

Minutes of the November 19, 2019 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 (27); Trustees: Robert Bendix (25), Stuart Blodgett (19), Alan Schober (23), and Rebecca Vermeulen (22).

Police Sergeant James Thomson, Village Clerk/Treasurer Steve Murawski, Code Enforcement Officer Mark Peake, Fire Chief Kevin Velte, and Attorney Art Williams.
General Public: 26

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 Blodgett and carried unanimously to approve the following minutes:

- Regular Board Meeting October 15, 2019.

CONSENT
AGENDA

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to approve the November vouchers and invoices Trustee Vermeulen reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$1,437,065.42 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

MAYOR

Mayor Taylor introduced Randy Shepard, partner from Bonadio & Co., who provided a brief overview of the FY 2019 external audit process, fiscal results, and the type of audit opinion that Bonadio & Co. issued on the report, which was an Unmodified Audit Opinion.

FIRE CHIEF
KEVIN VELTE

Chief Velte spoke on the following :

- 507calls for service YTD.

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously to approve the Breakfast with Santa event on December 7, 2019 from 7:30-11:00 A.M.

Mayor Taylor noted that he needed to speak with Chief Velte in Executive Session at the end of the meeting concerning specific personnel within the Fire Department.

CODE

Mr. Peake spoke on the following:

ENFORCEMENT/
ECONOMIC
DEVELOPMENT

The Board needed to consider approving the appointments to the Planning and Zoning Boards from the list he had provided the Clerk/Treasurer. Mr. Murawski inadvertently thought the board had received the list directly, which they had not. The Board tabled the matter to December, when the Annual Organizational meeting occurs, to consider the appointments.

- Noted that some activity concerning economic development was ongoing, and that the Village might be able to make some of it public in the next few weeks.

CLERK
TREASURER

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously to authorize the relevy of \$220,088.96 of unpaid Village of Newark property taxes to Wayne County, along with the related \$19,808.04 in penalties. Newark will be reimbursed these amounts in April 2020.

Mr. Murawski noted that the Village would need to begin annually monitoring its employees who hold CDL for any drug and alcohol violations incurred while driving a Commercial type vehicle outside of the employment of the Village.

He also noted that the Board had received a draft copy of the recently completed Village of Newark Incident Response Plan and Breach Notification policy, and that they will have to review it for final approval.

MAYOR

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the following resolution:

WHEREAS, The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or the Superfund Law) was amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law) to include section 104(k), which provides federal financial assistance for brownfields revitalization, including grants for assessment, cleanup, and revolving loan funds; and

WHEREAS, Assessment Grants provide funding for developing inventories of brownfields, prioritizing sites, conducting community involvement activities, conducting site assessments, and developing cleanup plans and reuse plans related to brownfield sites; and

WHEREAS, The Federal Environmental Protection Agency (EPA) is now accepting applications to the 2020 Brownfield Assessment Grant Program; and

WHEREAS, Applicants may form a coalition and apply for up to \$600,000 in hazardous substances and petroleum funding; and

WHEREAS, Wayne County is applying for funding as the lead applicant of a coalition seeking to assess brownfield sites in communities in the County; now, therefore, be it

RESOLVED, the Village of Newark authorizes the submission of a 2020 Brownfield Assessment Grant application with the Village identified as a member of a coalition; and be it further RESOLVED, that the Mayor is hereby authorized and directed to execute any agreements or documents necessary to implement the resolution on behalf of the Village of Newark.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously to accept the Unmodified Audit Opinion report from Bonadio & Co. for Fiscal Year 2019, along with the Required Communication Report, Single Audit Report, and the NYS DOT Expenditure Compliance Report.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously to authorize the Village of Newark to join and participate in the Sourcing Alliance Cooperative Purchasing group.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to authorize the Mayor to sign the Intermunicipal Agreement with the Town of Arcadia for the simultaneous employment of Daniel Pullen for calendar year 2020.

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to authorize the Mayor to sign the Intermunicipal Agreement with the Town of Arcadia for their usage of the Village of Newark Dog Kennel for calendar year 2020.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to authorize the Mayor to sign the lease agreement with the Newark Chamber of Commerce for their usage of the Village of Newark Interpretive Center located at 199 Van Buren St. for calendar year 2020.

Motion Trustee Blodgett, seconded Trustee Vermeulen and carried unanimously to approve the training request for Michael Gonzalez and Michael Bouwens to attend the basic laboratory skills class on February 12, 2020 at the Hemlock Lake WTP at a cost of \$100.00 each. The class is needed to be taken every three years to maintain their licenses

The decision to allow St. Michael's Parish to install Assists railings in the right of way in front of their property at 325 S. Main St. was tabled so that the Village could obtain clarification on whether the railings proposed meet the Village Code requirements.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously to declare surplus the 2003 Case 580 backhoe, contingent on the Board approving the final sale price when offers are obtained.

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously to declare surplus the following:

- (6)- 6"X 6" X 28' box beam light pole with head
- (16)- Pedestrian crossing head (poly)
- (14)- Pedestrian crossing heads (Metal)
- (1)- 21" X 36" X 15"- pole mount traffic cabinet- (metal)
- (1)- 22" X 15" X 18"- pedestal mounted traffic cabinet w/ transfer switch (aluminum).

They will be disposed of at Fair Market Value.

No action taken tonight on the number and type of street light fixtures for Wood Lane.

After much discussion, motion Trustee Vermeulen, seconded Trustee Bendix and carried 4-1 (Trustee Schober opposed) to approve the Village of Newark contributing \$80.00 to the Newark Tip Off Club for a quarter page advertisement to support the High School basketball program.

Mayor Taylor noted the annual Christmas tree lighting in Central Park will take place on December 7th at 6:00 P.M., with the arrival of Santa and a party at AECC afterwards.

Mayor Taylor had nothing else for Open Session.

LEGAL

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to authorize the Mayor to sign the Leasehold and Subleasehold Commercial First Mortgage and Security Agreement on behalf of Newark Arcadia Volunteer Ambulance's mortgage application with Community Bank, N.A., and the Memorandum of Ground Lease between the Village of Newark and NAVA for the Ground Lease Agreement between the two parties dated June 3, 2019, for the Village property located at 301 Frey Street, Newark, New York.

POLICE CHIEF

Sergeant James Thomson filled in for Chief Thoms, who was unavailable. He noted the reports that the Chief had provided to the Board by email earlier.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously to accept the resignation of Rebecca Hesbon as a Substitute Crossing Guard.

Motion Trustee Vermeulen, seconded Trustee Blodgett and carried unanimously to approve the submission of Investigator Warren for the

2019 Will Docken Scholarship.

Sergeant Thomson also noted that research was completed to determine if Technology Parkway has been dedicated to the Village of Newark as a Village street. No one has been able to confirm that fact. The village will investigate to see what needs to be done to complete the dedication process, if it has not been done already.

TRUSTEES

Trustee Blodgett spoke on the very poor condition of the surface at the tennis courts on Frey Street. He also noted that there are no public outdoor basketball courts except for Marie Ave. and Driving Park Circle. The Village will investigate the cost of resurfacing the tennis court before any action is taken because there might be other projects for outdoor recreation Newark might want to consider.

TIME FOR THE
PUBLIC

Steve Vanderbrook spoke about the letter residents from Oak Drive sent to the Village dated October 19, 2019 concerning potential deer hunting behind their properties. He, his wife Gail, and neighbors Walt Hallagan and Tim Johnson, who are in attendance also, want the Board to reaffirm that there are no plans to allow hunting of any type in the Village. Mayor Taylor noted for the record that hunting of any type is still illegal in the Village, and that the Board has no plans or intentions of changing that. He also noted that the Village is in contact with the NYS DEC, the entity that would issues a special nuisance permit to the owner of 304 Pine Blvd., to hunt on his property. Nothing has been communicated from DEC as of tonight's meeting. Walt Hallagan and Tim Johnson also spoke on their concerns with the matter.

Barbara Meeks read a statement on the matter of the carbon footprint being left in Perkins Park.

EXECUTIVE
SESSION

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously to go into Executive Session at 7:23 P.M. to discuss specific individuals within the Fire Department and DPW.

ADJOURNMENT

The meeting adjourned at 8:20 P.M.

Stephen Murawski,
Village Clerk-Treasurer