

Minutes of the September 24, 2019 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 (24); Trustees: Robert Bendix (22), Alan Schober (21), and Rebecca Vermeulen (19). Excused: Trustee Stuart Blodgett (18)

Police Chief Mark Thoms, Village Clerk/Treasurer Steve Murawski (Excused), Deputy Clerk/Treasurer Carolyn Pitti, Code Enforcement Officer Mark Peake, Fire Chief Kevin Velte (Excused), AECC Executive Director Mike Muscolino (Excused), and Attorney Art Williams.  
General Public: 5

WELCOME BY  
MAYOR

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

APPROVAL OF  
MINUTES

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (Trustee Blodgett Excused – TBE) to approve the following minutes:

- Regular Board Meeting August 20, 2019.
- Special Board Meeting September 4, 2019.
- Special Board Meeting September 9, 2019.

CONSENT  
AGENDA

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to approve the September vouchers and invoices Trustee Blodgett reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$1,083,246.91 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

FIRE CHIEF  
KEVIN VELTE

Chief Velte was excused:

- No update on calls for service YTD.

AECC DIRECTOR  
MIKE  
MUSCOLINO

Mr. Muscolino was excused.

CODE  
ENFORCEMENT/  
ECONOMIC  
DEVELOPMENT

Mr. Peake spoke on the following:

- Steel up for new IEC Corporation Building.
- Hannick Hall on S. Clinton Ave. undergoing \$4,000,000.00 renovation. S. Clinton Ave. closed.
- Thursday September 26<sup>th</sup> Career Day event at Wayne Co. Fair-

grounds.

- September 26<sup>th</sup> Ribbon Cutting at P Tech.
- DPW still mowing for long grass due to code violations.
- Addition being added to Fresenius Dialysis on W. Shore Blvd.

CLERK  
TREASURER

Clerk/Treasurer Murawski excused. Deputy Clerk/Treasurer Carolyn Pitti filling in.

MAYOR

Discussion arose on the Village's Harassment/Discrimination Policy.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously 4-0 (TBE) to approve the following changes made to the Policy Against Discrimination and Harassment:

Section 5B. – Change “Investigator” to “Village Compliance Officers”. The word “typically” will be removed so that all cases will have written documentation created.

Section 7 – Add the following, which is bold and underlined: “or otherwise not supported by the evidence. **If the written appeal presents new evidence, defined as not previously presented during the regular course of the investigation, the Village Compliance Officer shall review, consider and determine the applicability of such new evidence to the investigation. Upon review, consideration and determination of new evidence, the appealing party shall be advised in writing by the Village Compliance Officer of their decision. Should new evidence be determined, the investigation shall be reopened and notification per Section 5 (C) of this policy. If determination is made that no new evidence is presented, the Newark Village Board shall be advised. No new evidence will be considered otherwise in the course of an appeal.** The Village's consideration...”

Mayor Taylor noted that all Village employees, both paid and volunteer, must be trained in the new policy by October 9, 2019.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to add a Third Compliance Officer, Police Chief Mark Thoms, to the Policy Against Discrimination and Harassment.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to appoint Kyra Yon to fulfilling the remaining term of Jan Rising on the Newark Housing Authority Board.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) 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, 2019.

NOW THEREFORE, I, Jonathan Taylor, Mayor of The Village of Newark, New York do hereby proclaim November 1, 2019, 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”.

The Board tabled the matter of the NYS Justice Court Assistance Program grant application until the next board meeting.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approval the annual Laurel House 5K race on June 13, 2020 on Village streets.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously 4-0 (TBE) to approve the annual NHS Homecoming Parade on September 27<sup>th</sup> starting at 5:00 P.M. at the AECC.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to approve the use of the North Main St. Cemetery and Chapel for the Newark Arcadia Historical Society Cemetery Walk on September 28<sup>th</sup>.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to award the bid for the Pump Station SCADA alarms to EYW Companies for \$68,125.00.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously 4-0 (TBE) to approve starting Fall Brush Pick Up on Monday, October 7<sup>th</sup>, with Leaf Pick up to follow.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to accept the bid of C.P. Ward to repair the water main leak under the N. Main St. bridge for a total cost of \$47,810.64, with budgetary funding coming from the remaining funds of the S. Main St. water main replacement project bonding.

Mayor Taylor provided an update on the Wood Lane Sidewalk Installation project, which covers from Peirson Ave to Red Fox Lane.

Mayor Taylor had nothing else for Open Session.

**POLICE CHIEF** Chief Thoms asked if anyone had any questions on the reports he provided the Board. He also noted replacement ACO Truck is back, and just waiting on striping and wording to be added.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to approve the training request for Inv. Ver-Straete and Patrolman DeBoerdere to attend the NYS Fire/Arson Seminar in Montour Falls, New York on November 6<sup>th</sup> - 8<sup>th</sup> of this year.

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to accept the resignation of Sgt. Patton, effective November 20, 2019.

**LEGAL** Attorney Williams requested that the Board approve an easement for First Light Technology from Silver Hill Rd. to Technology Parkway to run fiber optic cable. Mayor Taylor wants to table to provide further time to review the request and obtain further information. Mr. Williams stated that First Light needs to obtain an easement from the Wayne Co. IDA also, so waiting until the October board meeting is not an issue.

**TRUSTEES** None of the Trustees had anything for Open Session.

**MAYOR** Final paving started on S. Main St. project today, and mostly just punch list items remaining on the project.

**TIME FOR THE PUBLIC** No one from the public wished to speak.

**EXECUTIVE SESSION** Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to go into Executive Session at 7:02 P.M. to discuss specific personnel, union contracts, and pending litigation.

**OPEN SESSION** Motion Trustee Vermeulen, seconded Trustee Bendix and carried

unanimously 4-0 (TBE) to come back into Open Session at 7:25 P.M.

MAYOR Motion Trustee Bendix, seconded Trustee Vermeulen to revote on the approval of training for Patrolman DeBoerdere. The motion passed again, 3-1, with Trustee Schober voting No.

ADJOURNMENT Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to adjourn the meeting. The meeting was adjourned at 7:28 P.M.

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Stephen Murawski,  
Village Clerk-Treasurer