

Minutes of the May 15, 2018 meeting of the Board of Trustees of the Village of Newark held in the 2nd floor court room of the Municipal Building at 6:00 PM.

PRESENT

Mayor Jonathan Taylor (18); Trustees: Robert Bendix (16), Stuart Blodgett (18), Alan Schober (17), and Rebecca Vermeulen (14) [Late].

Police Chief David Christler, Village Clerk/Treasurer Steve Murawski, Code Enforcement Officer Mark Peake, Fire Chief Rusty Havert (Absent – No Assistant Chief Present), AECC Executive Director Mike Muscolino (Excused), and Attorney Art Williams.

General Public: 20

WELCOME BY
MAYOR

At 6:00 P.M., Mayor Taylor led the gathering in the Pledge of Allegiance to open the meeting.

APPROVAL OF
MINUTES

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (Trustee Vermeulen Late-TVL) to approve the following minutes:

- Regular Board Meeting April 17, 2018.
- Special Board Meeting May 3, 2018.

CONSENT
AGENDA

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously 4-0 (TVL) to approve the May vouchers and invoices Trustee Schober reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$377,928.55 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

FIRE CHIEF
RUSTY HAVERT

Chief Havert was at a fire call. He may come later.

AECC DIRECTOR
MIKE
MUSCOLINO

Mr. Muscolino was excused.

CODE
ENFORCEMENT/
ECONOMIC
DEVELOPMENT

Mr. Peake spoke on the following:

- ARC exterior building upgrade project underway.
- Marshall Exteriors completed their preconstruction work for their renovation of the old Rite Aid building at 135 E. Union St.
- Wal-Mart is undertaking building upgrades, including a drive up window for grocery pick up from online ordering.
- Construction of two new homes is underway at Southwinds

Landing project location.

- A new Coffee Café is opening up on S. Main St. in the 200 block.

CLERK/
TREASURER

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously 4-0 (TVL) to authorize the Village Attorney to draft a letter agreement with the owner of 104 S. Main St. to add outdoor tables on Village property to the south of their building.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously 4-0 (TVL) to authorize relevy of the past due unpaid water/sewer bills of \$6,297.78, and unpaid public works charges of \$16,396.33 on the June 2018 Village Real Estate Property Taxes.

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously 4-0 (TVL) to authorize the Village to participate in the Cooperative Bid coordinated by WFL/BOCES for the natural gas supply for the period of 10/01/2018 to 09/30/2019.

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously 4-0 (TVL) to acknowledge receipt of the 30 Day Advanced Notice Liquor License Renewal Form from Todd Nittolo, DBA Tommy Boys.

Trustee Vermeulen arrived at 6:10 P.M.

MAYOR

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the change in the Van Buren St. closure time for the Taste of Wayne County event from Noon to 10:00 P.M. on 07/17/2018, to 8:00 A.M. 07/17/2018 until 8:00 A.M. 07/18/2018.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the \$250.00 sponsorship contribution for the Taste of Wayne County event.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously to approve the Village of Newark's participation in the 529 College Saving Program with J.P. Morgan Asset Management. The plan will be serviced by Edward Jones, and their Financial Advisor Adam Casper, whose office is located at 104 W. Miller St., Suite 22, in the Village of Newark. The Village of Newark does not make any recommendations as to an employee's participation in the program.

Mayor Taylor opened the Public Hearing on the Charter Communication Cable Franchise Agreement with the Village of Newark at 6:17 P.M. Hearing no comment from the public, he closed the hearing at 6:18 P.M.

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to approve the Cable Franchise Agreement with Charter Communications, and to authorize the Mayor to sign the same.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously to approve the use of the Village's parking lot on E. Union St. by the Newark Lady Reds Basketball Team for a Chicken BBQ fundraising event on June 10th.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to approve the following resolutions:

WHEREAS, the Village of Newark (hereinafter "local government") believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

IT IS HEREBY RESOLVED that the Village of Newark, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities Pledge, which comprises the following ten elements:

1. Pledge to be a Climate Smart Community.
2. Set goals, inventory emissions, plan for climate action.
3. Decrease community energy use.
4. Increase community use of renewable energy.

5. Realize benefits of recycling and other climate-smart solid waste management practices.
6. Reduce greenhouse gas emissions through use of climate-smart land-use tools.
7. Enhance community resilience and prepare for the effects of climate change.
8. Support development of a green innovation economy.
9. Inform and inspire the public.
10. Commit to an evolving process of climate action.

WHEREAS, the Village of Newark Board of Trustees, Wayne County, supports the re-submission of the Downtown Revitalization Initiative: Round Three, (DRI) application on behalf of the Village, to be submitted to the Finger Lakes Regional Economic Development Council; and

WHEREAS, the DRI grant funding is a \$10 million award to advance New York's downtown centers to selected communities who will be required to complete a Strategic Investment Plan with a result to renew investment, increase local tax base and further sustain and build upon regional economic development initiatives; and

WHEREAS, The Village of Newark if awarded, will use this funding to enhance the community's comprehensive plan vision, to revitalize the downtown area through various economic development projects as well as initiatives, ensuring a high quality of life for future generations; and

WHEREAS, The Village of Newark is an outstanding candidate for the DRI based on their implementation-ready projects, strong community involvement, and strategic coordination that align with the community's vision for a resurgence in this diverse urban area; and

NOW, THEREFORE BE IT RESOLVED, the Village of Newark, Wayne County, supports the submission of a DRI Application on behalf of the Village; and

THEREFORE, BE IT FURTHER RESOLVED, that the Village of Newark recognizes and fully supports the submission of a Downtown Revitalization Initiative Application on behalf of the Village.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously to approve the Professional Services Agreement with MRB Group to provide Grant Writing Services for the NYS DRI grant application at a cost not to exceed \$4,500.00.

On a related matter, Mayor Taylor noted that the Cornell University Design Connect application that the Village of Newark submitted earli-

er in the Spring has been accepted. This program will assist Newark in addressing significant planning and design issues in the Village. The actual process will begin in the Fall 2018.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the NYS DOT Supplemental Agreement # 1 to D035539 PIN 4BNY.13, East Avenue Bridge Rehabilitation Project, for the amount of \$55,000.00, and to authorize the Mayor to sign the same. By signing this agreement, the Village of Newark acknowledges and accepts the stipulations of the agreement, and that the Village has appropriated the funding necessary to deliver the project as described in Schedule A of the Agreement. The motion also authorizes the Mayor to sign both Certification and Reimbursement Requests on behalf of the Village of Newark for this project.

Motion Trustee Vermeulen, seconded Trustee Blodgett and carried unanimously to approve the expenditure of up to \$5,000.00 to purchase and install a new wireless connection from the Municipal Building to the DPW Operations Center to help improve network connectivity speed and consistency.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to approve funding the full amount of the Excellus SimplyBlue Plus Silver 4 plan deductible amounts of \$2,500.00 for a Single Policy (an increase of \$300.00 per year), and \$5,000.00 for Two Person, Subscriber and Children, and Family Policies (an increase of \$600.00 per year). With the premium increase of only 1.21% on all classes of this plan, the overall benefit is still less expensive than the MVP Gold plan that is available to Village Non-Union employees.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously to approve the request of Boy Scout Troop 138 of Newark, to hold a Road Toll Boot Drive event on June 10, 2018 from 11:00 A.M. – 2:00 P.M., at the intersection of N. Main St. and Harrison St. No children shall be allowed in the road to participate in the collection of funds. The Board also wants all of the entities that annually hold boot drive events in the Village of Newark to receive a letter informing them that this will be the last season that these events will be allowed. Their concern is that the safety issues that exist far outweigh the benefit that these entities may receive from these events.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously to approve the Professional Services Agreement with Lu Engineers to manage the Pretreatment Program at the WWTP for Fiscal Year 2019 at a cost not to exceed \$13,100.00

Motion Trustee Vermeulen, seconded Trustee Schober and carried

unanimously to approve the attendance of Mike Gonzalez and Mike Bouwens at the FLWWC Spring meeting on June 7th at King's Catering in Canandaigua at a cost of \$25.00 each.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to approve the transfer of six surplus bikes to the Town of Lyons for their Complete Street project, from the inventory that the police department has collected more than six months ago.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously to approve the change in the route for the Laurel House 5K race to be held on Saturday, June 9, 2018, and to close East Avenue from Church St. to E. Maple Ave. from 8:00 A.M. – Noon.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the payment of an additional \$12,300.00 to MRB Group for work performed as part of the Route 88 South Sanitary Sewer Replacement project.

Motion Trustee Blodgett, seconded Trustee Vermeulen and carried unanimously to approve the Intermunicipal Agreement with Wayne County to allow them to place transmitters and a short tower section, with two antennas, atop the Village Municipal Building. The lease should include a \$250.00 per month lease payment, in anticipation of the building ever transferring to private ownership. This lease payment provision was recommended by our attorney because of the potential contingency of ownership change. The Board instructed Village Attorney Williams to discuss the agreement and potential lease payment with Wayne County. The Board understands that this is an ongoing conversation.

The Board tabled until a later date the request to have unused bonded funds set aside for the purchase of a new snow plow dump truck in FY 2019. They would like more information on what similar options to the compact loader might be available to purchase with the funding.

LEGAL

Mayor Taylor noted that the "Movies in the Park" were going to be presented again this summer on the 1st and 3rd Fridays of the month, from May 18th until the end of October, in Central Park.

POLICE CHIEF

Attorney Williams had nothing for Open Session; he requested an Executive Session to discuss the potential sale, acquisition or lease of real property.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously to approve the training request of Investigator Warren to attend the "Mac Forensic Training" sponsored by the U.S. Secret Ser-

vice in Hoover, Alabama from August 13th-24th at no cost to Village of Newark.

The Chief provided updates to the Board concerning Festivals, Parades, the Canal opening, and the Lockdown Training Drill with the NCSD.

He also informed the Board that the Town of Lyons is interested in selling a 2013 Ford Taurus Interceptor that it inherited from the Village of Lyons Police Dept. when the Village dissolved. There are only 11,500 miles on the vehicle, and they are asking \$13,000.00 for the vehicle. The Board is interested, and they will discuss it further at a later date.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously to go into Executive Session to discuss a potential Real Estate transaction, and Specific Personnel in the Fire Department, at 7:05 P.M.

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously to come back into Open Session at 7:49 P.M.

FIRE
DEPARTMENT

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously to approve the memberships of Adam Knaak, 231 West Avenue, Newark, to Excelsior Hook & Ladder Co. #4, and Anthony DeLucia of 515 Colton Avenue, Newark to NYC Hose Co # 5. They have had their arson checks done and were investigated by their respective companies.

MAYOR

Motion Trustee Schober, seconded Trustee Blodgett and carried unanimously to sponsor a team for the Annual AECC Golf fundraiser on July 15, 2018 at \$110.00 per person.

TRUSTEES

None of the Trustees had anything for Open Session.

TIME FOR THE
PUBLIC

No one from the public wished to speak.

ADJOURNMENT

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to adjourn the meeting.

The meeting was adjourned at 7:54 P.M.

Stephen Murawski,
Village Clerk-Treasurer