

Minutes of the September 15, 2020 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 (24); Trustees: Robert Bendix (24), Stuart Blodgett (22), Alan Schober (22), and Rebecca Vermeulen - Late (22).

Police Chief Mark Thoms, Superintendent of DPW Bob Hutteman, Village Clerk/Treasurer Steve Murawski, Code Enforcement Officer Mark Peake (Excused), Fire Chief Kevin Velte, Deputy Clerk/Treasurer Carolyn Pitti, and Attorney Art Williams.  
General Public: 41

WELCOME BY MAYOR At 6:02 P.M., Mayor Taylor led the gathering in the Pledge of Allegiance to open the meeting. Mayor Taylor asked for a moment of silence to honor Fred Pirelli, recently deceased former Mayor, and Karen Russell, former Crossing Guard, who just passed away last week.

APPROVAL OF MINUTES Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously 4-0 (Trustee Vermeulen Late –TVL) to approve the following minutes:

- Regular Board Meeting August 15, 2020.

CONSENT AGENDA Motion Trustee Schober, seconded Trustee Blodgett and carried unanimously 4-0 (TVL) to approve the September vouchers and invoices Trustee Vermeulen reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$715,164.31 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

RETIREES BOB HOWARD, GARY VERSTRAETE, AND PATTY LATTA Animal Control Officer Bob Howard  
First and foremost, Congratulations on your retirement from service as the Animal Control Officer for the Village of Newark, Town of Arcadia and as an Animal Cruelty Investigator for the Wayne County District Attorney's Office on April 28, 2020. For over twenty-four (24) years you have dedicated yourself to enforcing the village and town Animal Control codes, along with Agricultural & Market laws of the State of New York for the safety of these communities and foremost, the protection of those animals who needed a voice and you swore to protect. You have unselfishly given of yourself and often sacrificed time with your family and

friends because you valued service above self. No better deeds can a man do than to give of himself, especially as an advocate for those with no voice. Your professionalism and support to officers of the Village of Newark Police Department and those in law enforcement has not gone unnoticed. The dedication to your profession resulted in you being 1 of only 2 Animal Control Officers in New York State designated as a Peace Officer, While serving the Village of Newark, you have distinguished yourself through your deeds and actions. Always there to assist us and provide whatever guidance might be needed on these cases. I speak for all past and present members the Village of Newark Police Department who have had the opportunity to work with you when I say, "Bob, thanks for your dedication to those animals which had no voice but yours, your compassion for others in seeking the best resolutions for all parties, your support for the Newark Police Department and above all else, your service to the Village of Newark, Town of Arcadia and Wayne County. Best wishes for a long and rewarding retirement. Sincerely, Mark A. Thoms Chief of Police

Investigator Gary M. VerStraete

On September 23, 2020 after 32 years of dedicated service with the Village of Newark Police Department, the majority devoted to the youth of our community, you have chosen to move into the next phase of life — a well-deserved retirement. Prior to joining the Newark Police Department in 1988, you had enthusiastically committed yourself to serving the community through the Marletown Fire Department, which continues to this day. On September 08, 1988, you began your career with the Village of Newark Police Department with the same enthusiasm and commitment to the residents of Newark. Your devotion to youth of the community began by becoming the Departments Second D.A.R.E (Drug Abuse Resistance Education) within the Newark Central School District in 1993. Your career path serving the youth continued when you accepted the Youth Officer position in 1998, and in 2003 as an Investigator— assigned to youth investigations. Between 2007 and 2010, you served the Newark Central School District as a SRO (School Resource Officer). During this time, you wore many hats for the Department as Arson Investigator, Property. Custodian, Disaster Plan liaison with the schools, businesses and Newark Wayne Community Hospital, Radio procurement— installation and maintenance, AED procurement and maintenance. On

top of these, you also were the Village of Newark Safety Officer ensuring that all Village employees were aware of safety plans, hazardous materials training and proper equipment usage. You have chosen your career and to live your life by serving others. Although your law enforcement career of serving has come to a close, we all know your commitment to serving the community in other areas will not end. The members of the Department past and present say "Thank you Gary, your chosen path to serve the youth of the community for over 27 years is a highly commendable and noble act. The service to the Department and community for 32 years leads us to the day of September 22, 2020 with your final radio transmission 10-42. Congratulations on your retirement and safe journeys during the best years ahead of your life ahead of you. Sincerely, Mark A. Thoms Chief of Police

Patricia

The Village of Newark Police Department has been honored with your unwavering allegiance to this Department and your community. On September 29, 2020, after 34 years of dedicated service, you will have reached the well-deserved career milestone of retirement CONGRATULATIONS! During these 34 years of service, you provided direction, unwavering support, and dedication to the 4 Chiefs and 46 different Police Officers from your various positions as Stenographer, Police Dispatcher, Traffic Violations Clerk, Court Liaison and "Lieutenant". Your attention to detail regarding court packages always ensured that the Newark Police Department was not lacking for prosecution of offenses. As the first person of contact, at the front window or on the phone, your composure and patience displayed the professionalism of the Newark Police Department. Your abilities to supervise, plan, coordinate, and execute Department services, Crossing Guards & Dock Tenders, was second to none to insure all shifts were properly covered. This also includes. Department events to insure all officers and retirees were included, recognized and well fed. At this milestone of your life, on behalf of the 50 Officers who have served with you during your 34-year career I say "Pat/Patty/Patricia/Latta; You say, "Yes", I say, "No" You say, "Stop" but I say, "Go, go, go". Thank You for your support, dedication and unwavering professionalism to the Village of Newark Police Department, all Village Departments and the citizens of Newark. Your devotion to all the persons who have served the Department and the Village of Newark is a testament of your commitment to giving back to your hometown. Congratulations on your well-deserved retirement!"

Sincerely, Mark A. Thorns Chief of Police

**INDOOR TRACK** Norwood Hughes was honored as Section V – Class C – Champion in the 300m, his 3<sup>rd</sup> Place finish at NYSPHSAA, and school records in the 300m (35.24 Sec.) and the Long Jump (21’, 8.75”). Trinity Wells was honored as Section V – Class C – Champion in the 1,500m and 3,000m, her 25<sup>th</sup> place finish at NYSPHSAA, and the school record in the 3,000m (10:27:09).

**BOYS BOWLING TEAM RECOGNITION** Boys Bowling team coach Mark Rowe stated his admiration for the effort of this year’s Boys Bowling team that made up a 160 pin deficit on the last afternoon of the Sectionals to become the Section V – Class C - Champion. The members are Everett Cole, Grayson Cole, Jared Dennis, Jadon Fleischmann, Preston Precourt, and Haydn Tellier. Their other accomplishments include NYSPHAA – Division II – Finalist and NYSPHAA Scholar-Athlete team.

**CHIEF KEVIN VELTE** Chief Velte spoke on the following:

- 357 Calls for Service YTD.
- Annual Truck maintenance completed by Churchville Fire Equipment.
- Plans for Annual Fire Demonstration for October 9<sup>th</sup> moving forward.
- Annual Inspection and Dinner October 10<sup>th</sup> at 6:00 P.M.

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously 4-0 (TVL) to accept the resignation by abandonment of Jonathan McShanley.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously 4-0 (TVL) accept the membership of Trevon Campbell of 730 Filkins Road to Excelsior Hook & Ladder Co. #4. He has had his arson check done and was investigated by his company.

**CODE ENFORCEMENT/ ECONOMIC DEVELOPMENT** Mr. Peake was excused to attend Zoning Webinar; Mayor Taylor spoke on the following:

- Mr. Peake noted that participation has been down for the Annual Pumpkin and Snow Sculpture contests, with only four participants for the pumpkins and eight for the snow sculptures. The Board wants to continue the events in light of COVID-19 restrictions; this gives families and individuals something to do with much outside activity being restricted. The cost to the Village is very minimal.

CLERK  
TREASURER

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously 4-0 (TVL) to approve the following:

RESOLVED by the Board of Trustees of the Village of Newark that *Retention and Disposition Schedule for New York Local Governments Records (LGS-1)* issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein. FURTHER RESOLVED, that in accordance with Article 57-A: (a) only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Governments Records (LGS-1)*, after they have met the minimum retention periods described therein; (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established minimum periods.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously 4-0 (TVL) to approve the Application for Corrected Tax Roll, RP-554, for property tax I.D. 68111-14-44046, 448 Murray Street, and to refund the payment of \$343.00 for said parcel.

MAYOR

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously 4-0 (TVL) to accept, with regrets, the retirement notice of Patricia Latta, effective September 29, 2020 at 4:00 P.M.

Tabled decision to accept dedication of Garfield St. and Adams St. pending written documentation from the owner of previous acceptance.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TVL) to approve the following resolution:

WHEREAS, The Village of Newark, New York is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

WHEREAS, The Village of Newark, New York is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

WHEREAS, The Village of Newark, New York is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and

WHEREAS, The Village of Newark, New York acknowledges the mission of Extra Mile America to create 500 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2020.

NOW THEREFORE, I, Jonathan Taylor, Mayor of The Village of Newark, New York do hereby proclaim November 1, 2020, to be Extra Mile Day. I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

After some discussion and numerous questions, the board took no action on the request of the resident at 421 Grace Ave. to be granted relief from excess sewer consumption for a hot water tank leak because the amount of water lost due to the incident was only 4,350 gallons, which is far below the policy’s minimum limit of 10,000 gallons.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously 4-0 (TVL) to approve and authorize the Mayor to sign the Gas Sales and Purchase Agreement with Empire Natural Gas for the period of 10/01/2020 to 09/30/2021, with an adder fee of \$0.5421/Dt, which is down from the current year fee of \$0.569.

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously 4-0 (TVL) to amend the Lease Agreement with BRICO Technologies, Inc. to allow for quarterly payments of \$550.00 per quarter, starting on September 30<sup>th</sup> at the beginning of the lease year, instead of the annual, upfront lease payment of \$2,200.00 now in the contract. A \$25.00 per month late fee will also be added for every payment that is not received by the Village of Newark on the 15<sup>th</sup> of the following month of the due date.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously 4-0 (TVL) to approve the final draft of the Incident Response Plan and Breach Notification. The original is on file with the Clerk/Treasurer.

Motion Trustee Schober, seconded Trustee Blodgett and carried unanimously 4-0 (TVL) to approve the following resolution:

**WHEREAS**, the Village of Newark Village Board of Trustees (hereinafter referred to as Village Board) on July 21, 2020 declared its intent to be designated the Lead Agency for the Village of Newark Wastewater Treatment Plant Disinfection Improvements project under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Village Board has provided written notices to this effect to the involved and interested agencies; and

**WHEREAS**, the Village Board has not received any written objections from the involved agencies to the Board's being designated as the lead agency under the SEQR Regulations; and

**WHEREAS**, the Village Board has previously determined that it is the most appropriate agency to insure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

**NOW, THEREFORE BE IT RESOLVED** that the Village Board does hereby designate itself as the lead agency for the Action identified above herein

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously 4-0 (TVL) to accept the Full Environmental Assessment Form Part 2 – Identification of Potential Project Improvements.

Motion Trustee Schober, seconded Trustee Blodgett and carried unanimously 4-0 (TVL) to accept the Full Environmental Assessment Form 3 – Evaluation of the Magnitude and Importance of Physical Impacts and Determination of Significance, and to authorize the Mayor to sign the same.

Motion Trustee Schober, seconded Trustee Blodgett and carried unanimously 4-0 (TVL) to approve the following resolution:

**WHEREAS**, the Village of Newark Village Board of Trustees (hereinafter referred to as Village Board) has determined the above referenced Action to be a Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Village Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 1, 2, and 3 including the supporting information on the Action prepared by the MRB Group (Village Engineer); and

**WHEREAS**, the Village Board has completed the coordinated review and public comment period provided for under the SEQR Regulations; and

**WHEREAS**, the Village Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action on a separate resolution at the September 15, 2020 meeting; and

**WHEREAS**, the Village Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Full Environmen-

tal Assessment Form Parts 1, 2, and 3.

**NOW THEREFORE BE IT RESOLVED**, that said Action **WILL NOT** result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

**BE IT FINALLY RESOLVED** that the Village Board does hereby make a Determination of Non-Significance on said Action, and the Village Mayor is hereby directed to sign the Full Environmental Assessment Form (EAF) Part 3, the Negative Declaration, as evidence of the Village Board determination of environmental non-significance.

The Board tabled the request from the Newark Housing Authority to share in the purchase cost of the Stand Up Sprayer used for chemical distribution that is used to maintain some Village property.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 to authorize the Public Hearing on September 29, 2020 at 5:15 P.M. in the Village Court Room to obtain comments on the proposed Community Development Block Grant for the 2020 program year, with the potential funds being used to assist IEC Electronics to expand and create jobs.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the use of Central Park on October 4<sup>th</sup> at 1:00 P.M. by Park Church to hold a Blessing of the Animals service.

Mayor Taylor also noted the following:

- There will be a Ribbon Cutting on September 24<sup>th</sup> at 9:00 A.M. to celebrate the completion of the Erie Canal Trail project. Due to COVID-19, RSVP is required. Attendance is limited to 50 individuals, and a RSVP is required to attend in person. The event will also be live streamed on FingerLakes1.

SUPERINTEN-  
DENT DPW BOB  
HUTTEMAN

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TVL) to approve the Fall Brush Pickup schedule which will start on Monday, October 19<sup>th</sup> and run until the DPW switches to leaf pickup. Early placement of designated material will be allowed before that date.

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously 4-0 (TVL) to authorize the Mayor to sign the two Letters of Interest under the NYS Homeland Security and Emergency Services Hazard Mitigation Grant program for the replacement of the Blue Cut Rd. and W. Miller St. culverts.

After discussion and questioning, motion Trustee Blodgett, seconded Trustee Bendix and carried 3-1, with Trustee Schober voting No and Trustee Vermeulen late, to approve the expenditure of \$2,500.00 to re-



pair the sod at Colburn Park this fall. Trustee Schober stressed the potential upcoming budget issues the Village may face, with revenue shortfall and additional expenditures due to COVID-19. He feels that this project, although worthwhile, should not be a priority at this time.

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously 4-0 (TVL) to approve the expenditure of \$6,400.00 to SJB Services, Inc., the lowest written quote obtained, for the “Subsurface Investigation and Geotechnical Evaluation Report” for the Blue Cut Rd. culvert.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously 4-0 (TVL) to approve the contract with WIP-Drain for \$16,000.00 to repair the Allerton Hill Reservoir cover. This is a specialize project, with limited firms available to perform the work. Mr. Hutteman also noted that the reservoir is reaching the end of its Useful Life Expectancy, and that the Village needs to begin to think about and plan for its replacement in the near term future.

Superintendent Hutteman presented a proposal to install new Security and Fire Monitoring Systems at the WTP as part of the capital project upgrade. The matter was tabled for a later meeting so that the cost information can be provided to the Board for their review and consideration.

#### LEGAL

Village Attorney Art Williams had nothing for Open Session.

#### POLICE CHIEF MARK THOMS

Chief Thoms read the retirement notice of Investigator Gary VerStraete. Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously 4-0 (TVL), to accept the retirement notice, with regrets, of Police Investigator Gary VerStraete, effective September 22, 2020, at 4:00 P.M.

Chief Thoms asked the Board if they had any thoughts on Halloween celebrations and events this year in the Village because of COVID-19. After some discussion, the Board stated that the Village will let the public decide if they want to participate, and parents if they want their children to go out.

Chief Thoms also noted the following:

- The Police Department is losing 94 years of experience with the retirements of ACO Howard, Investigator VerStraete, and Police Clerk Latta.
- NYS Executive Order 203 concerning police reforms in NYS will require the Village to hold public meetings to obtain input from concerned citizens and groups on the operation of the police department. A committee is required to be created to devel-

op the “Policing in Newark” plan. The required reform plan needs to be submitted to the state by April 1, 2021. The board set potential dates of Saturday, September 26<sup>th</sup> and Thursday, October 1<sup>st</sup>.

- Shared that the Annual “School Is Open” detail started to inform and make the public aware that the NCS D is back to have in person classroom learning.

TRUSTEES None of the Trustees had anything to discuss for Open Session.

TIME FOR THE PUBLIC Casey Carpenter of 213 Grace Avenue noted to the Board the Wayne Action for Racial Equity (WARE) would be a good group to contact concerning the Policing in Newark plan. Chief Thoms noted that he already had them at the top of the list of groups and people he was planning on contacting.

EXECUTIVE SESSION Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously 4-0(TVL) to go into Executive Session at 7:40 P.M. to discuss a specific individual within the Village Justice Court and a specific position within the DPW. Trustee Vermeulen arrived at the beginning of Executive Session

OPEN SESSION Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to come back into Open Session.

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to continue paying Acting Village Justice Carol Heald \$1,500.00 per month for the period of October – December 2020. New York State continues to pay her \$500.00 per month while in the position.

ADJOURNMENT Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously to adjourn the meeting.

The meeting adjourned at 8:40 P.M.

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Stephen Murawski  
Village Clerk-Treasurer