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VILLAGE OF WARWICK

INCORPORATED 1867

Village of Warwick Village Board Meeting – January 18, 2022

Pursuant to New York State Chapter 1 of the Laws of 2022 public bodies may conduct meetings and public hearings either remotely pursuant to the requirements of Chapter 1 or in-person following CDC and New York State Department of Health guidance; therefore, the Village of Warwick Village Board meetings will be conducted virtually through Zoom Videoconference until further notice.

To View the Meeting:

YOUTUBE LIVE - The public may view the meeting live on the Village of Warwick, NY YouTube channel: <https://www.youtube.com/channel/UCK7D7KGbZF6nYfbcWGH6-VA>

VILLAGE'S WEBSITE – The public may view the meeting a day or so after its completion by going to the village's website: www.villageofwarwick.org

To Comment - During Privilege of the Floor Only:

VIA EMAIL OR MAIL - Comments may be sent to the Village Board prior to the Village Board Meeting via email to: clerk@villageofwarwick.org or via mail: Village of Warwick, Attn: Village Clerk, P.O. Box 369, Warwick, NY 10990. Please indicate in your correspondence that you wish to have your comments read during privilege of the floor. Please limit your comments to **three (3) minutes**.

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
JANUARY 18, 2022**

9149

The regular meeting of the Board of Trustees of the Village of Warwick was held on Tuesday, January 18, 2022, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY via Zoom Videoconference. Present was: Mayor, Michael J. Newhard, Trustees: Barry Cheney, William Lindberg, Corey Bachman and George McManus. Also, present was Village Clerk Raina Abramson, DPW Supervisor Mike Moser, and Village Attorney, Stephen Gaba. Others present:

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<https://www.youtube.com/channel/UCK7D7KGbZf6nYfbcWGH6-VA>

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

Mayor Newhard stated that tonight the meeting is beginning with a public hearing and asked the Clerk to read the public notice.

LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Village Board of the Village of Warwick will hold a public hearing on January 18, 2022, at 7:30 o'clock p.m. on a proposed Local Law No. 1 of the Year 2022 entitled, "A local law to amend Village Code Chapters 39 and 90 and A150 regarding Village Parks and Facility Use Permits and to enact a new Chapter 39A regarding Assemblies."

The purpose of this local law is to promote the public health, safety and welfare by amending Village Code Chapter 39 "Assemblies, Public – Village Owned Properties", and Village Code Chapter 90 "Park Rules and Regulations" and new Village Code Chapter A150 "Facility Use Permits" and enacting a new Chapter 39A "Assemblies, Public – Private Property."

A copy of the proposed local law is on file in the office of the Village Clerk and available for inspection by interested persons during Village Clerk's business hours.

PURSUANT TO CHAPTER 417 OF NEW YORK STATE LAWS OF 2021, the said meeting will be conducted in the following manner: Members of the Village Board will attend the meeting via Zoom video or teleconference. The public hearing may be viewed live on the Village of Warwick, NY YouTube channel at <https://www.youtube.com/channel/UCK7D7KGbZf6nYfbcWGH6-VA> .

Interested parties may submit comments to be received by 4:00 p.m. on January 18, 2022, via mail; Attn: Village Clerk, 77 Main Street, Warwick, NY, 10990 or via email; clerk@villageofwarwick.org. Comments may also be made via YouTube during the public hearing by going to the Village of Warwick, NY YouTube channel.

NO IN-PERSON ATTENDANCE IS AVAILABLE OR PERMITTED FOR THE MEETING. Public comment will be permitted. There is no physical meeting location, but for the purpose of compliance with the applicable law, the location of the meeting shall be deemed to be conducted at Village Hall, 77 Main St, Warwick, NY 10990.

Mayor Newhard: Thank you. With that I don't believe we have any public comment that was sent to us but it the Board would like to make any comments at this time. I would like to thank Bill and Corey and Raina for the hard work, organizing and getting this done. Steve, any comments before we finishing the public hearing?

Stephen Gaba: I think the changes to the local law, particularly in regard to assemblies are going to be helpful and the clarification of rules for the park and facility use are also going to a good thing.

Mayor Newhard: So, with no comments this evening, may I have a motion to close the public hearing?

Close Public Hearing – Local Law No. 1 of the Year 2022

A **MOTION** was made by Trustee Cheney, seconded by Trustee Bachman and carried to close the Public Hearing on proposed Local Law No. 1 of the Year 2022 entitled: "A local law to amend Village Code Chapters 39 and 90 and A150 regarding Village Parks and Facility Use Permits and to enact a new Chapter 39A regarding assemblies."

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

Acceptance of Reports

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Bachman and carried for the Acceptance of Reports – December 2021: Clerk's Office, Justice Department, Department of

Public Works, Treasurer's Office Credit Card Account Transaction Detail, Building Department, and November & December Planning 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

Acceptance of Minutes

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Bachman and carried for the Acceptance of Minutes: December 20 & December 27, 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 Cheney, and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$131,627.28.

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. Report letter from Pitingaro & Doetsch Consulting Engineers regarding the proposed water and sewer connection to the Village systems for the Pioneer Farms Project.

Privilege of the Floor

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you wish to have your comments read during privilege of the floor. Please limit your comments to **three (3) minutes**.

No comments were made.

Vacation Carry Over – Antonio Rivera

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to grant permission to Village of Warwick Employee, Antonio Rivera, to carry over 10 vacation days.

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

Reimbursement of Overestimated Water & Sewer Fees

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to reimburse John Ehret of 41 Magnolia Lane, Warwick, NY for overestimated water and sewer fees in the amount of \$750.50.

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

RESOLUTION APPROVING COVID-19 HARDSHIP DEFERRED PAYMENT AGREEMENTS FOR MUNICIPAL WATER & SEWER SERVICES

WHEREAS, the COVID-19 pandemic resulted in a state of emergency being declared within the State of New York; and

WHEREAS, one of the state-wide measures taken as a result of the said state of emergency was a moratorium on utility service shutoffs, which included a right for persons who incurred COVID-19 related hardships to enter into deferred payment agreements ("DPAs") regarding any arrears on municipal central water and sewer service charges; and

WHEREAS, the Village of Warwick has received requests from property owners to enter into DPAs based upon Covid-19 related hardships; and

WHEREAS, the Village has prepared forms for DPAs which may be utilized for such purposes, copies of which are annexed hereto;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board hereby approves the DPA forms for use by the Village in Covid-19 related hardship cases; and

2. That the Village Board hereby authorizes the Mayor to complete and execute such DPAs on any requests for a Covid-19 related hardship DPA that were received by the Village on or before January 7, 2022.

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

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Aye Mayor Newhard Aye

Discussion

Trustee McManus inquired if the Village Attorney, Stephen Gaba, has reviewed and approved the language. Mayor Newhard explained that Mr. Gaba wrote the agreements and wrote the motion as well.

RESOLUTION ADOPTING VILLAGE OF WARWICK LOCAL LAW NO. 1 OF 2022 ENTITLED “A LOCAL LAW TO AMEND VILLAGE CODE CHAPTERS 39 AND 90 AND A150 REGARDING VILLAGE PARKS AND FACILITY USE PERMITS AND TO ENACT A NEW CHAPTER 39A REGARDING ASSEMBLIES.”

WHEREAS, the Village Board has before it for consideration a local law entitled: "A local law to amend Village Code Chapters 39 and 90 and A150 regarding Village Parks and Facility Use Permits and to enact a new Chapter 39A regarding assemblies", and

WHEREAS, following due notice the Village Board held a public hearing on the proposed local law,

NOW, THEREFORE, BE IT RESOLVED as follows:

(1.) That the Village Board hereby adopts the above local law which said local law shall be effective upon publication, posting and filing in the Office of the Secretary of State in Albany.

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

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

Barry Cheney, Trustee, voting Aye

William Lindberg, Trustee, voting Aye

George McManus, Trustee, voting Aye

Corey Bachman, Trustee, voting Aye

Michael Newhard, Mayor, voting Aye

RESOLUTION AMENDING SCHEDULE OF FEES PERTAINING TO FACILITY USE AND PARK PERMITS

WHEREAS, the Village Board has before it for consideration proposed amendments to the Village's Fee Schedule pertaining to Facility Use and Park Permits, a copy of which is attached hereto; and

WHEREAS, following due deliberation the Village Board wishes to adopt the said amendments to the Village's Fee Schedule,

NOW, THEREFORE, BE IT RESOLVED as follows:

(1.) That the Village Board hereby adopts the said proposed amendments to the Village's Schedule of Fees.

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

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

Barry Cheney, Trustee, voting Aye

William Lindberg, Trustee, voting Aye

George McManus, Trustee, voting Aye

Corey Bachman, Trustee, voting Aye

Michael Newhard, Mayor, voting Aye

Budget Modification

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus and carried to approve the budget modification and transfer request as per the Village Treasurer's letters dated January 11, 2022.

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 – Linear Park, Winslow Therapeutic Riding Center Duck Derby

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Bachman and carried to grant permission to Winslow Therapeutic Riding Center to hold the Duck Derby event on Sunday, May 15, 2022, from 10:00 a.m. – 2:30 p.m. in Linear Park by the Wawayanda Creek and South Street parking lot, with set up to begin at 8:00 a.m. and breakdown to be completed by 3:00 p.m. All activities must be in accordance with the NYS and Orange County Departments of Health. Completed park permit, proof of proper insurance and \$100 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

Village Election – Appointment of Machine Operators

A **MOTION** was made by Trustee Bachman, seconded by Trustee Lindberg and carried to appoint Michael J. Batz, Sr. and Elizabeth Doty as Machine Operators and Ralph Boone and Noel Thompson as Alternate Machine Operators for the Tuesday, March 15, 2022, Village Election at a rate of \$13.00 per hour.

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

Village Election – Appointment of Election Inspectors

A **MOTION** was made by Trustee Bachman, seconded by Trustee Lindberg and carried to appoint Victoria Hague, Margaret Bezares-Lopata, Virginia Kimbrick, and Donald Grenier as Election Inspectors and Thomas King and Geoffrey Howard as Alternate Election Inspectors for the Tuesday, March 15, 2022, Village Election at a rate of \$13.00 per hour.

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

NYS Gaming Commission – Music For Humanity

A **MOTION** was made by Trustee McManus, seconded by Trustee Lindberg and carried to approve the New York State Gaming Commission form GC-RCF: Raffle Consent Form for Music for Humanity to sell raffle tickets in the Village of Warwick during the 2022 calendar year and authorize the Village Clerk to sign the same. Approval of form GC-RCF does not authorize the applicant to sell tickets at their leisure. All ticket sales during events and/or street fairs are subject to prior written approval of the event organizers and must be filed in the Clerk's Office. All other ticket sales are subject to prior written approval from the Village Board of Trustees. All activities must be in accordance with the NYS and Orange County Departments of Health.

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 Consultant, Sharon Worthy-Spiegl, Esq. – Teamsters Negotiations

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney and carried to appoint Sharon Worthy-Spiegl, Esq. to serve as a consultant to the Village of Warwick for negotiations with the Teamsters Union at fee of \$100 per hour, with a maximum of \$500 per day.

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

Mayor Newhard explained that the fee is similar to what Jack Ingrassia charged the Village four years ago. Mayor Newhard added that Jack retired and that he appreciates the great work that Jack did and how he looks forward to working with Sharon.

Appointment of Mayor Newhard and Trustee Cheney for Teamsters Negotiations

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus and carried to appoint Mayor Michael Newhard and Trustee Barry Cheney to do the negotiations for the Teamsters Union contract that ends May 31, 2022.

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

Reports

Trustee Cheney's Report:

Trustee Cheney explained that the Federal Government opened a website today for households to be able to request and receive COVID at home test kits. Trustee Cheney said the website can be accessed by going to covidtest.gov and believes it is limited to one request per household and residents will get four test kits as part of that request. Trustee Cheney also explained that the County has been strenuously lobbying with the State to get them to establish a State operated test site in Orange County, so residents don't have to travel to Rockland or Ulster to be able to get a test for COVID.

Mayor Newhard mentioned that there was a County sponsored test kit distribution at the former prison site that was very effective. Mayor Newhard applauded Town of Warwick Supervisor, Mike Sweeton, for organizing it. Mayor Newhard added that they gave out a lot of tests and that the public was very appreciative and also believes that there will be additional dates, including one in the Village that may hold at Memorial Park.

Trustee Lindberg's Report: No report at this time.

Trustee Bachman's Report: No report at this time.

Trustee McManus' Report: No report at this time.

Trustee McManus' screen froze, and his connection was dropped from the meeting at approximately 7:50 p.m. Trustee McManus did not rejoin the meeting.

Final Comments from the Floor – No comments were made.

Final Comments from the Board –

Mayor Newhard thanked the Village of Warwick DPW and Mike Moser for the cleanup from the storm and for following through during the storm, the first storm of any merit for the season, and that he felt that everyone did an excellent job. Mayor Newhard also gave a great thanks for the new ice-skating rink in Memorial Park which is a gift to the community that was fully organized by the Department of Public works who saw that the Village had the rink in storage, and it was a number of years since there has been a really cold winter, or the Village had a place to put it. Mayor Newhard stated that the DPW figured it out and did an excellent job and that the rink is getting well used very quickly.

Trustee Cheney inquired if Mike Moser had a report.

Mike Moser read his report to the Village Board.

The Village of Warwick Department of Public Works has been working on the following projects and assignments while practicing Social Distancing and Maintaining a Safe Workplace:

- all village-owned properties are continuously maintained
- all DigSafe 811 utility mark-outs performed
- patching of potholes continues through-out Village
- storm preparation and clean-up from multiple events
- constructed ice rink at memorial park; including building a Zamboni to keep the ice clean and in great shape
- Apple Eve-set-up and take down
- replaced signage at parks, parking lots/spaces, and roads
- flagpole
- preventative jetting and investigation of sewer system
- reset the pillars at entrance to First St Parking Lot for lighting
- RR Green display, new Christmas Nativity, Menorah, Santa's Sleigh and holiday decorations taken down
- painted American Flags on picnic tables at pavilion

- made repairs to skatepark equipment, resurfaced with Skate-lite, but due to the weather the halfpipe wasn't moved but will hopefully be done next week.
- replaced the inlet structure at upper reservoir
- Christmas trees picked up from households
- second half of crew attended yearly training as provided by Comp Alliance: workplace violence; right-to-know—Chemical Safety; Blood-borne pathogens; and Hazwoper Awareness

Adjournment

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to adjourn the regular meeting at approximately 8:00 p.m.

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

Trustee Cheney Aye Trustee Lindberg Aye Trustee Bachman Aye

Trustee McManus Absent Mayor Newhard Aye

Raina M. Abramson, Village Clerk