

Minutes of the April 18, 2017 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 (11); Trustees: Robert Bendix (7), Alan Schober (11), and Rebecca Vermeulen (9). Excused: Trustee Stuart Blodgett (9).

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

General Public: 26

**WELCOME BY MAYOR** At 6:01 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 March 21, 2017.

**CONSENT AGENDA** Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve the April vouchers and invoices Mayor Taylor reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$1,129,997.80 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

**FIRE CHIEF** Chief Gerry VanDeWalle presented the new Fire Dept. Chiefs:  
Chief – Rusty Havert  
1<sup>st</sup> Assistant Chief – Kevin Velte  
2<sup>nd</sup> Assistant Chief – Chuck Witt  
3<sup>rd</sup> Assistant Chief – Jeff Miller

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to approve the new Chiefs list.

Chief VanDeWalle spoke on the following:

- Annual inspection of the fire trucks in May.

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve the memberships of Ms. Jennifer Schermerhorn of 1066 Woodhill Apts., Newark, and Mr. Steve Van Camp of 100 Pamela Lane, Newark, who have joined Deluge Hose Co. # 1. They have had their arson checks done and were investigated by their company.

AECC DIRECTOR  
MIKE  
MUSCOLINO

Mr. Muscolino spoke on the following:

- Newark Boys Baseball and Girls' Softball teams down south for Spring Break.
- Rec. league baseball starts at all fields next week.
- Will be a busy week at AECC with Spring Break.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to purchase new lawn mower for Village ball fields from low bidder Q's Landscape Enterprises for \$5,775.00, with zero (0) % interest for 42 months, with monthly payments of \$137.50.

CODE  
ENFORCEMENT /  
ECONOMIC  
DEVELOPMENT

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to grant final Waiver of Subdivision for 106-110 High Street, Tax Account Numbers 68110-06-308952, subject to the applicant's filing of a current survey map by a licensed professional land surveyor with the appropriate Wayne County agency. A copy of the filed map is to be provided to the Village of Newark Clerk and Town of Arcadia Assessor as a matter of record.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve a paper shredding event sponsored by Nothnagle Realty on May 6, 2017 from 12:00-2:00 P.M. in the Village parking lot on E. Union St./East Ave.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve the use of the Village parking lot on E. Union St./East Ave. on June 4, 2017 from 11:30 A.M.-2:30 P.M. for a Chicken BBQ fundraiser sponsored by Newark Rotary.

Mr. Peake also spoke on the following:

- Community Pride Day is scheduled for May 20<sup>th</sup> this year.

CLERK/  
TREASURER

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously 4-0 (TBE) to acknowledge receipt of the 30 Day Advance Notice of Liquor License new application for Majors Enterprises, Inc., DBA Craft 120.

Motion Trustee Bendix, seconded Trustee Schober and carried unani-

mously 4-0 (TBE) to acknowledges receipt of the 30 Day Advance Notice of Liquor License new, revised application for Newark Hotels, Inc., DBA Newark Garden Hotel.

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

General Fund – Contingency	A.1990.4000	(\$31,500.00)
Perm. Improve – Parks & Canals	A.1620.4950	\$31,500.00
Colburn Park Upgrades DASNY Grant project		

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to authorize relevy of the past due unpaid water/sewer bills and unpaid Code Enforcement fees and charges on the June 2017 Village Real Estate Property Taxes. The Board will approve the dollar amounts for these relevies at the May 2017 Board meeting.

MAYOR

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to approve the Fiscal Year 2018 Proposed budget, with a Tax Rate of \$13.430168, which was under the Village's tax cap limit for this year. The Tax Levy is \$4,196,667.00. Appropriations approved for the Funds are as follows:

General - \$6,183,863; Water - \$1,735,530; Sewer - \$2,653,815.

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to accept the Dog Control Officer Inspection Report from the NYS Dept. of Agriculture and Markets dates March 21, 2017.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to accept the Municipal Shelter Inspection Report from the NYS Dept. of Agriculture and Markets dates March 24, 2017.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously 4-0 (TBE) to accept dedication of the Wood Lane sewer line that was installed by the Newark Central School District in 2013. The NCSD is to provide the "as built" drawings to the Village for future reference.

The subject of Road Toll fundraisers was brought up by the Mayor. Chief Christler expressed concerns with potential safety issues. He stated that the young people who would be participating may not pay attention and enter into the flow of traffic. Mayor Taylor noted that in the request it was stated that: "The Adult Leaders of the troop will be the ones collecting funds...". All the Board members are concerned with this potential safety issue and would not approve any request that involved minors participating in the Road Toll fundraiser collection.

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to retroactively approve the request for Boy Scout Troop 138 adult leaders to hold the Road Toll fundraiser on April 1, 2107 from 10:00 A.M. -12:00 Noon at the intersection of North Main St. and Harrison St.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve the use of Colburn Park from May 18<sup>th</sup>-20<sup>th</sup>, 2017 for the NCAA Junior College Regional Baseball Playoffs at a fee of \$250.00 per day (\$750.00 total).

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to rescind the approval for the Newark Rotary to hold a Chicken BBQ fundraiser on June 4, 2017 in the Municipal Parking lot on E. Union St.

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve the use of the Municipal Parking lot on E. Union St. on June 4<sup>th</sup> and 11<sup>th</sup> by the Newark Lady Red Basketball team and Newark Varsity Cross Country team to hold Chicken BBQ fundraisers on those two dates.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve the use of T. Spencer Knight Park on June 16, 2017 from 5:30-9:00 P.M. to hold the 2<sup>nd</sup> Annual Wine and Artisans Festival.

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to approve shutting down S. Main St. from Maple Ct. to Franklin St. on June 9<sup>th</sup> from 12:00 Noon until 11:00 P.M. on June 10<sup>th</sup> to hold the annual St. Michaels Parish Festival.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to grant permanent status to DPW worker Robert Hilfiker III, effective April 19, 2017.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to approve the usage of Central Park on May 12, 2017 from 5:00-6:30 P.M. for the wedding ceremony of Sandy Hares.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve the use of the southwest corner of Central Park on June 9<sup>th</sup> from 12:00-5:00 P.M. for set up and June 10<sup>th</sup> from 8:00 A.M. - 5:00 P.M to hold a Chicken BBQ fundraiser event.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to approve additions to the Village Code Section 164.8 Rules and Regulations, concerning the reinstating of water service after being shut off, the charging of Water shut off and Water Turn On fees for properties with multiple accounts, the processing of final water bills for properties in foreclosure or who don't use a lawyer, and the need for sump pump inspections for properties who don't have the procedure done as part of a normal tax search/closing process.

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve the purchase and installation of a camera monitoring system for the Village Fire House, and to approve the budgetary funding to accomplish the project at a cost not to exceed \$24,000.00

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to authorize DPW Supervisor Townsend to attend the Annual Highway Training School on June 12<sup>th</sup>-14<sup>th</sup> at a cost of \$110.00 for the sessions, with no overnight lodging. Meals are included in the training cost, and the employee will use a Village vehicle.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to approve the Paving Projection schedule provided, with the exception of adding paving on Colton Ave., and removing the proposed paving of Wood Lane from School Dr. to the corporation limit. The Board also authorizes borrowing \$500,000 to supplement budgeted CHIPS funding of \$331,000 for the project. The Colton Ave. paving and additional structures used on the street will add approximately \$150,000.00 to the total project cost.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to enter into a three year contract with Everbridge Corp. to purchase their Nixle Communication System at a cost of \$4,000.00 per year, with a \$400.00 set up fee.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve the purchase of the 2017 Chevy 3500 truck with box and snowplow off of state bid for \$50,949.00, and a 2017 Chevy 2500 with snowplow off of state bid for \$36,586, and the authorize the borrowing of the necessary funds to purchase the vehicles.

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously 4-0(TBE) to donate Village of Newark logo flash drives and back packs to Newark High School Operation Graduation 2017.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0(TBE) to approve the RFQ for the Village of Newark Street Lighting Replacement project.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously 4-0(TBE) to approve the purchase and installation of a new Firewall System for the Village IT Network by Ury Technologies at a cost not to exceed \$4,800.00.

Mayor Taylor noted the following:

- Thank You to Walt and Steve Hallagan for the easement they granted to allow the Village to install a parking lot on the corner of Hoffman St. and E. Maple Ave. The work has already started on the project.

Mr. Williams had nothing for open session.

The Chief noted the following:

LEGAL

POLICE CHIEF

- Discussed using police department clerk Patty Latta as a temporary replacement for dock tender at the Interpretive Center. Trustee Schober noted that they could be an issue with the Village having to pay overtime under the FLSA. The matter was tabled until further information could be obtained.
- Noted he received complaint from resident about portable basketball hoops being set up on Wilson St. and the safety issue it creates. A Board representative will meet with the resident and the homeowners where the basketball stands are being used to address the safety and other concerns. After much discussion, the Board chose to maintain the status quo of addressing each individual situation separately.
- Noted the annual prescription pill drop off to be held at the Newark Wegmans on April 29<sup>th</sup> from 10:00 A.M. – 2:00 P.M.

TRUSTEES

None of the Trustees had anything for Open Session

TIME FOR THE PUBLIC

No one from the public wished to speak or address the Board.

EXECUTIVE SESSION

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to go into Executive Session at 7:54 P.M. to discuss a specific individual within the police department.

ADJOURNMENT

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

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Stephen Murawski,  
Village Clerk-Treasurer