

Minutes of the February 16, 2021 meeting of the Board of Trustees of the Village of Newark held in the 2nd floor courtroom of the Municipal Building at 6:00 PM.

PRESENT

Mayor Jonathan Taylor (5); Trustees: Robert Bendix (5), Stuart Blodgett (5), Chris Burgess (5), and Emily Howard (5).

Police Chief Mark Thoms, Superintendent of DPW Bob Hutteman, Village Clerk/Treasurer Steve Murawski, Temporary Village Clerk/Treasurer Valerie Quade, Code Enforcement Officer Mark Peake, Fire Chief Kevin Velte (Excused), and Attorney Art Williams.
General Public: 21

WELCOME BY
MAYOR

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

Mayor Taylor recognized Village Employees for their years of service.

APPROVAL OF
MINUTES

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to approve the following minutes:

- Regular Board Meeting January 19, 2021.
- Special Board Meeting January 27, 2021.

CONSENT
AGENDA

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the February vouchers and invoices Trustee Howard and Trustee Burgess reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$472,617.92 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

CHIEF
KEVIN VELTE

Chief Velte was excused.

CODE
ENFORCEMENT/
ECONOMIC
DEVELOPMENT

Mark Peake spoke on the request from Main Street Restaurant to close the one way entrance in order to provide safety from cars driving through to avoid the light and is requesting permission from Canal Corp to clean up the canal bank and build a deck. Motion Trustee Blodgett, seconded Trustee Burgess and carried unanimously to approve the closure of the one way entrance subject to Canal Corp's decision.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve a motion to entertain a resolution to start Phase 1 of an environmental study regarding land donation at the end of West

Sherman Avenue to be used as a snow plow turn around. Phase 1 is not to exceed \$2,000.

Mark Peake provided an update on the Civic.gov software Code Enforcement is implementing and the Habitat for Humanity project located at 149 West Pearl Street.

CLERK
TREASURER

Valerie Quade made a request for executive session to discuss a potential contract.

MAYOR

At 6:22P.M. the meeting went into a public hearing to discuss the CBDG Grant. Emily Palumbos from MRB gave a brief description on the grant proposal for the Blue Cut Road Culver. She asked if the public or Board had any questions or comments. A request was made on how much the grant would provide towards the project. If the project is contracted out we would be requesting close to \$1 million, if we do the project in house it would be around half the cost. The public hearing was closed at 6:26pm.

Motion Trustee Howard, seconded Trustee Burgess and carried unanimously to approve the following resolution of support & authorization for the Village of Newark 2020 New York State Consolidated Funding Application, Community Development Block Grant Application – Public Infrastructure.

WHEREAS, Village of Newark, Wayne County, supports the submission of a 2020 Consolidated Funding Application (CFA) on behalf of the Village, for a Community Development Block Grant program under the Public Infrastructure category to address a public works stormwater culvert replacement project in jeopardy of collapse, serving a significant portion of the community that without near term intervention, the section of concrete culvert may fail, creating additional hazards to the transportation network, as well as reducing the effectiveness of stormwater management in the affected area; and

WHEREAS, in accordance with New York State’s 2016-2020 Consolidated Plan and its 2020 Annual Action Plan as proposed, the Office of Community Renewal (OCR) invites eligible applicants to apply for Community Development Block Grant (NYS CDBG) funding to undertake activities that focus on community development needs; and

WHEREAS, The Village of Newark is familiar with all NYS CDBG applicable guidelines and requirements, proposing a project that meets active compliance of both the Primary and National Objectives, the need for the activity, as well as overall impact on the community; and

WHEREAS, if funding is received it will allow the Village of Newark

to prepare a preliminary engineering report to address public works projects in areas previously unserved that are in compliance with the NYS Smart Growth Public Infrastructure Act benefiting a low to moderate income neighborhood;

NOW THEREFORE BE IT RESOLVED, the Village Board, on behalf of the Village, identifies Mayor Jonathan Taylor as the authorized representative for the project, able to execute necessary documents relative to and as required; and

BE IT FURTHER RESOLVED, the Village Board does hereby authorize and obligates local matching funds of the minimum 5% of the total of any grant funding awarded in the form of in-kind services or cash contribution hereby appropriated from the Village's General Fund budget line; Storm Sewer- Permanent Improvement.

BE IT FURTHER RESOLVED, that the Village of Newark, recognizes and fully supports the submission of the 2020 CDBG application for Public Infrastructure pertaining to the Village's effective storm water management.

Motion Trustee Blodget, seconded Trustee Bendix and carried unanimously to approve the following SEQR Resolution – Type II Action for the Community Development Block Grant- Public Infrastructure.

WHEREAS, the Village of Newark, Wayne County, on behalf of the Village, supports the submission of a 2020 Community Development Block Grant program under the Public Infrastructure category for a public works stormwater culvert replacement in jeopardy of collapse, serving a significant portion of the community; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Village Board does hereby classify the above referenced Action to be a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [27] of the State Environmental Quality Review (SEQR) Regulations; and

BE IT FURTHER RESOLVED THAT, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

BE IT FINALLY RESOLVED THAT, the Village Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

Tabled any action on accepting dedication of Garfield St. and Adams St. The required paperwork from the property owner still has not been provided.

Motion Trustee Bendix, seconded Trustee Blodget and carried unani-

mously to approve the Garage License Agreement at 269 Murray Street in which a portion of the garage encroaches onto Village property by up to 2.2 feet. The property owner is to maintain the garage. In the event that the garage is destroyed the reconstruction will not encroach the Village property.

Motion Trustee Blodget, seconded Trustee Burgess and carried unanimously to renew the Lawn Maintenance contract for the Newark Cemeteries to Masons Landscaping Contractors, Inc. for \$49,100.00, and the Lawn Maintenance contract for the Newark Parks to Q's Lawn and Landscaping for \$27,500.00,

Village resident, Michael Bogen, residing at 515 Colton Avenue read a prepared statement requesting that the Village repay him for cost he incurred for replacing a sanitary sewer lateral to his house. Robert Hutteman, Superintendent of DPW, and Art Williams, Village Attorney, explained that Village Code states that property owners are responsible for repairs from their house to the main.

Motion Trustee Burgess, seconded Trustee Blodgett and carried unanimously to approve the following lowest responsible bids for the WTP and the WWTP chemicals for FY 2022:

WTP:

- Liquid Chlorine – Slack Chemical Co. @ \$1298.44 per ton (↑\$84.90 per ton)
- Liquid Chlorine – Slack Chemical Co. @ \$209.23 per 150 cyl (↑\$69.79)
- Hydrofluosilicic Acid – Slack Chemical Co. @ \$.327 per lb. (↑.03¢ per lb.)
- Blended Orthophosphate – Aqua Smart Inc. @ \$11.50 per gal. (same per gal) 3 year term, 2 years left.
- Diatomaceous Earth – ManCel Chemical Co. @ \$1,045.84 per ton (↑\$266.42 per ton)
- Sodium Hypochlorite – Jones Chemical Co. @ \$1.11 per gallon bulk, \$2.95 gal drum (needed pending the upgrade, in house operation)

WWTP:

- Polymer – Slack Chemical @ \$11.5425 per gallon (NC)
- Aluminum Sulfate – Thatcher Company of New York @ \$0.9853 per gallon (NC)

Motion Trustee Blodget, seconded Trustee Bendix and carried unanimously to approve Cornell Cooperative Extension to use the Village of Newark offices as a short term meeting site in the event of an emergency.

Motion Trustee Howard, seconded Trustee Burgess and carried unanimously to approve appointing Michael Gonzalez as Commissioner and Jonathan Taylor as Alternate Commissioner for the Village of Newark for the Canandaigua Lake Watershed Commission for the term 1/1/2021-12/31/2021.

Motion Trustee Bendix, seconded Trustee Blodget and carried unanimously to send the Pandemic Plan to be reviewed by the Union.

LEGAL

Attorney Williams had no updates.

POLICE CHIEF
MARK THOMS

Chief Thoms gave an update on the following:

- Implicate bias training completed.
- Working on the draft of the Police reform.

Motion Trustee Blodget, seconded Trustee Burgess and carried unanimously to approve a motion to send an officer to TASER training in Rochester March 4, 2021. Training cost is not to exceed \$500.00.

Trustee Blodget thanked Chief Thoms for all his work on the Police Reform.

SUPERINTEN-
DENT DPW BOB
HUTTEMAN

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to approve declaring the 2010 PJ Trailer surplus. The trailer will be sent to auction in May.

Motion Trustee Blodget, seconded Trustee Bendix and carried unanimously to approve Finger Lakes Comfort to replace the HVAC system in the Interpretive Center. The replacement will be a 2.5 ton unit, 2 LG wall units with a 5 year warranty for the cost of \$8,800.00.

Motion Trustee Blodget, seconded Trustee Howard and carried unanimously to approve IBC Engineering PC to do an HVAC study in the library. The cost of the study is \$3,750.00.

Motion Trustee Bendix, seconded Trustee Blodget and carried unanimously to approve engine replacement to Truck 36. Cost will be \$33,000 with a 2 year warranty. Funds will be equally distributed using the following budgetary transfers:

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|----------------------------|-------------|---------------|
| General Fund – Contingency | A.1990.4000 | (\$11,000.00) |
| Snow Plow – Equipment | A.5142.2000 | \$11,000.00 |
| New Salter Snow Plow | | |
| Water Fund - Contingency | F.1990.4000 | (\$11,000.00) |
| Trans/Dist. New Equipment | F.8340.2000 | \$11,000.00 |
| New Salter Snow Plow | | |

| | | |
|----------------------------|--------------|---------------|
| Sewer Fund - Contingency | G.1990.4000 | (\$11,000.00) |
| Sanitary Sewer - Equipment | G. 8120.2000 | \$11,000.00 |
| New Salter Snow Plow | | |

TRUSTEES

Superintendent Hutteman gave an update on the following:

- Working on providing workers the OSHA 10 online safety training.
- DPW workers have been called to 3 water main breaks and a sewer issue.
- General equipment maintenance is ongoing.
- Damage to a plow on Lincoln Road.
- Working on leak detection.
- CHIPS funding has 20% that is being withheld but Bob has heard that 75% of the 20% will be released at a later date.

Trustees had no update.

TIME FOR THE PUBLIC

Dennis Tellier, President of the Newark Veterans Council spoke about all the volunteer work the Newark Veterans Council does around the Village of Newark. They are requesting a donation of \$500, which is already budgeted for Fiscal Year End 2021 and additionally requesting that the Village budgets another \$500 donation for Fiscal Year Ending 2022.

EXECUTIVE SESSION

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to go into Executive Session at 7:16P.M. to discuss specific positions in the Village Office and Police Department and a potential contract.

OEPN SESSION Spelling

Motion Trustee Bendix, seconded Trustee Blodget and carried unanimously to come back into Open Session at 8:11P.M.

MAYOR

Motion Trustee Howard, seconded Trustee Burgess and carried unanimously to appoint Christine Abrams to the Account Clerk position.

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to use EFPR Group, CPAs, PLLC to perform the Village of Newark annual audit for Fiscal Year Ending 2021-2025. The fees are as follows for Fiscal Year End: 2021- \$12,200; 2022- \$12,500; 2023- \$12,800; 2024- \$13,100; 2025- \$13,400

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

The meeting adjourned at 8:13P.M.

ADJOURNMENT

Stephen Murawski
Village Clerk-Treasurer