

Minutes of the August 21, 2018 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 (23); Trustees: Robert Bendix (20), Alan Schober (22), and Rebecca Vermeulen (17). Excused: Trustee Stuart Blodgett (21)

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

General Public: 9

**WELCOME BY
MAYOR**

At 6:02 P.M., Mayor Taylor led the gathering in the Pledge of Allegiance to open the meeting.

**APPROVAL OF
MINUTES**

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (Trustee Blodgett Excused – TBE) to approve the following minutes:

- Regular Board Meeting Monday, July16, 2018.

**CONSENT
AGENDA**

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to approve the August vouchers and invoices Trustee Vermeulen reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$1,170,714.12 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

**FIRE CHIEF
RUSTY HAVERT**

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to declare surplus and donate to the Wayne Co. Fire Building Permanent Display a “Scott Thermal Imaging Camera”. It is believed to be the first one ever used in Newark and in Wayne County.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to declare surplus and dispose of at FMV an itemized list from the Fire Department.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to approve the lowest bid of \$33,900.00 from Upstate Garage Doors to replace the six firehouse bay doors. The contractor is aware that any employees who perform work on the job will be required to be paid the prevailing wage rate for their specific job class.

Chief Havert spoke on the following:

- 320 calls for service YTD.
- New truck at Churchville for final installations; should be back to the Village by August 30, 2018.
- New truck dedication ceremony has been changed from September 8th to October 13th.

AECC DIRECTOR
MIKE
MUSCOLINO

Mr. Muscolino was excused. Mayor Taylor noted the following:

- Summer programs through AECC wrapping up.
- Fall programs have begun or will be starting in the next few weeks.

CODE
ENFORCEMENT/
ECONOMIC
DEVELOPMENT

Mr. Peake spoke on the following:

- The remodeling at the new Marshall Exteriors show room on E. Union St. continues on schedule.
- New multiunit apartments on Hope Ave. are going through the review and approval process.
- Local manufacturers expanding their businesses in Newark; he can't share specifics at the present time.

Norman Brust of 514 Davis Dr. addressed the Board about vagrancy and criminal issues at Perkins Park and the nearby gazebo. He stated he is speaking for the neighborhood when he states that the matter has gotten worse recently, and they are asking the Board what further actions can be taken to mitigate the issue. He did note the CEO Mark Peake and Police Chief David Christler are doing what they legally are allowed to do trying to address the problem.

Randy Bowden of 232 West Avenue also spoke addressing similar concerns about the issues and the park, stating that some the individuals who are of concern live at 238 West Avenue. That property is owned by Rush Corporation.

The Mayor and the Trustees posed questions to both the Code Enforcement Officer and Police Chief to ensure that the Village is doing all that is legally possible to address the issue. Village Attorney Williams was also asked his legal opinion of what further course of action the Village might be able to undertake. One fact that came to light is that the gazebo is technically not part of Perkins Park, and therefore not subject to the regulations about Times of Allowed usage noted in Village Code Section 106-7 – Park Operating Policy.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to schedule a Public Hearing for September 18, 2018 at 6:10 P.M. to discuss proposed changes to the Village Code Section 106 to include the Gazebo at the west entrance to Perkins Park as property covered under that section.

CLERK/
TREASURER

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to authorize the Village to participate in the FL BOCES Cooperative Electricity Bid WFL 2019-12.

Mr. Murawski noted that the field work for the Fiscal Year 2018 audit by Bonadio & Co. has been completed, and no significant issues or matters have been noted so far. The goal is to have the draft audit opinion and financial statements to the Board in early October so that they can consider approving at the October 20th Board meeting.

Resumes for the Deputy Clerk/Treasurer position that was advertised are coming in. The Personnel Committee will schedule a Special Board meeting to review the applications received, and to set up interviews with potential replacement candidates.

MAYOR

After some discussion on the matter, motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to table the proposal to adjust upwards the income level for the Senior Citizen Tax Exemption so that the Clerk/Treasurer can provide further information that has been requested.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to table the motion to approve the proposed contract with Environmental Design and Research (EDR) to provide professional services to the Village of Newark. EDR would assist the Village in improving the safety, visibility and environmental issues when Newark redesigns the Village owned parking lot located on the south side of the 100 block of East Union St., just east of South Main St.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to accept the retirement notification of Police Chief Christler. The Mayor and Board thanked the Chief for his service to the Village. Chief Christler thanked the Board for the honor and opportunity to serve in the position.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to approve the use of the Village's parking lot on E. Union St. by the Newark Varsity Girls Swim Team for a Chicken BBQ fundraising event on September 16th.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to approve and authorize the Mayor to sign the Route 88-Water Contract share No Cost Change Order #1.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to not allow bounce houses or water slides for

private parties in any Village Park.

Mayor Taylor noted the following:

- The retirement of Police Chief Christler on August 27th, and Deputy Clerk/Treasurer on August 24th.
- Read letter from NYS Senator Pam Helming congratulating the Village on the most recent Taste of Wayne County event.

LEGAL

Attorney Art Williams had nothing for the Board tonight

POLICE CHIEF

Chief Christler presented the request from Officer Colacino to attend the Advanced Roadside Impaired Driving Enforcement (ARIDE) course in Lake Placid October 15th-18th at a cost of \$835.00. Mayor Taylor asked the Chief if he was aware if this training could be obtained locally at a lower or no cost basis; the Chief stated that he was not aware of any such opportunity. Mayor Taylor noted that he has been in touch with Renee Borden from the entity that is putting on the training in Lake Placid, and she informed the Village that Officer Colacino could obtain the same training for free in Scottsville, New York October 22nd-23rd. Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to authorize Officer Colacino to attend the ARIDE training in Scottsville at no cost to the Village.

After much discussion, and questioning the benefit of the request of Officer Dean to attend the International Outlaw Motorcycle Gang Investigators Association training in Myrtle Beach, South Carolina in September 2018, the Board denied the request to approve the training. Chief Christler noted that he didn't support the request either, but was required by the Collective Bargaining Agreement to present the request to the Board for their consideration.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve the purchase the Safe Child ID Kit, Complete EZ Turnkey System version, for the cost of \$4,999.00

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to approve the purchase of an Apple MacBook Pro laptop computer for up to \$1,500.00, and additional equipment related to the purchase for up to an additional \$3,000.00, for Investigator Jay Warren. The Village will be fully reimbursed by the U.S. Secret Service because of Investigator Warren's assistance that he provides to them on an As Needed basis.

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to authorize Officer Dean to attend the Western N.Y. Outlaw Motorcycle Gang Investigators Association annual training in Lancaster, New York on August 22nd at no cost to the

Village. The event is sponsored by the FBI and Homeland Security. Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to approve the Request for Internship at the Newark Police Department by Connor Warren through the St. John Fishers College Criminal Justice program. He will begin on September 10, 2018, and he will obtain up to 180 hours as required by the program.

Chief Christler once again thanked the Village for the opportunity to serve as Police Chief, and that his service to the community will continue in other areas.

TRUSTEES

Trustee Vermeulen provided an update on the damage caused by graffiti on the newly painted mural underneath the N. Main St. bridge. She stated that the individual used chalk, which wasn't that difficult to clean off. The finish coat will be applied very soon, and this will protect the artwork from most vandalism that may be done. The perpetrator was a 7th grade student, who she stated was very apologetic, and they have been penalized with Community Service for their actions.

Trustee Schober noted that the Village just received the annual report from the NYS DEC, which stated the Waste Water Treatment Plant is operating efficiently, with no issues to address.

TIME FOR THE PUBLIC

Jim Beman of 119 Landon Avenue expressed concerns about the placement of detour signs for the Route 88 project near Vienna St on State Route 31 E., East Union St. He feels that the sign may be confusing to tractor trailer drivers, because he notes that some trucks are following that detour incorrectly, instead of heading east to Lyons and using State Route 14 South. The Board noted that the sign is properly placed for car traffic, and that some truck drivers are ignoring the correct detour in Lyons in an attempt to save time. Village police have been attempting to deal with these vehicles that are improperly using the Vienna St. detour route.

Mr. Beman also feels that the markings for the Left Turn lane on Route 88 South to turn left onto State Route 31 East are not properly placed. He feels that the stop line for this turn should be further back, so that larger vehicles turning right off of State Route 31 West onto N Main St. would have more room to make that turn. Mayor Taylor noted that there is a biweekly Route 88 update meeting tomorrow, and that both of these issues will be discussed at that meeting.

Mr. Beman also noted that there are some significant potholes on N. Main St. He was instructed to contact the Clerk/Treasurer with a written notice, which will provide the Village with exact details of where these issues are located.

EXECUTIVE
SESSION

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously 4-0 (TBE) to go into Executive Session at 7:55 P.M. to discuss specific individuals within the police department and the Clerk/Treasurers' office.

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to come back into Open Session at 8:15 P.M.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to authorize the Mayor to sign the agreement with NYSEG to purchase the street light facilities, subject to final review and approval by Attorney Williams. The sale price is not included at the present time due to a Non-Disclosure agreement with NYSEG.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to appoint Mark Thoms as Interim Police Chief, effective August 28, 2018, until a permanent replacement is installed.

ADJOURNMENT

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to adjourn the meeting.

The meeting was adjourned at 8:17 P.M.

Stephen Murawski,
Village Clerk-Treasurer