

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
JULY 23, 2019**

8287

A special meeting of the Board of Trustees of the Village of Warwick was held on Tuesday, July 23, 2019 at 10:00 a.m., in Village Hall, 77 Main Street, Warwick, NY. Present were: Mayor, Michael J. Newhard, Trustees: Barry Cheney, William Lindberg, and George McManus. Trustee Eileen Patterson was absent. Also, present: Village Clerk, Raina Abramson, DPW Supervisor, Michael Moser and Village Clerk to the Justice Court, Karen Vermillion.

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

Discussion

1. Cost estimate for painting the court room and stairs and replacement of the court office door in relation to the 2018-2019 Justice Court Assistance Program Grant. (Motion to be defined through discussion)

Mayor Newhard: So, what happened along the way just for everyone to know, there was estimates that were made, three estimates on the cost, and the lowest estimate was CertaPro Painters. Obviously, if we go this way you would have to recuse yourself George. But what was realized was that it was not prevailing wage and so we went back to CertaPro and received a new estimate. The other estimates were already, the other two estimates were already higher even though they weren't prevailing wage so we realized that if they were, they would be that much higher even so CertaPro was the only prevailing wage estimate we received.

Trustee Cheney: They are still below, Certa is still below those other two?

Mayor Newhard: Yes. So, I did go to NYCOM. I did ask them was the court system exempt and they said no, not at all, actually they should really be the example. So, it's the way we have to bid this out so, we have to pay for this. So, the original cost, do we have that?

Raina Abramson: Yes.

Mayor Newhard: So, we did go back to CertaPro and ask if we only did the court room, and they actually included the stairs because it's very hard to finish the room without doing the stairs. So, if they were to do the whole job...do we have that estimate? It was \$9,000. So actually, the question is, we have to make a determination so that we can move forward, we have to spend this money by the end of August, I believe is the cutoff, whether we want to fund the entire payment which would include the courtroom, the stairwell, the lobby, and her office which was the first estimate we got. Or they truncated one for \$7,000 which would just have been the courtroom and stairwell so that's sort of what's on the chopping block. We can probably find the money to do the entire work. We are new in the fiscal year so there is probably places in our maintenance

budget for Village Hall that we could find it. So, it's whether we want to do the entire job now or we want to reapply and then do the second part maybe next year.

Trustee Lindberg: And is she looking for the price for the total?

Mayor Newhard: For the total job, the original total job.

Trustee Cheney: At prevailing wage?

Mayor Newhard: At prevailing wage, yes.

Raina Abramson: Karen is going to bring it down right now.

Trustee Lindberg: Can we do a motion or two?

Mayor Newhard: Yes, we can go to motions.

- *Discussion Continued Regarding Painting the Court Room (see below)*

Motions

Rescheduled Concerts - Village of Warwick Summer Concert Series

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney and carried to reschedule two (2) rained out Village of Warwick Summer Concert Series events per the Summer Concert Coordinator, William Iurato as follows: New York Swing Exchange, Tuesday, July 30, 2019 at 7:30 p.m. and Blue Sky, Friday, August 23, 2019 at 6:30 p.m. Four Ayes

Facility Use – Memorial Park / Warwick Fire Department 150th Photos

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney and carried to grant permission to the Warwick Fire Department to use Memorial Park for photos of the Warwick Fire Department as part of their 150th celebration on Saturday, August 3, 2019 & Sunday, August 4, 2019 from 8:00 a.m. to 10:00 a.m. Completed park permit, and proof of proper insurance has been received. Security deposit has been waived. Four Ayes

Discussion Prior to Vote

Trustee Cheney: In the application, is there a particular area that they were looking to...

Raina Abramson: You know what, they called, and this was all very last-minute yesterday, they said it would be the pavilion area. They asked for the pavilion area.

Trustee Lindberg: Ok.

Trustee Cheney: Just so I guess it's clear from Mike's standpoint that we are not shutting down the entire park.

Trustee Lindberg: Oh, no.

Facility Use – Memorial Park / Warwick Fire Department Family Picnic

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Cheney and carried to grant permission to the Warwick Fire Department to extend the time of their Family Picnic in Memorial Park to 9:00 p.m. on Saturday, July 27, 2019 per their email dated July 22, 2019. The original request which was approved on February 4, 2019 had the event taking place from 10:00 a.m. to 7:00 p.m. Four Ayes

Continue Discussion – Painting the Court Room

1. Cost estimate for painting the court room and stairs and replacement of the court office door in relation to the 2018-2019 Justice Court Assistance Program Grant. (Motion to be defined through discussion)

Mayor Newhard: So, before we do the resolution and I have Karen here. So, Karen basically what we have are two different proposals. One for the original proposal, so that included the courtroom, the stairway, the lobby, and your office as well?

Karen Vermillion: Yes.

Mayor Newhard: And is your office painted now?

Karen Vermillion: Part of it. I think one wall is painted and the other walls are paneling.

Mayor Newhard: Ok. So, that amount with prevailing wage was \$9,824.73. If we were to limit it to do just the courtroom and stairwell it was \$7,879.00.

Trustee Cheney: What was the full project?

Mayor Newhard: The number?

Trustee Cheney: Yes.

Mayor Newhard: \$9,824.73

Trustee McManus: There's a \$2,000 difference.

Trustee Lindberg: \$2,000 would include Karen's office, the stairway...

Mayor Newhard: Well, the stairway is included in the second one.

Trustee McManus: The lobby.

Mayor Newhard: The lobby.

Trustee Lindberg: The lobby and Karen's office? That's it? For \$2,000 for the lobby plus one wall in Karen's office.

Trustee Cheney: Was that the intent to just do the one wall? To paint the one wall.

Karen Vermillion: Yes.

Trustee Cheney: Ok.

Trustee Lindberg: \$2,000 for the lobby and one wall. That's crazy.

Mayor Newhard: Well, that's because it's prevailing wage.

Karen Vermillion: Right.

Mayor Newhard: Everything has been...

Karen Vermillion: Because the original quote before prevailing wage was just a little over \$4,000 for the whole entire job. Then we jumped it up to prevailing wage and that's what happened.

Mayor Newhard: Right.

Trustee Lindberg: Well, so it's not going to get any cheaper, right.

Mayor Newhard: It's not going to get any cheaper.

Trustee Lindberg: So, we should probably do it.

Trustee McManus: I think if we can the \$9,000 or the full amount, we should just do it.

Mayor Newhard: Just get it done.

Karen Vermillion: Well, we have \$3,500 in grant money. That's how much the grant money allowed us.

Trustee McManus: How much?

Karen Vermillion: \$3,500.

Mayor Newhard: But that's just for the painting?

Karen Vermillion: Just for the painting.

Trustee McManus: So, \$9,000 and it only costs us \$5,500 so I would say go do the whole thing.

Mayor Newhard: Right.

2018-2019 Justice Court Assistance Grant – Painting

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to accept the proposal from CertaPro Painters dated July 12, 2019 for painting of the court room, court clerk's office, the stairwell, and the lobby in an amount of \$9,824.73. Three Ayes, Trustee McManus Abstained

Discussion

Trustee McManus: Although I have no financial interest in CertaPro Painters, I am related to the proprietor so I will recuse myself.

Mayor Newhard: Thank you. Then we have a motion on the door replacement, right.

Karen Vermillion: So, Windows and Doors is the company that we've been using for this building and his first original quote was over \$4,000. The grant is also allowing us \$3,500 for that project as well and I negotiated with him and got him down to \$3,500. That's for the bullet resistant door and installation. The other two quotes, one of them is higher with installation, the lowest quote is just for us to measure up the door, then to order it, and ship it to us. Then it has to be installed. That's why the one quote is very low. But we have the \$3,500 for the door and it cannot be used for anything else and we're very happy with Windows and Doors and that's the full grant amount.

Mayor Newhard: And the installation.

Karen Vermillion: And installation, a complete job.

Mayor Newhard: And the installation is pretty specific to this...

Karen Vermillion: It's very important for those kinds of doors.

Mike Moser: Yes, no offense to your building, but he had a heck of a time with every one of these doors.

Mayor Newhard: I know.

2018-2019 Justice Court Assistance Grant – Replacement of Door

A **MOTION** was made by Trustee Cheney, seconded by Trustee Lindberg and carried to accept the proposal from Windows and Doors, Inc. dated July 3, 2019 for the installation of a level 1 bullet resistant door for the (Justice Court) clerk's office, including installation at a cost of \$3,500. Four Ayes

Discussion Prior to Vote

Trustee McManus: I have a question. You reached out and renegotiated with Windows and Doors. Did you reach out to try to renegotiate with Commercial Fire Doors?

Karen Vermillion: No.

Trustee McManus: So, you put Windows and Doors at an unfair advantage.

Trustee Cheney: Well, ok. I guess a follow up question then maybe before, well, I think we heard Karen's answer...Commercial Fire Doors, they were only sending us the door?

Trustee McManus: No.

Trustee Cheney: No.

Trustee McManus: Kuiken Brothers was only sending us the door.

Karen Vermillion: The lowest quote was the one that was just sending me the door. The highest quote was with installation.

Trustee McManus: Kuiken Brothers put in a bid for just supplying the door.

Trustee Cheney: Ok, got it.

Trustee McManus: Commercial Fire Doors supplied a full bid probably per our request which was for the door plus installation as did Windows and Doors. Windows and Doors was reached out to and tried to renegotiate the price which was successful but the same the effort was not put into the other companies.

Mayor Newhard: Because the clock is ticking on this, obviously, could we say that based on, if you go back to Commercial Fire and just say can you negotiate and just see if they will and if they come lower then whoever the lowest is?

Trustee Cheney: Question, what was Windows and Doors original bid?

Karen Vermillion: It was over \$4,000.

Trustee McManus: \$4,512.

Trustee Cheney: So, it was greater than Commercial.

Karen Vermillion: And I worked with them a very long time. Back and forth on the phone asking them please if they could come down because I had a hard time finding other vendors for that particular type of door. It's not an easy task...

Mayor Newhard: Right.

Karen Vermillion: To get those other two quotes.

Mayor Newhard: Right.

Trustee McManus: Well, I agree with the rational of Windows and Doors have done the other doors in the building and we are all very happy with them, but it does put them at an unfair advantage.

Karen Vermillion: Because there are two doors in the court office and one of them has already been replaced with that door and they did that job so the other door would be exactly...

Mayor Newhard: Right, but it's really about how we put it out there and George is absolutely correct. It has to be bid, sort of the same level playing field.

Karen Vermillion: Alright, so if I go upstairs and give them a call, providing I get them on the phone, and ask them is there any way they can do any better on the price. If they flat out say no that's the bottom line, is that good enough?

Trustee McManus: Yes, that's fine.

Mayor Newhard: Yes, that's fine.

Karen Vermillion: And if they say yes, we can then I say to them can you send me a new quote with whatever your...

Trustee McManus: By close of business today.

Karen Vermillion: By close of business today. Ok, so I will have an answer. I'm going to go up and do it right now.

Mayor Newhard: Ok. So, how should we deal with this motion? We have a motion on the floor.

Karen Vermillion: Is your meeting almost over?

Mayor Newhard: It is almost over.

Karen Vermillion: Can you give me ten minutes?

Trustee McManus: Tell them the Board is in session and they need an answer.

Karen Vermillion: Ok.

- *Discussion Continued Regarding the Court Room Door Replacement (see below)*

Resolution Authorizing Application for a New York State Climate Smart Communities Grant

Whereas, the Village of Warwick hereby requests financial assistance from the New York State Climate Smart Communities Grant Program pursuant to Environmental Conservation Law Article 54 Title 15.

Whereas, the Village of Warwick certifies that it has identified and secured \$25,000 of matching funds from the general fund budget pursuant to the requirements of Environmental Conservation Law Article 54 Title 15.

Therefore, be it resolved, that Village of Warwick hereby authorizes Linda Smith, an official or employee, to act on its behalf in submittal of an application through the Consolidated Funding Application for \$50,000, to be used for the "Update Comprehensive Plan with Sustainability" project.

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

The vote on the foregoing resolution was as follows:

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

Discussion Prior to Vote

Trustee Cheney: I guess we make the application for the full \$50,000 and they give us our 50%? That's the way it's going to work?

Mayor Newhard: That's right. Ok.

Continued Discussion – Court Room Door Replacement

1. Cost estimate for painting the court room and stairs and replacement of the court office door in relation to the 2018-2019 Justice Court Assistance Program Grant. (Motion to be defined through discussion)

Trustee Lindberg: Can I also request that Windows and Doors or anyone who comes out, takes a look at that back door.

Mayor Newhard: Yes, we can have them do that.

Trustee Lindberg: I love the secure doors, except for that door in the back.

Mayor Newhard: That side door.

Trustee Lindberg: It just needs replacement.

Raina Abramson: So, that was Karen on the phone a minute ago and she said that Commercial Fire and Doors said that the best they could do would be to take 6% off the bill. Karen said that comes out to approximately \$3,800.

Mayor Newhard: So, it's \$3,500 versus \$3,800.

Raina Abramson: Yes.

Mayor Newhard: Ok, very good. So, we have a motion.

Trustee Cheney: There is a motion on the floor.

Adjournment

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McManus and carried to adjourn the Special Meeting at approximately 10:40 a.m. Four Ayes

Raina M. Abramson, Village Clerk