room for parking as is on that side. The double yellow line that they're suggesting is going to be tight because the width of that street, so throwing a double yellow line up there is going to make those lanes very tight, tighter than West Street is now for a bus.

Trustee McManus: That's very tight.

Mike Moser: And the other side, the carwash side, it's I know my map had a lot of gibber gabber, but you go up and it's a couple of feet, driveway, couple feet, driveway. These people are just jamming their cars in between those spots to make it work but I don't think there's any

place where you could recommend parking. I would just put those no parking signs up to keep people away from the intersections and ... it's ugly.

Trustee Patterson: Ok. It is.

Mayor Newhard: So, you're recommending no parking on either side?

Mike Moser: If it was up to me, I don't think you have room to have any parking on that street because you if you put them all on one side, you're taking away from that little bit of lane and then you're going to put a double yellow line down the center of it and every car is going to be coming at you.

Mayor Newhard: And the problem is if people, say an event is going on, they're parking right up to let's say the parking lot on that side, then all of a sudden, your sight distance is completely obliterated and it's terrible, then it's really terrible, as bad as kids going across the street. So, I'm in your camp.

Trustee Patterson: So, we're saying no parking on either side?

Mike Moser: I don't want to take away anybody's right or do anything to park wherever they choose but it would be, as the guy who has to worry about those roads, it would be in my best interest that there wasn't cars all over it on either side. I mean in some spots it's thirty-feet and you've got a ten-foot-wide car or one of these super SUV's...

Trustee Patterson: Yes.

Trustee McManus: Wouldn't a single solid yellow line serve the same purpose.

Mike Moser: Yes.

Trustee Cheney: Well, legally it might serve a purpose but visually and how a driver reacts and responds to things, a double yellow line is better.

Trustee Patterson: Can we paint the curbs yellow, so they know not to park there?

Mike Moser: Sure.

Trustee Patterson: Instead of just the signs?

Mike Moser: Absolutely.

Trustee Patterson: Does that make sense?

Trustee Cheney: I don't know that that would be necessary as long as we're enforcing. I would think if they're not supposed to park there and we enforce it, then they're not going to park there. A yellow curb is not likely to keep them from parking there.

Trustee Patterson: Are you opposed to painting it yellow?

Trustee Cheney: Yes.

Trustee Patterson: Just aesthetically?

Trustee Cheney: No, because it's something you have to do on a continuing, maintaining basis.

Trustee Patterson: Ok.

Trustee Cheney: On Mike's more detailed sheet, it looks like you can only get four spaces going up the hill from the railroad tracks on the right side and four spaces it looks like on the left. You're not going to be able to get any spaces once the first driveway starts, all the way down to Yesterday's driveway.

Mike Moser: No, there's not enough room between.

Trustee Cheney: Because there's fifty...yes, well it's two hundred and ninety-five feet against two hundred and eighty-two, that's twelve, thirteen feet you're not going get as parking. You need twenty-feet for a parking space but you could get some on the other side.

Mike Moser: That's going to affect your turning radius, hey it's not to scale. I'm not an engineer.

Trustee Cheney: No, no but you got the numbers here. That's the entrance to the feed store?

Trustee Lindberg: It's in the package. There are two sets.

Trustee Patterson: Who's is this? This is yours Bill?

Trustee McManus: Bill cleaned it up.

Trustee Lindberg: I just cleaned up some of the notes.

Mike Moser: Mine was labeled working copy.

Trustee Lindberg: Is that thirty-feet for Elm?

Mike Moser: For Elm yes, and then it gets tighter down at the bottom, so I put another marker.

Trustee Cheney: The only thing that we're going to do by basically eliminating parking on both sides is people who live in those houses, their guests are going to have to find somewhere else to park.

Trustee Patterson: The houses on Elm Street?

Trustee Cheney: Yes.

Trustee Patterson: Well, there's only two.

Mayor Newhard: Three.

Trustee Cheney: And there's one on the corner, it faces west but it doesn't have any parking.

Mike Moser: Their driveway is the first one you see coming off of here.

Trustee Cheney: Yes.

Trustee Patterson: There's parking on the north side of West. Isn't there parking all along West Street there? For the people on West Street?

Mike Moser: That's why that lane is extra wide.

Trustee Patterson: Right, and I think the houses that you're talking about have driveways, don't they?

Mike Moser: Everyone of them has a driveway.

Trustee Cheney: Yes.

Mike Moser: Or a curb cut. I can't guarantee there's a driveway.

Trustee Patterson: Right. And I also think that whenever this happens or even if it doesn't happen, that we get in touch with the owners of UMAC and ask them to strike up a deal with the Mitchell's Corner property owners and encourage their customers to park in Mitchell's Corner on those nights, not that it's up to us to get in between a conversation with two private property owners but there's a whole empty lot down there that nobody's using on those nights.

Trustee Lindberg: I like the idea of the two signs, 'no parking to corner' and maybe in my opinion would be to extend those further down, but I don't know if I want to lose parking on Elm Street. Again, it is thirty-feet wide. Park Lane is thirty-four, so it is one of the wider streets we have, Elm Street.

Trustee Patterson: Yes. I wasn't encouraging us to lose parking all together, I was just trying to get it to one side, so whatever that looks like. I'm not opposed to the thirty-feet.

Mayor Newhard: Well, I also think when we start losing not only this but also Wheeler, then it starts having a real impact, so if we lose all that parking, it gets to be pretty intense when you have activities like UMAC and then of course the dance studio.

Mike Moser: But you're not losing any spots on Wheeler. You shouldn't be losing anything on Wheeler. Everything you have there should be exactly the way it is. The dance studio also has its own parking lot and an entrance that comes in off McEwen. They could be using that and the Spring Street parking lot.

Trustee Patterson: And off of West. They have an entrance off of West as well.

Mike Moser: The secondary entrance they have off of McEwen is right to that Spring Street parking lot. They could use that as their overflow.

Trustee Patterson: Yes.

Mike Moser: From the measurements I got on Wheeler, everything there is pretty much set. I wouldn't touch a thing.

Trustee Patterson: Ok.

Mayor Newhard: What about as you go further on Wheeler, past McEwen Street?

Trustee McManus: From Cottage to the corner of West.

Mike Moser: From Cottage to West we did. That's what we did in this little study and the way it is now is the only way we could do it. You have the signs up to keep them within thirty-feet of the intersection and they have plenty of room on the dentist side to park. And across the street you have the entrance for the acupuncture guy/lady and then you have another driveway coming in, but otherwise...

Trustee McManus: If they're parked on the dentist side from the corner to their driveway basically, they're parking, people parked on the other side of Wheeler, you can't get through there, two cars.

Trustee Cheney: One car can get through there, there's no need to have two at the same time pass each other. One can wait, one can see it. I mean if we were to do that, we would have to make every street one way with parking on one side. Or, make it two way with parking on one side and then we're really starting to eat into the parking if we were to do that.

Trustee McManus: I'm more concerned about safety than I am parking.

Trustee Cheney: Well, if you're concerned about safety then the best thing to do is to have parking on both sides that create a choke point so that it slows down and calms traffic.

Trustee McManus: You still have to be able to get through and you can't get through.

Trustee Cheney: You can get through as long as one car waits coming one way or the other. I use that pretty frequently and people wait for people. You can wait right by Cottage Street. The sight lines, the vision is good right along there. People wait for each other.

Trustee Lindberg: You know the only recommendation we made was to put a striped out area in between the dentist and the dance studio.

Mike Moser: Yes, there are two driveways.

Trustee Lindberg: There's just about twelve feet. Just no parking there.

Trustee Cheney: And if you look at it now, we could move the 'no parking here to corner' sign which is at thirty-two feet because the striped-out area would be at eighty-three feet. You need forty-feet, so we could move that another ten feet to make it forty-two feet from the corner to where parking starts. You'd have two spaces there and then you would have spaces beyond the walkway into the dentist. And on the other side we need to move our sign because it's supposed to be ninety-feet from the corner according to the regs so you'd take it up to the driveway. Basically, it was ninety-feet so there would be no parking from the driveway.

Mike Moser: And keep their line of sight.

Trustee Lindberg: So, from seventy-nine feet to ninety?

Trustee Cheney: Yes, well that's where the sign should be according to our code. And on the other side it was seventy-nine feet. We've got it at thirty-two, but I think it should be more like, if that's eighty-three, maybe at forty-feet and then we have room for two spots instead of thirty-seven.

Trustee Patterson: Well, I'm satisfied that clears up that intersection and congestion on the two ends of the street, on both streets.

Trustee Lindberg: And what about the crosswalks? Should we...

Mike Moser: Do you want one of those sanchions or a crosswalk dummy put there in that intersection?

Trustee Patterson: Sure. I mean I feel like it's not going to survive there between the school buses, no offense to any school bus drivers and Jones Chemical trucks and all of that but, yes, it's certainly worth a try to put them in, because there's actually one further down on West Street too by Pond Hill, Village Cove.

Trustee Cheney: But a lot of times somebody who isn't used to it coming up the hill isn't going to see to crosswalk until they're on top of it. That's your point, right?

Trustee Patterson: Yes. It's not a great spot.

Mayor Newhard: I know it's not part of this report but that next portion of Wheeler beyond McEwen Street if you're going from West Street there was actually an accident during Applefest because people were parked all the way to that corner. It's a similar corner to VanDuzer which is right around the hospital, right by Mt. Alverno or Schervier that you have that kind of funny leg and it's somewhat of a blind corner and I know that there's restricted parking on that corner as a rule and there is not restricted parking on that corner on Wheeler.

Trustee Lindberg: Wheeler and McEwen?

Mayor Newhard: On the elbow of Wheeler.

Mike Moser: Got it. I know what you're talking about.

Trustee McManus: Between Poplar and McEwen.

Mayor Newhard: Between Poplar and McEwen., right.

Mike Moser: Yes.

Trustee Patterson: Park Lane was not my idea, I mean I agree with having parking on only one side, but I don't think I was the one who raised it.

Trustee McManus: I did.

Mayor Newhard: George did.

Trustee McManus: Residents in Park Lane apartments are complaining of no sight coming out of driveways, that people are right up to the driveways, and they didn't know – no parking on either side, some of them didn't care which side or one side or the other, just to give them more vision. So, how are we fixing Park Lane?

Trustee Lindberg: Park Lane is thirty-four feet five inches, again I think that's one of the wider streets. We are suggesting putting two 'no parking to corners' at the intersection of Park Lane

and Parkway and also there's actually six driveways, the sixth one is up near Wadeson's, but on the other five driveways on both sides, we're suggesting to put yellow stripes on either side of the driveway for a better line of sight.

Mayor Newhard: So, we're not losing parking on either side?

Trustee Lindberg: Just at those intersections.

Trustee Cheney: Well yes, we would. We would lose a spot at each one of those intersections basically ten feet, you said ten feet, right?

Mike Moser: Yes.

Trustee Cheney: Ten feet on either side. Twenty feet is a parking spot.

Trustee Patterson: Same logic as taking away the parking spot in front of the crosswalk, so you can see. I think that's a good idea.

Trustee McManus: I assume we would need public hearings to change them all.

Stephen Gaba: You have to by local law, so you have tracked in your code, so yes.

Mayor Newhard: Ok, so can you summarize that, all that? All of those changes and then give them to Mr. Gaba?

Trustee Lindberg: For tonight?

Mayor Newhard: No, not tonight.

Trustee McManus: Does anything come quickly to mind on the changes to you?

Lt. John Rader: I'd rather read what you're reading before I render an opinion.

Mayor Newhard: Yes.

Trustee McManus: You can have it.

Mayor Newhard: We will give you a summary, Bill will make up and give it to you.

Lt. John Rader: That would be fine. Thank you.

Mayor Newhard: I think that would make more sense. Gentlemen thank you for all of that work.

Trustee Cheney: One of the things that I noted because I was referring to our Vehicle and Traffic and Parking as long as we're on the subject is the matter of all-night parking and while it talks about the Village's streets, it doesn't talk about any of the Village's parking lots.

Trustee Patterson: In the code book?

Trustee Cheney: It doesn't prohibit parking in any of the parking lots.

Mike Moser: Well, that explains why people leave their cars there overnight.

Trustee Cheney: At least I couldn't find it in here. If you want to take a look and you can find it, that would be great.

Trustee Patterson: I know that we talked about that and as an example the CVS, upper CVS parking lot is a four-hour lot so overnight is more than four hours. I mean does that...

Trustee McManus: Not if you only park from 2:00 a.m. to 6:00 a.m. where the restricted parking is. Overnight parking ban is from 2:00 a.m. to 6:00 am. in the winter for snow removal.

Trustee Patterson: On the street, yes.

Trustee McManus: But if someone parked in the parking lot from 2:00 a.m. to 6:00 a.m. they wouldn't be breaking any laws because it's only four hours.

Trustee Patterson: Oh. Because I know that there are...the conversation came up when we were talking about the parking lot, one of the people who lives in an apartment upstairs on Main Street said there's a section of the CVS lot, I think it goes up against the bank there, where the residents, it's just understood that they park there. I don't know if they have permits or whatever but...so that was when we addressed it and then I think at the time we decided that the four-hour limit or the three-hour limit or the two-hour limit would take care of it. Whether or not we had to specifically say overnight parking. I'm not disagreeing with you, I'm just saying that's what...

Trustee Cheney: And that limit is only for a four-hour period, so they can park there from 8:00 p.m. to midnight, move to the spot next to it and do that twice during the night if they wanted to get up and do that. I don't want to put people out who have that agreement to park there because it's fairly limited but still, it impedes our ability to remove snow during a storm.

Trustee McManus: I don't think it's an agreement. I think it's an understanding among the residents, this is where we park and it's ok.

Trustee Cheney: Yes.

Trustee McManus: Not agreed upon by anybody.

Mike Moser: What about the ones that leave them in Stanley-Deming Park for days.

Trustee Cheney: Well, I think the same thing kind of thing exists there relative to the apartments along South Street because their parked...

Trustee Patterson: Isn't there a 'no overnight parking' sign at Stanley-Deming? Because I remember somebody was parked there, this was a long time ago, but somebody was parked there, and a tree fell on their car. Do you remember that?

Mayor Newhard: Yes.

Trustee Patterson: And we were able to say...

Trustee Cheney: Ducked the liability?

Trustee Patterson: We did not, I'm not saying that we ducked the liability, I'm just saying that there was no liability on our part because they were parked there overnight.

Trustee Lindberg: I don't know if there's a sign. I don't think there's a sign.

Mike Moser: I don't believe there's a sign.

Trustee Patterson: I think the tree might have taken it. I thought there was a sign there.

Mayor Newhard: I think the only area we have a 'no overnight parking' sign is in the South Street parking lot.

Trustee Patterson: I think that solves a problem if we just put 'no overnight parking' instead of having to change it.

Trustee Cheney: Well, it has to be in the code. You can't enforce something that isn't in the code.

Stephen Gaba: Otherwise it's not enforceable.

Trustee Patterson: Oh, ok.

Trustee Cheney: You can put all the signs up that you want, but if they're not backed up by the code the judge isn't going to hold us to it.

Mayor Newhard: And what about, let's say the First Street lot where people potentially have a permit to, or even the bank – Chase Bank lot, where people have a permit, to park overnight?

And then the recommendation is that be at certain spots I guess so that the plows can be efficient, so...

Trustee Cheney: I'm not necessarily saying we have to do something about it. It's not that big of an issue to DPW.

Mike Moser: You brought it up.

Trustee Cheney: I'm just saying there's seems to be a belief that there wasn't supposed to be overnight parking in the parking lots as well as the streets.

Mike Moser: And there is many a time where there are vehicles left overnight when we're moving snow and they're in the way and we just work around them because I don't know if there's some kind of 1820 agreement where they lived there for...

Mayor Newhard: Well, I think it's worth looking into and standardizing if we can and as long as I think that we look at the issues of tenants and what they have to do.

Trustee Cheney: Absolutely.

Mayor Newhard: I mean I think that's the critical thing. When somebody lives over a store or lives in a very congested area and there are no places to park, sometimes a municipal lot is the only opportunity for them, so maybe we have to standardize that too.

Trustee Patterson: Well, wouldn't the twelve-hour lot be the opportunity?

Mayor Newhard: Yes, I think it is, but I think then we potentially have to say where in that twelve-hour lot because that twelve-hour lot needs to be plowed as well. I mean it's mostly about snow removal.

Trustee Patterson: Right.

Mayor Newhard: Do you want to peel that orange?

Trustee Lindberg: Well, Stanley-Deming there's not a whole lot of ... one side of South Street there's no driveways, so that's where they park.

Mayor Newhard: Right. Yes, I've seen a car there by the end of the winter that is no longer. It's incased in an iceberg of snow. Ok. Thank you. So, you're going to figure that out for Steve and give a copy to Lt. Rader and take a look at the parking lots.

**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.

**Motions**

**Wastewater Treatment Plant – Belt Filter Press Bid**

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to advertise and receive bids for the furnishing and installation of conveyors for the Belt Filter Press at the Wastewater Treatment Plant. Five Ayes

Trustee Cheney: Basically, this will complete the upgrade of the belt filter press operation within the belt filter press building with all new equipment. We replaced the press itself a couple of years ago.

Mayor Newhard: Thank you Barry.

**Apple Eve 2019 – Closing of Railroad Avenue**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Patterson to close Railroad Avenue for the benefit of the Apple Eve Event on Monday, December 31, 2018 from 5:00 p.m. to Tuesday, January 1, 2019 1:00 a.m. – **AMENDED**

**Discussion**

Trustee Patterson: Shouldn't it be later then that. The event ends at 1:00 a.m.

Mayor Newhard: The event ends at midnight.

Trustee Patterson: Oh, it does? I'm sorry, I thought ...

Trustee McManus: The announcement said 1:00 a.m.

Stephen Gaba: I thought it said 1:00 a.m.

Trustee McManus: The announcement said 1:00 a.m.

Stephen Gaba: Otherwise, you're clearing out at the stroke of midnight.

Mayor Newhard: Yes, I guess so. There's no official program. There's no DJ. It's a much smaller event comparatively.

Stephen Gaba: Well, you should match the closing to the time of the event though, it's seems at minimum, don't you think?

Mayor Newhard: Right, so the event says 1:00 a.m. so, 1:30 p.m.

Trustee Lindberg: 1:30 a.m. is fine, it depends on how cold it is.

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Patterson and carried to close Railroad Avenue for the benefit of the Apple Eve Event on Monday, December 31, 2018 from 5:00 p.m. to Tuesday, January 1, 2019 to 1:30 a.m. 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 2.0, "Employee Classifications" of the Employee Handbook of the Village of Warwick including all subparts of Section 2.0, is hereby deleted in its entirety and replaced with the attached revised text.

2. That Section 3.5 of the Employee Handbook, "Behavior Policy", is hereby amended to add a new item (v) to Subparagraph (v) reading as follows:

**"Attendance Policy Violations** – The following actions will be cause for disciplinary action and/or discharge from employment:

- a) Excessive absenteeism; as determined by the Mayor based upon the relevant facts and circumstances pertaining to such absenteeism as they may appear.
- b) Excessive tardiness; as determined by the Mayor based upon the relevant facts and circumstances pertaining to such tardiness as they may appear.
- c) Unauthorized absences and/or failure to give proper notice.

An employee who, after investigation, is found to have refused to work additional hours as directed will be subject to appropriate disciplinary action."

- 3. That Section 4.1 of the Employee Handbook of the Village of Warwick is hereby deleted in its entirety and replaced with the attached revised text.
- 4. That Section 6.3 of the Employee Handbook of the Village of Warwick is hereby deleted in its entirety and replaced with the following text:

**"6.3 Compensation Rates.**

(a) Except as provided by a collective bargaining agreement, the compensation rate for Village employees shall be set by the Village Board. Salary increases shall generally be accorded by the Board, in its discretion, and the Village's FY Budget. Such compensation shall be paid on the following basis:

(i) Hourly Compensation Positions:

Code Enforcement Officer  
Village Treasurer  
Village Clerk  
Deputy Clerk / Treasurer  
Water Billing Clerk  
Court Clerk  
DPW Clerk  
Planning Board Secretary  
Part-Time Employees  
Seasonal Employees

DPW Employees (Paid hourly Per Collective Bargaining Agreement)

(ii) Salaried Compensation Positions:

DPW Supervisor (which is an Exempt Employee Position under the Fair Labor Standards Act)\*

Elected Officials (which are Exempt Positions under the Fair Labor Standards Act)

(iii) Stipend Positions:

Planning Board Members (Stipend determined by the Village Board annually in the Village's Budget)

(iv) Volunteer Positions:

ZBA Members

Architectural Review Board Members

Other Volunteers as approved by the Village Board"

*Footnote \* - Employees whose jobs are governed by the FLSA are either "exempt" or "nonexempt." Nonexempt employees are entitled to overtime pay. Exempt employees are not.*

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

**- TABLED**

Mayor Newhard: We're going to table the resolution revising the Village Employee Handbook. I would like the Board of Trustees to take this information and to really look over it carefully. There's been a lot of people working on this, but I think another set of eyes definitely would help because this is going into our handbook and so if you have any questions please, we'd like to collect them all together and if you could send them to Raina, the Village Clerk, I think that would be the best thing. So, I've been working on it, Raina, Cat Richards, and Mike Vernieri, and Steve Gaba had all had a look at this and have been working on this, but I think that the Trustees really need to look at it carefully.

Trustee Patterson: Can I just ask a question?

Mayor Newhard: Sure.

Trustee Patterson: It says section 4.1 of the Employee Handbook of the Village of Warwick is hereby deleted in its entirety and replaced with the attached revised text?

Raina Abramson: It's in there. It's in your packet. That's 2.0 right there and the next is 4.1.

Trustee Patterson: Oh, I'm sorry. Ok.

### **2018 Back Overtime Schedule**

**MOTION** to approve the 2018 Back Overtime Schedule for overtime payments to the Village Employees listed thereon. - **TABLED**

### **Albert Wisner Public Library – 2019 Children's Book Festival**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried to grant permission to the Albert Wisner Public Library to hold their Children's Book Festival on Railroad Green on Saturday, October 12, 2019 from 11:00 a.m. to 4:00 p.m. Completed park permit, security deposit and proof of proper insurance have been received. Five Ayes

### **2019 Children's Book Festival – Closing of Railroad Avenue**

A **MOTION** was made by Trustee McManus, seconded by Trustee Patterson and carried to close Railroad Avenue for the benefit of the Children's Book Festival on Saturday, October 12, 2019 from 6:00 a.m. to 6:00 p.m. to allow for tent set-up and removal. Five Ayes

### **Reports**

#### **Trustee Cheney's Report:**

For the Board's information tomorrow, we are having our annual water system inspection by the Orange County Health Department.

#### **Mayor Newhard's Report:**

On behalf of the Board I would like to wish everyone a very Merry Christmas, Happy Holiday's and a Happy New Year and we will see you in 2019.

### **Executive Session**

A **MOTION** was made by Trustee Patterson, 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 matter leading to the appointment, employment, promotion,

demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Five Ayes

**Return to Regular Meeting & Adjournment**

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried to exit executive session, resume monthly meeting and adjourn at approximately 8:45 p.m. Five Ayes

---

Raina Abramson, Village Clerk