

Minutes of the June 18, 2019 meeting of the Board of Trustees of the Village of Newark held in the 2<sup>nd</sup> floor court room of the Municipal Building at 6:00 PM.

PRESENT

Mayor Jonathan Taylor (15); Trustees: Robert Bendix (13), Stuart Blodgett (12), Alan Schober (13), and Rebecca Vermeulen (11).

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

General Public: 32

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 Blodgett, seconded Trustee Vermeulen and carried unanimously to approve the following minutes:

- Regular Board Meeting May 21, 2019.
- Special Board Meeting June 6, 2019.

CONSENT  
AGENDA

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to approve the June vouchers and invoices Trustee Vermeulen reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$1,851,401.67 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

MAYOR

HONORING HIGH  
SCHOOL  
STUDENT  
ATHLETES

Mayor Taylor introduced Girls' Softball Head Coach Trevor Gage, who shared briefly on the team's hard work and effort in achieving the championship this season. He also noted the strong support the Newark Community gave to the team at the championship game. Mayor Taylor then presented award certificates to the following team members for their success in winning the Section V Class B1 Softball Championship: Maddy Wetmore, Leanna Murray, Izabella Santell, Hannah Fisher, Nicolette Prutzman, Talissa Rodriguez Ramos, Clare Camblin, Tia Brown, Maddie Brownell, Jasmine Bueso, Alivia Braman, Lilah Kwiatkowski, Faythe Burns, Claudia Kelley, Assistant Coach Jose Otero, and Assistant Coach Kailey Ritch. Mayor Taylor also noted the hard work and dedication the team put in to achieve this goal, and that they have made Newark proud by their effort and that they represented the community well.

Mayor Taylor also presented an Award Certificate to Trinity Wells for her Section V Class B1 championship in the 1,500 M, as well as finishing in 8<sup>th</sup> place at the State level of competition.

FIRE CHIEF  
KEVIN VELTE

Chief Velte was excused, but sent an email that noted the following:

- 236 calls for service YTD.

AECC DIRECTOR  
MIKE  
MUSCOLINO

Mr. Muscolino was excused.

CODE  
ENFORCEMENT/  
ECONOMIC  
DEVELOPMENT

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously to approving the following modification to Paragraph D of the Village of Newark Land For Jobs application:

D.) For every acre, or portion of an acre, requested, one (1) full-time job equivalent must be created anytime during the first two years to qualify, but the new jobs must be maintained for the entire third year of the job creation period to be counted towards meeting the stated number of jobs needing to be created. The date the Certificate of Occupancy (on the newly constructed or renovated structure) shall serve as a starting date for determining job creation. The initial employment level will be determined at the time of application, based on the full-time equivalent employment level history of the past two years, to be agreed upon by the Loan Committee and the Applicant. The source of the employment history information will be the payroll filing reports the applicant is required to file with the relevant Federal and New York State government entities, if applicable. The Village and the Applicant will be required to attest to the fact that the initial full-time equivalent job level will not be contested once the agreement is signed. The business shall file a statement of employment statistics every six (6) months commencing on the day the Certificate of Occupancy is issued and terminating three years later. The employment information will be submitted on forms provided by the Village of Newark.

The Board tabled an additional resolution to add paragraph K. that would authorize the Village to perform a background and credit check on the applicant, and paragraph L. that would state the business proposed under the LFJ application is currently legal in the State of New York at the time of the application.

Mr. Peake spoke on the following:

- The ribbon cutting on June 6<sup>th</sup> for the new IEC Corporation building in the Industrial Park was well attended, as well as the Grand Opening of the new Marshall Exteriors showroom on E. Union St. on June 7<sup>th</sup>.
- Grind On Coffee Shop on S. Main St. is very close to opening.

- The ARC of Wayne - Erie Shore Landing on Van Buren St. has had a successful opening so far.
- Fireworks will be occurring at Colburn Park on Saturday, June 22<sup>nd</sup> after the Newark Pilots baseball game.
- Construction of Byrne Dairy's new location on E. Union St. is progressing rapidly.
- The Downtown Revitalization Initiative Grant application process that the Village just completed was very helpful in uncovering what is happening economically, and in other areas, in Newark. He stated that it helped quantify the economic development that is occurring in the Village at the present time. Mayor Taylor noted that the Village of Newark is one of six finalists for the DRI Gran award for the Finger Lakes Region, and the Village will be making their presentation on Thursday, June 20<sup>th</sup>, at MCC.
- Mr. Peake also noted the number of properties that were cited for long grass in May 2019, and that it wasn't all related to the wet spring, but that some property owners were not making any effort to maintain the location.

CLERK  
TREASURER

The Board scheduled a Workshop Meeting for July 10, 2019 at 2:00 P.M. to review and develop the procedures necessary to implement the recently adopted Policy Against Discrimination and Harassment.

MAYOR

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the use of T. Spencer Knight Park on September 7, 2019 for the ARC of Wayne Color Run event, and to close Van Buren St. between N. Main St. and East Ave. from 8:00 A.M. to 2:00 P.M.

Motion Trustee Vermeulen, seconded Trustee Blodgett and carried unanimously to approve closing some street area around the Newark Public Library building on July 1, 2019 from 12:30-3:00 P.M. for the kickoff of their Summer Reading program. The request was to close off High St. in front of the library for the event, but the Board is concerned about access for traffic to get to businesses on High St. with the Route 88 Construction project ongoing. The Board is suggesting the Library hold the event on Mason St., with that road being closed from High St. north to the end of the library building so that traffic would be less disrupted.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the use of T. Spencer Knight Park on August 13<sup>th</sup> from 6:00-10:00 P.M. for a Movie Night presentation on the history of the Village of Newark.

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

**WHEREAS**, the Village of Newark Village Board, (hereinafter referred to as Village Board) is completing an application through the New York State Consolidated Funding Application (CFA) under New York State Department of Environmental Conservation (DEC), in conjunction with the New York State Environmental Facilities Corporation (EFC) for preparation of an engineering report; 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.

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

**WHEREAS**, Village of Newark, Wayne County, supports the submission of a 2019 Consolidated Funding Application (CFA) on behalf of the Village, for the Wastewater Infrastructure Engineering Planning Grant (EPG) program to conduct an overall study of its Wastewater Treatment Plant (WWTP); and

**WHEREAS**, the New York State Department of Environmental Conservation (DEC), in conjunction with the New York State Environmental Facilities Corporation (EFC), provides a competitive statewide reimbursement grant program to assist in the initial planning of eligible Clean Water State Revolving Fund (CWSRF) water quality projects; and

**WHEREAS**, The Village of Newark meets EPG eligibility and is considered a funding priority, as upcoming modifications to the Village's State Pollutant Discharge Elimination System (SPDES) permit will require the disinfection of wastewater effluent from its WWTP and meets municipal median household income thresholds; and

**WHEREAS**, if funding is received it will allow the Village of Newark to prepare an engineering planning report that explores cost effective solutions to implement disinfection, aging infrastructure and equipment, enabling the Village to seek further financing for construction through the CWSRF program to advance the required water quality improvements;

**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 for the CFA; and

**BE IT FURTHER RESOLVED**, the Village Board does hereby accept that they shall provide at least 20% match of the total of any grant funding awarded as a local match in the form of in-kind services or cash contribution hereby appropriated and obligated from the Sewer Fund; and

**BE IT FURTHER RESOLVED**, that the Village of Newark, recognizes and fully supports the submission of the 2019 CFA for an EPG for overall improvements to its wastewater treatment plant.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously to declare surplus and dispose of at FMV a three-inch trash pump at the DPW, a fifteen foot by four-inch flag pole, and a twenty-eight foot by six-inch flag pole.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to move the regular July 2019 Board meeting from Tuesday to Monday, July 15, 2019, at 5:00 P.M.

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously to approve the five-year lease with First Light to provide 24 phones and phone service to the Village Municipal building at a cost of \$576.59 per month, along with a one-time \$250.00 set up fee, and Internet service for the building at a cost of \$499.00 per month.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the brush tub grinding quote from Green Renewable for \$6,200.00, the lowest responsible quote received.

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously to approve the use of the Village's parking lot on E. Union St. by the Boys Scouts SCUBA Venture Club for a Chicken BBQ fundraising event on July 14<sup>th</sup>.

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to approve the use of T. Spencer Knight Park on August 6<sup>th</sup> from 6:00-8:00 P.M. for the Council on Alcoholism & Addictions' National Night Out event that promotes police and community partnerships.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried

unanimously to approve the request of Brandon Coons for time off under the FMLA, from June 24, 2019 to July 12, 2019, for the birth of a child. Mr. Coons has elected to use his banked sick time to be paid for the time out of work.

Motion Trustee Vermeulen, seconded Trustee Blodgett and carried unanimously to approve the use of Central Park on August 10, 2019 from 12:00-2:00 P.M. by Premier Martial Arts for their 25<sup>th</sup> Anniversary celebration.

The Mayor and Clerk/Treasurer will be responsible for choosing the signage to be put in Village Parks to notify the public about the parks being a Tobacco Free Zone, which was previously approved by the Board.

Mayor Taylor had nothing else for Open Session.

LEGAL

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously to approve the easement request from Charter Communications to run fiber optic cable from an area near the light pole in front of the old St. Elizabeth's hospital on W. Miller St., under W. Miller St., and then to the property located at 101 S. Main St., subject to final approval by the Village Attorney.

Attorney Art Williams had nothing else for the Board tonight.

POLICE CHIEF

Chief Thoms thanked the Board once again for the promotion of the two Officers to Sergeant. He stated that they are providing much need leadership and direction on the shifts they are working. He also provided the Board with updates on the parades that having taken place so far this Spring, and that no incidents have occurred related to the ongoing S. Main St. construction project.

Chief Thoms asked for an Executive Session for a specific position within the police department.

TRUSTEES

None of the Trustees had anything for Open Session.

TIME FOR THE PUBLIC

William Paddock of 421 Grace Ave. spoke to the Board about what he believes to be speeding by vehicles in the area where he lives.

Leiah Sweet of 718 Colton Ave. addressed the board concerning youth in the area harassing individuals and damaging property in the area of her house. She noted that speeding of vehicles is also occurring on Colton Ave.

EXECUTIVE

Motion Trustee Vermeulen, seconded Trustee Bendix and carried

SESSION unanimously to go into Executive Session at 7:15 P.M. to discuss a specific position within the police department.

OPEN SESSION Motion Trustee Vermeulen, seconded Trustee Blodgett and carried unanimously to come back into Open Session at 8:05 P.M.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to authorize the Village to spend up to \$2,000.00 to update the existing Non Union Employee handbook. Trustee Schober will head up the committee to complete the project. Funding shall be obtained from the General, Water and Sewer Funds to pay for the project.

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to hire Tracy Brown, ACO for the Town of Lyons, as a replacement Animal Control Officer when Bob Howard is out of work on vacation and other short term periods. Her compensation shall be \$30.00 per day, plus mileage.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the Village spending \$400.00 to enter four individuals into the AECC annual charity golf tournament.

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

The meeting was adjourned at 8:10 P.M.

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Stephen Murawski,  
Village Clerk-Treasurer