

Minutes of the May 19, 2015 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 (12); Trustees: Robert Bendix (12), Stuart Blodgett (11), Alan Schober (12), and Kurt Werts (11).

Police Chief David Christler, Village Clerk/Treasurer Steve Murawski, Code Enforcement Officer Mark Peake, Fire Chief Gerry VanDeWalle, AECC Executive Director Mike Muscolino (Excused), and Attorney Art Williams.

General Public: 14

**WELCOME BY
MAYOR**

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

**MOMENT OF
SILENCE**

Mayor Taylor asked for a moment of silence in honor of Helen Carr, recently deceased mother of Dave Carr.

**APPROVAL OF
MINUTES**

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

- Regular Board Meeting April 21, 2015.

**CONSENT
AGENDA**

Motion Trustee Blodgett, seconded Trustee Werts and carried unanimously to approve the May vouchers and invoices which Trustee Bendix reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$1,305,975.90 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

**FIRE CHIEF
GERRY VANDE-
WALLE**

Fire Chief VanDeWalle spoke on the following:

- 34 calls for service for the month of May so far.
- All trucks in the Fire Department fleet are being serviced by Churchville Fire Equipment this month.
- Pump testing will take place for all trucks on May 21, 2015.
- Fire Department will be participating in five parades this year. They are Fairville, Wallington, Palmyra, and two in Newark.
- Fireman's Family Festival preparations continue. There will be a Car Show Saturday and Fireworks at night on July 25th, a Cruise Night Friday Night July 24th; the festival will run from July 24th-26th.

Trustee Blodgett asked if there were any issues with false alarms from the Cobblestone Court DDSO residence buildings. Chief VanDeWalle stated that there were, and that the issue continues to be Village wide.

AECC DIRECTOR
MIKE
MUSCOLINO

Mr. Muscolino was excused from the meeting.

CODE
ENFORCMENT /
ECONOMIC
DEVELOPMENT

Mr. Peake was excused from the meeting.

CLERK/
TREASURER

Motion Trustee Werts, seconded Trustee Bendix and carried unanimously to approve the relevy of unpaid water/sewer bills of \$16,605.72, and public works charges in the amount of \$25,751.65, to the June 1, 2015 Village Real Property taxes.

Mr. Murawski informed the Board that he and the Mayor had signed the certification forms for the shared services with Wayne County for qualifying the Village of Newark for the Tax Freeze rebate. The agreement provides the Village with the 1% annual savings for FY 2017-2019.

Motion Trustee Bendix, seconded Trustee Werts and carried unanimously to authorize Matrix Communication to perform, for free, a complete investigation of the Village's telephones and telephone connection systems to help them prepare a quote for upgrading the Village's phone network.

Mr. Murawski also informed the Board that as of May 19th, 18 Village water users had signed up with the new "Eye On Water" system to monitor online their own personal water account usage.

Motion Trustee Werts, seconded Trustee Schober and carried unanimously to authorize the Village to submit the NYS EFC Clean Vessel Assistance Program (CVAP) grant application to upgrade the sanitary sewer pump out located on the Erie Canal at the Interpretive Center location. There is no cost for the grant application, and the Village will be responsible for 25% of the cost for the new pump, which could cost anywhere between \$6,500.00-11,000.00, based on its capability and expected longevity.

Mr. Murawski also asked for an Executive Session to discuss a potential legal matter.

MAYOR

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to authorize the Mayor to sign the Third Amendment to the water contract with the Town of Phelps.

Motion Trustee Werts, seconded Trustee Schober and carried unanimously to reappoint Janice Rising to the position of Commissioner for the Board of the Newark Housing Authority for a new five year term effective July 1, 2015.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to authorize the Mayor to sign GC-Co #4 (Randsco Pipeline) for the Outfall Pipe-WWTP upgrade project; the change order provides the Village with a credit of \$21,797.26 back to the overall project.

Motion Trustee Blodgett, seconded Trustee Werts and carried unanimously to authorize the Mayor to sign the easement with NYSEG allowing them to install new natural gas pipelines on Village property near the west entrance to Perkins Park.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to adopt the proposed changes to the Sidewalk Reimbursement program. The changes are intended to make the language more clear on what has to be done for the costs paid to be reimbursable.

Motion Trustee Werts, seconded Trustee Bendix and carried unanimously to approve the purchase of a new 2015 930 Caterpillar loader at a net cost not to exceed \$10,828.00.

After some discussion, due to scheduling conflicts, the annual Night of Champions event with the Newark High School will be cancelled for this year. Due to decreasing participation and interest, the Board will consider whether the event will continue going forward. The Board would like to support other events, such as the Operation Graduation event for the Senior class.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to cancel the current program of renting the water meter out from the DPW. This policy allowed Village residents to fill their pools with Village water from a fire hydrant, which they pay for, without paying the sewer fee. In its place, they authorize the Village to develop a new procedure where residents can inform the Village of their intent to fill their pools, and the Village will use the new Beacon Analytics water usage monitoring system to determine how much water was used to fill the pool. That amount will not be charged a sewer fee, and the customer will be provided a credit on their next water/sewer bill.

Motion Trustee Bendix, seconded Trustee Werts and carried unanimously to grant the Sewer Relief request from account holder 30695 for relief from the sewer fee for a water leak of 45,000 gallons (\$427.50) that did not enter the Village of Newark sanitary sewer system.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to grant the Sewer Relief request from account holder 30096 for relief from the sewer fee for a water leak of 275,000 gallons (\$2,612.50) that did not enter the Village of Newark sanitary sewer system.

MRB Bill Davis presented a proposal for a Preliminary Engineering Report for Village Water Systems Improvements. The project, once completed, would allow the Village to submit a Consolidated Funding Application to New York state requesting grant assistance to complete projects that will be included in the report, some of which are necessary to stay in compliance with current directives from the NYS DOH. Motion Trustee Schober, seconded Trustee Bendix and carried unanimously to authorize the Mayor to sign the proposal for the PER with MRB Group at a cost not to exceed \$8,500.00. The proposal also includes the fee for MRB Group to complete and submit the CFA to NYS by July 31, 2015.

Motion Trustee Werts, seconded Trustee Schober and carried unanimously to authorize the Mayor to sign grant contract number C540421 with the NYS Office of Parks, Recreation and Historic Preservation. The grant funding will allow the Village to replace the current wooden bleachers at Colburn Park with new aluminum bleachers. The grant is for \$140,000.00 in total, with NYS providing 50% of the funding. The Village has already incurred approximately \$43,000.00 in matching costs for the project for previous work completed as part of the grant. The out of pocket expenditure to the Village of Newark should be anywhere from \$27,000.00-35,000.00 to complete the project.

Motion Trustee Bendix, seconded Trustee Werts and carried unanimously to approve the request of the St. Michael's Parish Festival Committee to close down South Main Street from Williams Street up to the southern entrance to the Post Office from noon on June 12th through noon on June 14th.

Motion Trustee Schober, seconded Trustee Blodgett and carried unanimously to not pursue the NYSERDA grant funding for the proposed Solar Farm at the old Arcadia Landfill location.

Mayor Taylor noted the date and time for the Memorial Day parade.

TIME FOR THE
PUBLIC

Residents from Van Buren Street that live north of Maco Bag asked about the status of the drainage upgrade project the Village started in their area last year. They have talked with Jeff DeCann already about the matter. These residents feel the water is coming from the development on Route 31 near the Arcadia Shopping Plaza/Wal-Mart area.

The Mayor and Board heard their concerns, and the Mayor will follow up with Jeff DeCann to find out what is holding up the completion of this project. The Mayor also noted that the Village will be contacting the NYS Canal Corporation to assist in resolving the issue.

Jim Beman of Landon Avenue addressed the Board about what he feels are an excessive amount of low tree limbs that the Village is responsible to maintain. He also would like the board to consider moving the flashing light currently on S. Main St. by St. Michaels Church to Peirson Avenue near Roosevelt School. The Board informed him the light is old, and the technology would not allow the light to be moved there. Mr. Beman also informed the Board about a major pothole on South Main St. near Van Dusen St.

MAYOR

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to authorize the Village to approve the following resolution supporting the proposed establishment of a Registered Medical Marihuana Manufacturing Facility at the former Newark Florist site:

“WHEREAS, with the passage of New York’s Compassionate Care Act the State will authorize five Registered Organizations to manufacture approved medical marihuana products for the treatment of serious conditions, such as ALS, Parkinson’s, multiple sclerosis, cancer, and others by January, 2016; and

WHEREAS, each Registered Organization will also be authorized to operate four Dispensing Facilities in the State, at which patients, who are certified by a licensed practicing New York State physician, can access approved medical marihuana products to treat the specific severe debilitating or life-threatening condition(s) contained in the law; and

WHEREAS, each Registered Organization must demonstrate that they have planned the complete details of the operation, including but not limited to the sanitary production of approved medical marihuana products, site surveillance and security, and safe transportation to and from the Manufacturing Facility; and

WHEREAS, Compassionate Care Center of New York has requested support from the Village of Newark for the establishment of a registered medical marihuana Manufacturing Facility at the former Newark Florist site in the Village; and

WHEREAS, the company has described the various benefits of such a Facility, including 100 new well-paying jobs, sales tax, and increased local purchases of goods and services; now therefore be it

RESOLVED, that the Village Board hereby supports the establishment of such a Facility at the former Newark Florist site and will appropriately expedite all necessary local approvals following receipt of a Registration from the State.”

LEGAL

Attorney Art Williams had nothing for open session.

POLICE CHIEF
DAVID
CHRISTLER

Chief Christler noted the following:

- Incident this past week with large groups of youth congregating now that the weather has turned warmer.
- One youth arrested for slashing tires on parked vehicles.

Motion Trustee Werts, seconded Trustee Bendix and carried unanimously to authorize Officer Randy Kuhn to attend the “Emotionally Disturbed Persons Response Team” training at MCC from May 18th-22nd at no cost to the Village, with no backfill overtime needed.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to authorize Officer Randy Rice to attend the “Active Shooter Threat Instruction Program” training in Glynco, GA from August 31-September 4, 2015 at a cost of \$362.00 for air fare to and from the training. The training, lodging, and meals are paid for by the Federal Government.

TRUSTEES

Motion Trustee Blodgett, seconded Trustee Werts and carried unanimously to approve the annual Kelley School Field Days event on June 18, 2015 at Perkins Parks from 8:00 A.M. – 3:00 P.M.

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to approve the change of the start time for the June 16, 2015 Village Board meeting only to 5:00 P.M.

Trustee Bendix informed the Board about a request that he had forwarded from resident Betty Falstaff to the Clerk/Treasurer requesting she receive a written copy of the agenda for Village Board meetings.

Trustee Bendix was instructed to see if she has an email address; if she does, the Clerk will add her email to the Village Board meeting agenda email Distribution List.

TIME FOR THE
PUBLIC

No one else from the public had any comment at this time.

EXECUTIVE
SESSION

Motion Trustee Blodgett, seconded Trustee Werts and carried unanimously to go into Executive Session at 7:51 P.M to discuss Pending Litigation and ongoing Union Negotiations.

ADJOURNEMENT

The meeting was adjourned at 8:45 P.M.

Stephen Murawski,
Village Clerk-Treasurer