

Minutes of the February 18, 2014 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 5:00 PM.

- PRESENT** Mayor Peter Blandino (3); Trustees: Helen Blandino (3), Jonathan Taylor (3), Kurt Werts (3), and John Zornow (3).
- Police Chief David Christler, Village Clerk/Treasurer Steve Murawski, Code Enforcement Officer Mark Peake, Fire Chief David Greco, AECC Executive Director Mike Muscolino (Excused), and Attorney Art Williams.  
General Public: 3
- WELCOME BY MAYOR** At 5:05 P.M., Mayor Blandino led the gathering in the Pledge of Allegiance to open the meeting.
- TRUSTEES** Trustee Zornow noted that his comments about advertising for possible openings on the Planning and Zoning Boards were not mentioned in the January 21, 2014 minutes. The Clerk/Treasurer responded that informational or general discussions sometimes don't make it into the minutes. The Trustees comments will be included in the official January 21, 2014 minutes per the Board's consensus.
- APPROVAL OF MINUTES** The Motion Trustee Zornow, seconded Trustee Taylor and carried unanimously to approve the following minutes:
- Regular Board Meeting of January 21, 2014.
- CONSENT AGENDA** Motion Mayor Blandino, seconded Trustee Werts and carried unanimously to approve the February vouchers and invoices which Mayor Blandino reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$564,782.55 were authorized for all funds.
- The Board thanked the department heads for their monthly reports.
- FIRE CHIEF DAVID GRECO** Fire Chief David Greco spoke on the following:
- Noted house fire on Siegrist Street this past weekend.
  - Ordered new dewatering pumps in preparation for any issues related to the upcoming spring thaw.
- Motion Trustee Taylor, seconded Trustee Zornow and carried unanimously to approve the membership of Mr. Thomas Park of 760 Blue Cut Road, who has joined Excelsior Hook & Ladder # 4. He has had his arson check done and was investigated by his company.
- AECC DIRECTOR MIKE MUSCOLINO** Mr. Muscolino was excused; the Mayor noted the following:
- Winter programs are ongoing, and the AECC continues to have high rates of utilization.
- CODE ENFORCEMENT ECONOMIC DEVELOPMENT** Motion Trustee Werts, seconded Trustee Taylor and carried unanimously to request a Planning Board recommendation on a request for Waiver of Subdivision for Ford Street – Tax Account # 68111-18-409220.
- Mr. Peake spoke on the following:
- He asked the question: “Can a routine Waiver of Subdivision be done administratively, when no variances are needed?” Attorney Williams to investigate, and will address as necessary.

- New house construction on Nathaniel Way continues.
- Working on updating Village Walking Map so that Village can perform updates in house to save money.
- The VONEDA is working on potential plans to make the Village of Newark more bicycle friendly to take advantage of the increase in people bicycling for tourism purposes.
- Community Pride Day is scheduled for May 31, 2014, and the meeting location may be moved to the east side of the Pontillo's building.
- Now performing analysis of Village website traffic on a monthly basis.
- Trustee Zornow noted an address of 808 East Avenue on Code Enforcement report. Mr. Peake to check if that is correct.

TRUSTEES

Trustee Zornow asked about utilizing Central Park for an Antique Show sponsored by the Historical Society to be held June 13<sup>th</sup>-14<sup>th</sup>, the same weekend as the St. Michaels Parish Festival. No action was taken. He also noted the Chamber of Commerce Business After Hours event to be held March 12<sup>th</sup> at Mike Barnard Chevy.

Trustee Werts noted the Snowman Building contest trophy that Pontillo's received as the Business Grand Prize winner of the contest.

Trustee Blandino asked about the progress of the potential Rite Aid project at the current Theater location. Mr. Peake noted that the company would be presenting Preliminary Site plans to the Planning Board in March 2014.

CLERK  
TREASURER

Motion Trustee Blandino, seconded Trustee Werts and carried unanimously to authorize the Clerk/Treasurer to enact whatever budget transfers may be necessary for fiscal year 2014 to eliminate deficits in any line item to be in compliance with the NYS OSC requirements.

The Board put on hold the request by the Clerk/Treasurer to authorize a change in the "Returned Check SOP" for the Village pending the Attorney's review.

Motion Trustee Zornow, seconded Trustee Taylor and carried unanimously to approve the request of the customer at 105 Maple Court for relief from excess sewer consumption of 12,000 gallons for a water leak that did not go into the Village sanitary sewer system. The credit to the customer's sewer portion of the bill will be \$351.50.

Motion Trustee Blandino, seconded Trustee Werts and carried unanimously to approve the following motion:

Because the use of a Capital Reserve Fund is necessary to pay for the paving of Village Streets, the following resolution is required:

**WHEREAS**, the Capital Reserve – East Union Street Rehabilitation (Account # A00.0878O.0000) and Capital Reserve – Street Improvement Reserve (Account # A00.0878P.0000) of the Village of Newark were heretofore established pursuant to Section 6-c of the General Municipal Law for the purpose of making purchases that enhance the continued improvements of Village Streets,

**WHEREAS**, the paving of streets is viewed as an enhancement to the current Village roadways,

Now on a motion on February 18, 2014 by Trustee Blandino, seconded by Trustee Werts and carried unanimously 5-0 it is

**RESOLVED**, that subject to a permissive referendum as provided for pursuant to Section 6-c of the General Municipal Law there be and hereby is appropriated out of the capital reserve funds designated as “East Union Street Rehabilitation” of Village of Newark the sum not to exceed \$24,900.00 and “Street Improvement Reserve” of the Village of Newark the sum not to exceed \$14,030.00 to finance and pay and to be applied toward the cost of the purchase of paving supplies and services, and it is

**FURTHER RESOLVED**, that within ten days from the date of the adoption of the foregoing resolution, the Village Clerk/Treasurer shall cause to be published in the Village’s official newspaper having a general circulation in said Village, a notice which shall set forth the date of the adoption thereof and contain an abstract of this resolution concisely setting forth the purpose and effect thereof and that such resolution was adopted subject to a permissive referendum and in addition cause copies of such notice to be posted conspicuously in public places as required by law in the Village, and it is

**FURTHER RESOLVED** that said resolution shall not take effect until thirty days after its adoption or until approved by vote of the electors of the Village if within thirty days after its adoption a petition requiring a referendum pursuant to law, and it is

**FUTHER RESOLVED**, that upon said resolution becoming effective as provided above, the Treasurer be and is hereby authorized and directed to make payment out of the capital reserve funds designated in the amount as provided heretofore as the maximum cost (\$24,900.00 and \$14,030.00).

MAYOR Motion Trustee Blandino, seconded Trustee Werts and carried unanimously to authorize the Mayor to sign the FY 2014 audit agreement with Bonadio & Co. at a cost not to exceed \$11,500.00

FY 2015 AUDIT

BIDS SENT OUT Motion Trustee Zornow, seconded Trustee Taylor and carried unanimously to authorize the WTP and the WWTP to go out to bid for chemical purchases for FY 2015.

Motion Trustee Blandino, seconded Trustee Taylor and carried unanimously to authorize the Village to go out to bid for lawn mowing for the Village Cemeteries and a separate contract for the Village Parks.

SURPLUS Mayor Blandino noted the list of items from the DPW Jeff DeCann wants the Board to declare surplus. He also noted that the Village wants to declare surplus the Bobcat Skid Steer Loader as an additional item to the list. Motion Trustee Werts, seconded Trustee Blandino and carried unanimously to declare surplus, including the additional item, the equipment listed by Jeff DeCann, and to dispose of the items at FMV.

EQUIPMENT

HVAC TOWN Motion Trustee Zornow to table the proposed purchase of a new Mitsubishi Heater-A/C unit for the Town of Arcadia office space located in the Village’s Municipal Building. There was no seconded, so the motion failed.

OFFICE

Motion Trustee Blandino, seconded Mayor Blandino to purchase the Heater A/C unit for the Town of Arcadia office space located with the Village’s Municipal Building, with the Village and the Town sharing the cost equally. For the motion to be implemented, the Village must confirm that the funding for the Town of Arcadia is coming from the Outside Village General Fund, and that the Village’s share will not ex-

ceed \$7,500.00. The Mayor asked for a roll call vote, and the motion passed 4-1, with Mayor Blandino and Trustees Blandino, Taylor and Werts voting Yes, and Trustee Zornow voting no.

The Clerk/Treasurer noted that the Village of Newark started the process previously of developing a Village of Newark FMLA policy, in addition to the government regulations already in place. After some discussion, the Mayor instructed Mr. Murawski to provide the Board with further information to assist in the process.

TRAINING  
REQUESTS - DPW

Motion Trustee Blandino, seconded Trustee Taylor and carried unanimously to authorize Leigh Hutter, Jim Crawford and Chet Wells to attend the Dig Safely NY Excavator Safety Seminar on March 5, 2014 in Rochester at no cost to the Village.

Motion Trustee Blandino, seconded Trustee Werts and carried unanimously to authorize Matt Depauw to attend the "Activated Sludge" class at SUNY-Morrisville from March 24-27, 2014 at a cost of \$525.00 and "Laboratory Basics" class at SUNY-Morrisville from April 7-11, 2014 at a cost of \$575.00. These classes are necessary for him to obtain his License at the WWTP.

Motion Trustee Zornow, seconded Trustee Blandino and carried unanimously to allow the Village of Clifton Spring, a Village of Newark water customer, to sell water to the Town of Phelps for a possible water district on Schroo Road in the Town of Phelps.

The Mayor noted the letter sent to Dr. Choudhury thanking him for his willingness to serve as Village Health Officer.

He also noted the score results for the "Fiscal Stress Test" received from NYS for the Village of Newark. The statistics show the Village is in solid financial state.

Mayor Blandino also informed the Village of the thank you letter received from the Food Closet for our help in relocating their bottom shelving to be in compliance with Food Link of Rochester regulations.

The Mayor noted the Village of Newark will be holding their FY 2015 Village Budget workshop on March 6, 2014 at 4:00 P.M. in the 3<sup>rd</sup> Floor Conference room of the Municipal Building.

LEGAL

Nothing for Art Williams for open session.

POLICE CHIEF  
DAVID  
CHRISTLER

The Chief spoke on the following:

- The St. Michaels Church is planning their annual carnival to be held on June 13<sup>th</sup>-14<sup>th</sup>, 2014. They have submitted the request that the street be closed once again in the area of the festival from Noon June 13 to Noon June 15, 2014. Trustee Taylor asked if they would be required to sign a Street Use agreement similar to the one the Village is requiring the Newark Farmers Market to sign. Discussion ensued, and it was determined that the Street Agreement would not need to be signed if the Festival did not place anything in the street. Motion Trustee Blandino, seconded Trustee Zornow and carried unanimously to authorize the Police Chief to close the streets as requested, providing they sign a Street Usage agreement with the Village, if necessary.
- Chief Christler asked if the Village was going to consider authorizing Officer Aaron Dean to attend the NYS Gang Association Conference in May 2014. The Board once again reiterated

ST. MICHAELS  
PARISH  
FESTIVAL

TRAINING  
REQUESTS

that there isn't funding in the overall Police Department budget to pay for it due to overtime being over budget. No one made a motion to approve the training. The Chief also asked about the training request for Officer Kuhn for June 2014 in Phoenix, AZ. The Board also did not approve this request, with no motion being made.

TRUSTEES Trustee Blandino provided updates on NAVA, NWCH and the Newark Public Library.

Trustee Taylor asked about the WWTP Capital Project, and the Mayor and John Reynolds, Chief WWTP Operator, who was in the audience, that the project has started and if moving forward as expected.

TIME FOR THE PUBLIC Nothing for the public.

EXECUTIVE SESSION Motion Trustee Zornow, seconded Trustee Taylor and carried unanimously to go into Executive Session at 6:48 P.M. to discuss pending litigation and ongoing police union negotiations.

The meeting was adjourned at 7:08 P.M.

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Stephen Murawski, Village Clerk-Treasurer