

Minutes of the May 18, 2021 meeting of the Board of Trustees of the Village of Newark held in the 2<sup>nd</sup> floor courtroom of the Municipal Building at 6:00 PM.

PRESENT

Mayor Jonathan Taylor (14); Trustees: Robert Bendix (12), Stuart Blodgett (excused), Chris Burgess (14), and Emily Howard (14).

Police Chief Mark Thoms, Superintendent of DPW Bob Hutteman, Village Clerk-Treasurer Valerie Quade, Code Enforcement Officer Michael Bouwens, Fire Chief Chuck Witt and Attorney Art Williams.  
General Public: 25

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 Burgess and carried unanimously to approve the following minutes:

- Regular Board Meeting April 20, 2021.
- Special Board Meeting April 30, 2021.

CONSENT  
AGENDA

Motion Trustee Howard, seconded Trustee Bendix and carried unanimously to approve the May vouchers and invoices Trustee Blodgett reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$569,735.07 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

Mayor Taylor awarded the Girl Scout Bronze Awards to Ava Herrington, Ava Richards, Haley Frey, Kaya Woods, Lauren Miller and Kelsey Jorgensen-Sauve of Newark, NY Troop 40080. They are the recipients of the Girl Scout Bronze Award for their project, "Flower Boxes for Candy Apple". Each of the girls contributed at least 20 hours towards the project.

CHIEF  
KEVIN VELTE

Chief Witt discussed the possibility of adding a Local Zoning Law requiring existing facilities with monitored fire alarms to add and install a Knox Box.

Motion Trustee Burgess, seconded Trustee Bendix and carried unanimously to approve a motion to surplus outdated fire prevention equipment. Chief Witt will provide a detailed list of equipment before disposal.

Chief Witt discussed negotiations with Churchville Fire Equipment

Corp regarding their travel fee. They agreed to reduce the fee to \$100.00.

Chief Witt is looking into new vendors that will be able to save the Village of Newark money on their services.

Motion Trustee Howard, seconded Trustee Bendix and carried unanimously to approve the removal of Rodney Aldrich & Renee Drock from the Newark Volunteer Firemen's membership rolls.

**PUBLIC HEARING**

At 6:20P.M. the meeting went into a public hearing to discuss the amendments to Chapter 106 of the Village Code. There were no public comments and the public hearing was closed at 6:22 P.M.

**CODE ENFORCEMENT/ECONOMIC DEVELOPMENT**

Code Enforcement Officer Michael Bouwens provided the following updates:

- Many violations are going out however most are taken care of voluntarily.
- There is a house on Pierson and Lincoln Road going in.
- There are a lot of permits for small decks and sheds.
- Habitat for Humanity foundation is complete. Modular home will be placed.

**CLERK TREASURER**

Motion Trustee Bendix, seconded Trustee Burgess and carried unanimously to approve the relevy of unpaid property maintenance fees of \$8,869.20 and \$280.00 of unpaid inspection fees for a total of \$9,149.20.

**MAYOR**

Motion Trustee Howard, seconded Trustee Burgess and carried unanimously to approve the following amendments to Chapter 106 of the Village Code.

• **§ 106-3 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**CANAL TRAILS**

Includes walking paths adjacent to the canal, the Edgett Street Bridge, the gazebo, parking areas and access drives.

**MOTOR VEHICLE**

Includes only automobiles and trucks.

**PARK**

Includes a park or any other area owned or used by the Village of Newark and devoted to active or passive recreation.

**PERMIT**

Any written license issued by or under the authority of the Village of Newark permitting the performance of a specified act

or acts or the conduct of a particular function, program or activity.

**PERSON**

Any natural person, corporation, company, association, joint-stock association, firm, copartnership or other entity or form of association.

**SMOKING**

**Inhaling, exhaling, burning, or carrying any lighted cigar, cigarette (including an electronic cigarette), pipe or other lighted instrument or product that emits smoke or vapor, in any manner or in any form.**

Park Rules and Regulations

**§ 106-6 Prohibited acts; parking restrictions; vehicle use.**

**[Amended 5-15-2007 by L.L. No. 1-2007; 12-17-2008 by L.L. No. 2-2008]**

A. The following acts are prohibited, and no person shall:

- (1) Injure, deface, disturb or befoul any part of the park or any building, sign, equipment or other property therein or remove, injure or destroy any tree, flower, shrub, rock or other mineral found therein.
- (2) Interfere with any lamp, lamppost or electric light apparatus or extinguish the light therein except upon proper authority.
- (3) Set fire or assist another in setting fire to any timber, trees, shrubs, grass, leaves, growth or any other combustible material or suffer any fire upon other land to extend onto any part of the park.
- (4) Bring into, leave behind or dump any material of any kind in the park except the refuse, ashes, garbage and other material of a picnic, camp or other permitted activity, and such material shall be deposited in receptacles or pits provided for such purposes. Refuse is not to be dropped, thrown or scattered on park property. Tin cans, bottles or other glassware or metallic substances containing sharp edges shall be deposited in park receptacles.
- (5) Either within or outside of the park, discharge into, throw, cast, lay, drop or leave in any river, brook, stream, storm sewer or drain flowing into or through said park any substance, matter or thing, either liquid or solid, which may or shall result in the pollution of said river, brook or stream within the park, in-

terfere with the conservation of the natural resources of said park or endanger the health of visitors in said park.

- (6) Drive or propel or cause to be driven or propelled along or over any road within the park any vehicle at a greater rate of speed than 20 miles per hour.
- (7) Park or store any motorcar, motorcycle, snowmobile, bicycle, wagon or other vehicle within the park except in places designated for such purposes; park or operate any such vehicle in the park after dark without lights; or park any vehicle in the park after 9:30 p.m. during the hours of darkness in areas other than those designated for such purpose.
- (8) Gamble in the park or bring into the park or have in his or her possession while in the park any implement or device commonly used or intended to be used for gambling purposes.
- (9) Bring into, have or keep in any park designated by the Village Board any dog or other pet or domesticated animal unless the same is on a leash or in a cage, or allow such animal to soil, defile or defecate in the park unless the person in control of such animal immediately removes, in a sanitary manner, all feces deposited by such animal.
- (10) Use loud, boisterous or indecent language or interfere with any officer of the park, village, town, county or state in the performance of his or her duty.
- (11) Conduct himself in such a manner as to:
  - (a) Endanger the life, limb or property of the other visitors to the park.
  - (b) Be suggestive of immoral acts.
  - (c) Be offensive or injurious to the morals of any person frequenting the park.
- (12) Introduce or carry any firecrackers or fireworks.
- (13) Engage in, instigate, aid or encourage a contention or fight, whether or not a ring or prize fight.
- (14) Loiter or remain within the park or any part thereof in a vehicle or otherwise after the posted closing hours at such park without general or special permission.
- (15) Operate a snowmobile, motorbike, all-terrain vehicle (ATV) or

any other motorized vehicle on any owned or leased Village property, park, trail, public sidewalk, right-of-way or hike way. Only vehicles which are licensed for highway use may operate on Village roads and park roadways and parking areas, unless otherwise posted.

(16) Skateboard, roller-blade and roller-skate on the pavement and sidewalks contiguous to any main enclosed buildings in any park in the Village of Newark.

(17) Actively hunt wildlife or discharge a firearm, bow or other hunting device.

(18) Be permitted in any Village park or along the canal trails (except Colburn Park) before 6:00 a.m. or after 9:30 p.m.

**(19) Smoke in parks and along the canal trails owned, operated or maintained by the village of Newark.**

B. No motorcycles or motorbikes shall be permitted within Perkins Park.

C. The parking of all motor vehicles in Perkins Park shall be at designated parking areas only. Such areas shall be clearly posted. No trucks other than pickup or panel trucks shall be allowed to park in said parking areas.

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to approve the engagement letter from EFRP Group, CPA's for Fiscal Year 2021 audit.

Motion Trustee Howard, seconded Trustee Bendix and carried unanimously to approve ARC contract to clean the Interpretive Center for the 2021 summer.

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

Motion Trustee Bendix, seconded Trustee Burgess and carried unanimously to approve donations of bags and flash drives to the Newark High School for Operation Graduation.

Motion Trustee Bendix, seconded Trustee Burgess and carried unanimously to approve Dance With Me Studios use of Perkins Park pending the availability of the pavilion.

Motion Trustee Burgess, seconded Trustee Howard and carried unani-

mously to approve the HVAC design services for the Library boiler replacement which will be billed hourly with the cost not to exceed \$17,750.00.

Mayor Taylor made a reminder that Saturday May 22, 2021 is Community Pride Day and the Village is still looking for volunteers.

Mayor Taylor gave an update that the Memorial Day Parade will be at 2:00 P.M. on Sunday May 30, 2021.

LEGAL

Attorney Williams had no updates.

POLICE CHIEF  
MARK THOMS

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to approve Field Training Officer at Finger Lakes Law Enforcement Academy on June 7-11, 2021 for PO Tom Robertson at a cost of \$300.00

Motion Trustee Howard, seconded Trustee Burgess and carried unanimously to approve advanced Roadside Intoxication Detection Enforcement (ARIDE) training at Finger Lakes Law Enforcement Academy on June 14-15, 2021 for PO Tom Robertson. Cost is covered by Wayne County STOP DWI.

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to approve an internship for Kaitlin Rice. She will be doing work inside the office and also ride alongs.

SUPERINTEN-  
DENT DPW BOB  
HUTTEMAN

Superintendent Hutteman gave an update on the following:

- DPW crew has been working on Lincoln Road, DDS to mill the road and paving will begin in the first week of June.
- Applied for 2 Bridge NY grants.
- Roof of the Municiple building tested for asbestos.
- Contractor came in to take down branches on Wilson Street.
- Docks are in the water at the Erie Canal

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to approve DPW summer help. Two college students that have previously worked in the summer and one high school student to help at the DPW office and watering flowers. The Fiscal Year End 2022 budget supports all three hires.

Motion Trustee Bendix, seconded Trustee Burgess and carried unanimously to declare cement mixer surplus.

MAYOR

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to allow Newark Girl Scout Troop to refurbish bleachers and paint dugouts at Ross Park in order to receive the silver award. They

will also put up signs to explain their project and encourage the community to keep the park clean.

TRUSTEES

Trustees had no update.

TIME FOR THE PUBLIC

No one from the public expressed a desire to address the Board.

EXECUTIVE SESSION

Motion Trustee Bendix, seconded Trustee Burgess and carried unanimously to go into Executive Session at 6:57P.M. to discuss specific positions within the DPW, WTP, and Fire Department, Contracts and possible benefit change.

OPEN SESSION

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to come back into Open Session at 8:08P.M.

MAYOR

Motion Trustee Bendix, seconded Trustee Burgess and carried unanimously to approve the elimination of the second cleaner position due to budgetary reasons at the Newark Fire Department.

Motion Trustee Burgess, seconded Trustee Howard and carried unanimously to approve the one time roll over up to 8 hours to office personal that are in excess of 200 hours.

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to approve offering the 2021 EyeMed Vision Insurance benefit plan to Village of Newark employees. Employees that elect to enroll in the insurance plan will pay for the full insurance. The Village of Newark will not contribute to the cost.

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to approve the Excellus Health Plan 2021 Silver 14 as a result of the discontinuation of the current Silver 4 health insurance plan.

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to approve the request by the Village of Clifton Springs to delay their water rate increase by two months starting in August 2021.

ADJOURNMENT

Motion Trustee Howard, seconded Trustee Burgess and carried unanimously to adjourn the meeting.

The meeting adjourned at 8:19P.M.

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Valerie Quade  
Village Clerk-Treasurer