

Minutes of the July 21, 2021 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 (18); Trustees: Robert Bendix (16), Stuart Blodgett (15), Chris Burgess (18), and Emily Howard (18).

Police Chief Mark Thoms, Superintendent of DPW Bob Hutteman, Village Clerk-Treasurer Valerie Quade, Code Enforcement Officer Michael Bouwens, Economic Developer Mark Peake (excused), Fire Chief Chuck Witt and Attorney Art Williams.

General Public: 21

WELCOME BY  
MAYOR

At 6:00 P.M., Mayor Taylor led the gathering in the Pledge of Allegiance to open the meeting.

Mayor Taylor recognized the Newark Reds Varsity Softball Team for being Section V, Class B1, champions.

APPROVAL OF  
MINUTES

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the following minutes:

- Regular Board Meeting June 15, 2021.
- Special Board Meeting July 1, 2021.

CONSENT  
AGENDA

Motion Trustee Blodgett, seconded Trustee Burgess and carried unanimously to approve the July vouchers and invoices Trustee Howard reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$1,127,773.63 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

PUBLIC HEAR-  
ING

At 6:11P.M. the meeting went into a public hearing to discuss the New York Main Street Grant. Chris and Toni Avery from 116 Church Street expressed their concern over the Village of Newark's choice to have Terry DeVries as the LPA for the project. The Village Board assured them that there were multiple people working on the project and every person and business submitting a project would be treated fair and equitable. The public hearing was closed at 6:18P.M.

CHIEF  
CHUCK WITT

Chief Witt discussed the following:

- They have had 68 calls in June with an average response time of 4 minutes and 58 seconds. Most calls were during the storm.
- Repairs on Engine 15 that was damaged during a house fire is estimated to be \$9,000.00.

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to approve the new membership, Gavin Mott, to the Newark Volunteer Fireman's Association, Inc. Gavin Mott has joined the Deluge Hose Company #1 and has had his arson check done and was investigated by his company.

Mayor Taylor, on behalf of the Village Board and Taste of Wayne County, thanked Chief Witt and the Fire Department for the use of the fireman's field to hold the Taste of Wayne County.

At 6:20P.M. the meeting went into a public hearing to discuss the CBDG Grant. Emily Palumbos from MRB gave a brief description on the grant proposal for the Blue Cut Road Culver. She asked if the public or Board had any questions or comments. There was no community comments. The public hearing was closed at 6:23P.M.

CODE  
ENFORCEMENT

Code Enforcement Officer Michael Bouwens provided the following updates:

- Been working with businesses after the water main break on July 17<sup>th</sup> to get temporary water source.
- Working with the Planning and Zoning Committee.
- Working on the last module for the new Civic.gov program.

Motion Trustee Bendix, seconded Trustee Burgess and carried unanimously to approve the use of four Village parking spaces for two proposed apartments at 206 South Main Street pending Zoning Board approval of the apartments.

ECONOMIC  
DEVELOPMENT

Economic Development Mark Peake was excused

CLERK  
TREASURER

Clerk Treasure Valerie Quade had no updates.

MAYOR

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the use of Central Park to Grace Community Church on September 28, 2021 from 10am-8pm for church outreach activities.

Motion Trustee Howard, seconded Trustee Burgess and carried unanimously to approve Newark Rotary's request for use of the Village parking lot on September 19, 201 to hold a chicken barbecue.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve Greece Community Church use of Spencer Knight Park on September 12, 2021 from 10 am – 1 pm to hold church service.

Motion Trustee Howard, seconded Trustee Bendix and carried unanimously to approve Lu Engineers proposal for the Village of Newark's Pretreatment Program. Engineering services will be charged on an hourly basis not to exceed \$13,300.00.

Tabled any action on accepting dedication of Garfield St. and Adams Street. Attorney Williams will send a letter to the owners requesting that the road be brought up to Village standard before accepting dedication.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the following resolution of support & authorization for the Village of Newark 2021 New York State Consolidated Funding Application, Local Waterfront Revitalization Program – Planning Preparation.

**WHEREAS**, Village of Newark, Wayne County, supports the submission of a 2021 Consolidated Funding Application (CFA) on behalf of the Village, for the Local Waterfront Revitalization Program (LWRP) for the preparation of a plan to develop public and private development along the Erie canal; and

**WHEREAS**, the New York State Department of State (DOS), is soliciting applications through the CFA from eligible Villages along New York's designated inland waterways to advance the preparation of strategies for community and waterfront revitalization; and

**WHEREAS**, the Village of Newark is home to approximately 10,000 residents who live within 5.4 square miles, with The Erie Canal flowing through its center, providing a unique avenue for travel as well as recreation events; and

**WHEREAS**, if funding is received it will allow the Village of Newark to prepare a Local Waterfront Revitalization plan for the Village's Erie Canal development district to for public and private development along the Erie Canal waterfront in downtown Newark with sound revitalization strategies;

**NOW THEREFORE BE IT RESOLVED**, the Village Board, on behalf of the Village, identifies the Village Mayor as the authorized representative for the project, able to execute necessary documents relative to and as required for this application; and

**BE IT FURTHER RESOLVED**, the Village Board does hereby authorize and obligates local matching funds of the minimum 25% of the total of any grant funding awarded in the form of in-kind services or cash contribution hereby appropriated from the general fund; and

**BE IT FURTHER RESOLVED**, that the Village of Newark, recognizes and fully supports the submission of the 2021 CFA for the preparation of a Local Waterfront Revitalization Program for its Erie Canal development district.

Motion Trustee Blodgett, seconded Trustee Burgess and carried unanimously to approve the following SEQR Resolution – Type II Action for the 2021 CFA: Local Waterfront Revitalization Program.

**WHEREAS**, the Village of Newark Village Board, (hereinafter referred to as Village Board) is completing an application through the New York State Consolidated Funding Application (CFA) under New York State Department of State (DOS), for the preparation of a Local Waterfront Revitalization Plan; and

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Village Board does hereby classify the above referenced Action to be a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [27] of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED THAT**, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

**BE IT FINALLY RESOLVED THAT**, the Village Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to approve the following resolution of support from the Village of Newark for the 2021 New York State Consolidated Funding Application, Water Quality Improvement Project Wastewater Treatment Disinfection Improvements.

**WHEREAS**, the Board of Trustees for the Village of Newark, located in Wayne County, supports the submission of a 2021 Consolidated Funding Application (CFA) on behalf of the Village, for the Water Quality Improvement Project (WQIP) program for disinfection upgrades to the wastewater treatment facility; and

**WHEREAS**, the New York State Department of Environmental Conservation (DEC) provides a competitive statewide reimbursement grant program for local governments, administered to directly address documented water quality impairments; and

**WHEREAS**, recent modifications to the Village’s State Pollutant Discharge Elimination System (SDPES) Discharge Permit added an effluent disinfection requirement and included a schedule of compliance for

implementing an effluent disinfection process at the Village's Waste Water Treatment Plant (WWTP) located along 321 Murray Street; and

**WHEREAS**, findings in the Preliminary Engineering Report found ultraviolet disinfection to be the most cost effective means to implement effluent disinfection at the WWTP and recommended a capital improvements project which included the installation of ultraviolet disinfection tanks and equipment;

**NOW THEREFORE BE IT RESOLVED**, it is anticipated that the Village Board, on behalf of the Village, will complete the necessary actions to authorize expenditures for the proposed project, as well as authorizes Village Mayor to execute necessary documents relative to and as required for the application; and

**BE IT FURTHER RESOLVED**, the Village Board does hereby accept that they shall provide at least 25% match of the total of any grant funding awarded, as a local match are hereby appropriated in the form of in-kind services, cash contributions and obligated from secured EFC Financing; and

**BE IT FURTHER RESOLVED**, that the Board of Trustees for the Village of Newark, located in Wayne County, recognizes and fully supports the submission of the 2021 CFA for WQIP on behalf of the Village for improvements to the wastewater treatment plant.

Motion Trustee Howard, seconded Trustee Burgess and carried unanimously to approve the following resolution of support from the Village of Newark for the 2021 New York State Consolidated Funding Application, Community Development Block Grant Application – Public Infrastructure.

**WHEREAS**, Village of Newark, Wayne County, supports the submission of a 2021 Consolidated Funding Application (CFA) on behalf of the Village, for a Community Development Block Grant program under the Public Infrastructure category to address a public works stormwater culvert replacement project in jeopardy of collapse, serving a significant portion of the community that without near term intervention, the section of concrete culvert may fail, creating additional hazards to the transportation network, as well as reducing the effectiveness of stormwater management in the affected area; and

**WHEREAS**, in accordance with New York State's 2016-2020 Consolidated Plan and its 2020 Annual Action Plan as proposed, the Office of Community Renewal (OCR) invites eligible applicants to apply for Community Development Block Grant (NYS CDBG) funding to undertake activities that focus on community development needs; and

**WHEREAS,** The Village of Newark is familiar with all NYS CDBG applicable guidelines and requirements, proposing a project that meets active compliance of both the Primary and National Objectives, the need for the activity, as well as overall impact on the community; and

**WHEREAS,** if funding is received it will allow the Village of Newark to prepare a preliminary engineering report to address public works projects in areas previously unserved that are in compliance with the NYS Smart Growth Public Infrastructure Act benefiting a low to moderate income neighborhood;

**NOW THEREFORE BE IT RESOLVED,** the Village Board, on behalf of the Village, identifies Mayor Jonathan Taylor as the authorized representative for the project, able to execute necessary documents relative to and as required; and

**BE IT FURTHER RESOLVED,** the Village Board does hereby authorize and obligates local matching funds of the minimum 5% of the total of any grant funding awarded in the form of in-kind services or cash contribution hereby appropriated from the Village's General Fund budget line; and

**BE IT FURTHER RESOLVED,** that the Village of Newark, recognizes and fully supports the submission of the 2021 CDBG application for Public Infrastructure pertaining to the Village's effective storm water management.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the following SEQR Resolution – Type II Action for the 2021 Community Block Grant.

**WHEREAS,** the Village of Newark plans to replace a deteriorated culvert carrying Blue Cut Road over an unnamed tributary using a pre-cast concrete box culvert along the same alignments as the deteriorated culvert; and

**WHEREAS,** the new culvert will carry two existing travel lanes and new sidewalk across the tributary, and the existing water main will be horizontally drilled under the stream; and

**WHEREAS,** this action constitutes “maintenance or repair involving no substantial changes in an existing structure or facility;” and “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part” which under the New York State Environmental Quality Review (SEQR) Act are listed as Type II actions for which it has been determined there are no significant ad-

verse effects on the environment;

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Village Board does hereby classify the above-referenced action to be a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [1] [2] of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED THAT**, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

**BE IT FINALLY RESOLVED THAT**, the Village Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the Petition Relief request from John Murphy at 123 Grant Street after a pipe burst.

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to approve the Village staff and Board members to attend 15<sup>th</sup> Annual Police & Fire Seminar held on August 26, 2021 held in Endicott, N.Y. at no cost to the Village. Staff will be reimbursed for mileage, no overtime will be incurred. Staff is welcome to golf at their own expense.

Discussion occurred regarding the Erie Canalway IMPACT grant. The grant will buy Anti-graffiti coating and lighting, not to exceed \$1,500.00.

Proposal for MRB tabled until the Village receives requested information.

## LEGAL

Attorney Williams had no updates.

## POLICE CHIEF MARK THOMS

Police Chief Mark Thoms gave an update on the following:

- Complaints and incidents involving a new toy gun that shoots water pellets.
- Police Officers have been out walking to interact with the Community.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the following training request. There will be no issue covering the officers while at training. Overtime will be incurred.

- Basic Photography Training- September 27th- October 1<sup>st</sup>. Two officers will attend at \$150.00 per officer.
- Evidence Specialist Training- October 11<sup>th</sup>- October 22<sup>nd</sup>. Two officers will attend at \$300.00 per officer.

- Firearms Instructor Course- October 11<sup>th</sup>- October 22<sup>nd</sup>. One officer will attend at \$300.00.
- Instructor Development Course- November 1<sup>st</sup>- November 12<sup>th</sup>. This is a follow up to Firearms Instructor Course and the same officer will attend at \$300.00.

SUPERINTEN-  
DENT DPW BOB  
HUTTEMAN

Motion Trustee Howard, seconded Trustee Bendix and carried unanimously to approve two DPW employees to attend training to obtain Class D license for water distribution system. Training is at SUNY Morrisville at a cost of \$325.00 per person in October 2021. Overtime and mileage will be incurred.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve three DPW employees to attend Finger Lakes Water Works Conference in Seneca Falls on August 12<sup>th</sup> from 11am-2pm at \$30.00 per employee.

Superintendent Hutteman gave the following updates:

- Phase 1 paving is done, Phase 2 will begin August 2<sup>nd</sup>.
- Standards for driveway aprons were discussed.
- DPW employees have been working on water main breaks.
- Cleaned sidewalks on Canalwalk way.
- Roof bids are due on Thursday July 29<sup>th</sup>.
- Library plans for the heating system are being finalized.
- DPW bathroom remodel will be started soon.
- Building painting will be done on the buildings in both cemeteries and the Central Park pavilion.
- Snow Plow trucks have a build date in October.

TRUSTEES

Trustees had no update.

TIME FOR THE  
PUBLIC

No public comments.

EXECUTIVE  
SESSION

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to go into Executive Session at 7:35 P.M. to discuss pending litigations and specific DPW and Office positions.

---

Valerie Quade  
Village Clerk-Treasurer