

Minutes of the August 7, 2017 Special meeting of the Board of Trustees of the Village of Newark held in the 3rd floor conference room of the Municipal Building at 3:30 P.M.

PRESENT

Mayor Jonathan Taylor (20); Trustees: Robert Bendix (15), Stuart Blodgett (14), Alan Schober (20), and Rebecca Vermeulen (16).

Village Attorney Art Williams, Clerk/Treasurer Steve Murawski, DPW Supervisors Jeff DeCann and Doug Townsend, Economic Development Coordinator Mark Peake, and WTP Chief Operator Michael Gonzalez. General Public: Bill Davis, Greg Hotaling, and Shawn Bray from MRB Group.

MAYOR

At 3:32 P.M., Mayor Taylor opened the meeting.

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously 3-0 (Trustees Blodgett and Bendix Late) to retroactively approving training request for Sergeant Thoms to attend training in Pennsylvania on August 1st and 2nd.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously 3-0 (Trustees Blodgett and Bendix Late) to authorize the Newark Rotary Club to utilize the Village parking lot on E. Union St. near East Avenue for their Chicken BBQ fundraiser event on October 8, 2017.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously 3-0 (Trustees Blodgett and Bendix Late) to authorize the Village of Newark to share an equal cost of the legal fees necessary to defend against the assessment challenge by Wal Mart Real Estate Trust # 1813, Notice of Petition Index No. 81165 that was filed on July 27, 2017.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously 3-0 (Trustees Blodgett and Bendix Late) 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, 2017.

NOW THEREFORE, I, Jonathan Taylor, Mayor of The Village of Newark, New York do hereby proclaim November 1, 2017, 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”.

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously 3-0 (Trustees Blodgett and Bendix Late) to acknowledge receipt of the 30 Day Advance Notice of Liquor License renewal for August Mauer Post 286 The American Legion, Inc.

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously 3-0 (Trustees Blodgett and Bendix Late) to authorize the Newark Arcadia Historical Society to utilize the North Main St. cemetery chapel and mausoleum on September 29th-30th, 2017 for their annual Cemetery Walk. The event on October 1st will be held at their Museum.

The Mayor introduced the staff from MRB Group and began the discussion on the Water Treatment Plant Capital Upgrade Project and the financing options available. Trustee Blodgett arrived at 3:40 P.M., and Trustee Bendix at 4:05 P.M. There were a significant number of questions and issues addressed.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously to authorize the Village of Newark to submit an application to NYS EFC CWSRF for potential funding of \$6,600,000.00.

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

WHEREAS, the Village of Newark Village Board of Trustees (hereinafter referred to as Village Board) will be replacing the existing sanitary sewers and water mains in the DOT right of way along Rte. 88 from Rose Drive to Union Street and will also be replacing two sewer pump stations and a pressure reducing vault (PRV) along Route 88 (hereinafter referred to as Action); and

WHEREAS, the Village Board has reviewed the Short Environmental Assessment Form (EAF) Part 1, prepared by the Village Engineer (MRB Group) on the above referenced application; and

WHEREAS, the Village Board determines that said Action is classified as an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Village Board has determined that the proposed development is subject to a single agency review pursuant to Part 617.6(b) (4) of the SEQR Regulations; and

WHEREAS, the Village Board determines that it is the most appropriate agency for making the determination of significance thereon under the SEQR Regulations; 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 the Short EAF Part 1; and

WHEREAS, the Village Board has completed Part 2 and Part 3 of the Short EAF; and

NOW, THEREFORE BE IT RESOLVED that the Village Board does hereby designate itself as lead agency for the proposed development above herein; and

BE IT FURTHER RESOLVED that the Village Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory bird or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there

- are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
 - (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;
 - (v) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
 - (vi) there will not be any hazard created to human health;
 - (vii) there will not be a change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland;
 - (viii) there will not be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
 - (ix) there will not be created a material demand for other Actions that would result in one of the above consequences;
 - (x) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
 - (xi) there are not two or more related Actions that would have a significant impact on the environment.

BE IT FURTHER RESOLVED, based upon the information and analysis above and the supporting documentation referenced above, the proposed Action WILL NOT result in any significant adverse environmental impacts.

BE IT FINALLY RESOLVED that the Village Board does hereby make a Determination of Non-Significance on the proposed development, and the Mayor is hereby directed to sign the Short Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Village Board's determination.

Mr. Murawski presented the Board with a copy of the Standard Work Day and Reporting Resolution form RS 2417-A, and Continuation form RS 2417-B, which lists the Standard Work Day and Days per Month credit earned for the NYS LRS for certain elected and appointed officials. Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously to accept the report as presented.

After discussing the potential addition of replacing approximately 1,250 linear feet of water main line from Rose Drive south to the Pressure Reducing Valve vault and the additional cost, the Board took no action.

The Board discussed and chose the options available for the Betterments associated with the Route 88 South Main St. project.

Mayor Taylor informed the board of the issue of the significant number of Rain Gardens that may be necessary to be installed as part of the S. Main St. project. The requirements come from the NYS DEC Water Recapture guidelines. Lu Engineers is going to be meeting with the DEC to attempt to come up with an acceptable alternative solution that would reduce the number of rain gardens required on S. Main St.

Mayor Taylor had Economic Development head Mark Peake provide the Board with an update on potential development projects at the West Shore Blvd. Industrial Park site, and the need to add additional roadway and utility services. After much discussion and many questions, the Mayor instructed DPW Supervisors DeCann and Townsend to begin compiling the potential costs associated with the road and utility expansion.

Trustee Schober presented the Board with the information on the new Fire Truck that the Department is proposing the Village purchase.

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

The meeting adjourned at 6:20 P.M.

Stephen Murawski, Village Clerk-Treasurer