

Minutes of the March 20, 2018 meeting of the Board of Trustees of the Village of Newark held in the 2nd floor court room of the Municipal Building at 6:00 PM.

PRESENT

Mayor Jonathan Taylor (10); Trustees: Robert Bendix (10), Stuart Blodgett (10), Alan Schober (9), and Rebecca Vermeulen (7).

Police Chief David Christler, Village Clerk/Treasurer Steve Murawski, Code Enforcement Officer Mark Peake (Excused – Training), Fire Chief Rusty Havert, AECC Executive Director Mike Muscolino, and Attorney Art Williams.
General Public: 22

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

- Regular Board Meeting February 20, 2018.
- Special Board Meeting March 12, 2018.

CONSENT
AGENDA

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously to approve the March vouchers and invoices Trustee Vermeulen reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$305,891.60 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

FIRE CHIEF
RUSTY HAVERT

Chief Havert spoke on the following:

- 117 calls YTD.
- Replacing Fire House doors with grant funding.
- EVOC training upcoming to help get more drives qualified.

Motion Trustee Schober, seconded Trustee Blodgett and carried unanimously to declare surplus the old Rescue 7 Fire Vehicle and to dispose of at FMV. No bids will be solicited at this time; the Board will wait to see if advertising on specific websites for Fire Companies attracts any offers for the vehicle.

AECC DIRECTOR
MIKE
MUSCOLINO

Mr. Muscolino spoke on the following:

- Winter sports seasons almost over.
- Spring swim season starting.
- Hospital Auxiliary will be holding a Children's Carnival at

AECC as a fundraising event on March 24th.

- Coordinating with Chris Corey, Athletic Director for the NCSD, for baseball and softball fields preparation, usage and maintenance.

CODE
ENFORCEMENT/
ECONOMIC
DEVELOPMENT

Mr. Peake excused for training at Monroe Community College.

CLERK/
TREASURER

The Clerk/Treasurer noted that the Public Hearing for the FY 2019 budget has been scheduled for April 3, 2018 at 6:00 P.M., and has been advertised in the Official Newspaper and on the Village website.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously to authorize the Village to approve the bonding of \$287,000.00 for ten years at 3.25 % with Lyons National Bank for the purchase of two Dump Trucks (\$220,000.00), a new loader (\$30,000.00), a milling attachment (\$12,000.00), and a new lawnmower for the WTP (\$25,000.00). The Clerk/Treasurer will work with the Village Attorney in preparing the necessary paperwork to complete the bonding process.

MAYOR

Motion Trustee Vermeulen, seconded Trustee Blodgett and carried unanimously to approve sending DPW Supervisor Townsend and three DPW employees to the Electrical Hazard Awareness Training event on Tuesday, April 17, 2018 in Rochester, New York at a cost of \$45.00 per person.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve sending Mike Gonzalez and Mike Bouwens to the FLWWC 2018 Spring Meeting on April 5, 2018 in Watkins Glen at a cost of \$23.00 each. The training will provide necessary credits for the Operators to maintain their licenses.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously to allow Rob Hilfiker to schedule and take his NYS WWTP Operators exam on a date TBD at a cost of \$264.00.

Motion Trustee Blodgett, seconded Trustee Vermeulen and carried unanimously to approve the request of Newark American Legion to hold a Road Toll Boot Drive event on May 19, 2018 from 10:00 A.M. – 2:00 P.M. only at the intersection of N. Main St. and Harrison St. The Board stated that they don't want to allow other locations due to their concerns for the safety of participants soliciting there.

WHEREAS, the Fire Equipment Reserve fund of the Village of New-

ark was heretofore established pursuant to Section 6-c of the General Municipal Law for the purpose of purchasing new equipment for use by the Fire department and designated as “Fire Equipment Reserve (Fund)” and the sum not to exceed \$699,550.00 not otherwise being committed or having been appropriated to such “Fire Equipment Reserve (Fund)”, and

WHEREAS, the new Rescue Fire Truck is recommended for the use and purpose of the said Village of Newark.

Now on a motion by Trustee Bendix, seconded by Trustee Schober and carried unanimously, it is

RESOLVED, that subject to a permissive referendum as provided for pursuant to Section 6-c of the General Municipal Law there be and hereby is appropriated out of the capital reserve fund designated as “Fire Equipment Reserve (Fund)” of Village of Newark the sum not to exceed \$699,550.00 and to finance and pay and to be applied toward the cost of the purchase of the new Rescue Fire truck, the cost whereof may be properly financed from “Fire Equipment Reserve (Fund)”, and it is

FURTHER RESOLVED, that within ten days from the date of the adoption of the foregoing resolution, the Village Clerk/Treasurer shall cause to be published in the Village’s official newspaper having a general circulation in said Village, a notice which shall set forth the date of the adoption thereof and contain an abstract of this resolution concisely setting forth the purpose and effect thereof and that such resolution was adopted subject to a permissive referendum and in addition cause copies of such notice to be posted conspicuously in public places as required by law in the Village, and it is

FURTHER RESOLVED that said resolution shall not take effect until thirty days after its adoption or until approved by vote of the electors of the Village if within thirty days after its adoption a petition requiring a referendum pursuant to law, and it is

FUTHER RESOLVED, that upon said resolution becoming effective as provided above and upon delivery of the new Fire Equipment truck and the presentation of proper vouchers for the costs incurred thereof, the Treasurer be and is hereby authorized and directed to make payment out of the capital reserve fund in the amount as provided heretofore as the maximum cost (699,550.00).

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to utilize Seaway Diving & Salvage to perform the inspection and cleaning of the Water Treatment System Intake at Canandaigua

Lake at a cost of \$4,414.00, based on the Best Value criteria.

Motion Trustee Schober, seconded Trustee Blodgett and carried unanimously to approve the usage of proximity cards for the new time clocks that needed to be purchased for the DPW, WWTP, and Village Office, due to the obsolescence of the old clocks software that was no longer supported.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to close Van Buren St. on July 17, 2018 from Noon – 10:00 P.M. due to the 2nd Annual Taste of Wayne County event that will be held at T. Spencer Knight Park from 4:30-8:30 P.M.

Motion Trustee Blodgett, seconded Trustee Vermeulen and carried unanimously to donate 158 Village Logo Flash drives and Village Logo backpacks at a total cost of \$1306.66 to Newark Operation Graduation 2018.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously to purchase a one half page ad for \$30.00 in the Newark Reds Lacrosse Program.

Mayor Taylor noted that paving of E. Union St. from Colton Ave. to Vienna St., Blakely Court, and Brookview Drive will be done in April/May 2018 with funds from the FY 2018 budget; this work wasn't able to be completed back in the Fall due to weather issues. For the Summer 2018 schedule, the Board's consensus is for the Village to pave in the following order: Hoffman St. from E. Maple Ave to Miller St., the N. Main St. cemetery entry roads, Stuart Ave. from Driving Park Circle to N. Main St., and Finch St., if possible.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to approve the 47th Annual Kiddie Day Parade on June 2, 2018 at 1:00 P.M. The Board noted that an alternate route of starting at Grant St., heading east to East. Ave., then north to AECC may be necessary due to the possibility of S. Main St. being under construction.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the request of the Newark Class of 1998 to have a Food Truck at Perkins Park as part of their Reunion event. The vendor would have to possess a valid Peddler's Permit from the Village of Newark, and the vehicle would not be allowed to be parked on the grass area. The Classes' request to sell alcohol at the event was denied by the Board.

LEGAL

Attorney Williams had nothing for Open Session; he noted that the easement for 1141 South Main St. should be signed and back to the

Village by the end of the week.

POLICE CHIEF

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the training request of Inv. Warren to attend the “Advanced Forensics Training” from April 2nd-13th, 2018 at the National Computer Forensics Institute in Hoover, AL., at no cost to the Village. The event is sponsored and completely paid for by the U.S. Secret Service since Inv. Warren is their computer forensics liaison in Wayne Co., New York.

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously to approve the training request of Officer Randy Kuhn to attend the “Hostage Negotiations Certification Seminar” on May 23, 2018 in Rochester, New York at a cost of \$229.00 for tuition. No room is required since the officer will be commuting with a Village vehicle.

The Chief informed the Board that he has begun to get phone calls from residents concerned about the issue of portable basketball hoops being placed in the street. After much discussion, the Board instructed Chief Christler to send letters to the property owners where the set ups are at; they are to be informed that hoops illegally placed in the street will be confiscated, and the owner may incur costs in getting the units back.

Chief Christler also informed the Board that two individuals have been arrested for the stabbing death that took place in Perkins Park in December 2018.

Mayor Taylor asked the Chief if he had hired the additional two substitute Crossing Guards as the Board previously instructed him to do. The Chief stated that he hasn’t been able to find anyone, and that the Village already has two substitutes in place already. The Mayor informed him that ACO Howard will no longer be allowed to fill in as a Crossing Guard when a substitute is needed. The Chief stated that he would continue the search to find two more individuals for the Board to consider.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the request of Wayne Co. Dialysis to amend their current Land For Jobs Agreement with the Village; the amendment would provide an additional 0.22 acres of property from Tax I.D. parcel 67111-16-937173, which is located to the east of their current location, in exchange for their agreeing to create an additional one-half FTE job.

MAYOR – IN
PLACE OF CODE
OFFICER

Mayor Taylor noted the following on behalf of Mr. Peake, who is excused for training:

- Adecco Employment had the ribbon cutting at their new loca-

tion on W. Union St.

- Upstate Refractory System continues to expand with their purchase of another firm.
- Noted the IEC expansion that was in the news recently.

TRUSTEES

The Trustees noted that the Village needs to strongly consider finding a way to provide recreational activities in parks within Newark; they understand that the options that existed in the past have all but disappeared.

TIME FOR THE PUBLIC

Hugh Compton, the Animal Control Officer for the Town of Lyons, read a letter from his daughter who lives on W. Sherman Ave. in the Village of Newark, addressing alleged issues with Village of Newark/Town of Arcadia ACO Bob Howard.

Stephanie Boerman of Vienna St. has had multiple issues with ACO Howard. She spoke to Chief Christler, who stated that he would speak to the ACO about her issues. She feels that the issues still remain.

Karen Maltzahn of Walworth read multiple letters from individuals who allege to have had issues with ACO Howard.

Tara Giali of Dell St. stated that she had issues with ACO when her dog was attacked in 2016. She even sent a letter to then D.A. Healy about the matter. She read a letter for her friend, Fred Green of Newark, who also has had issues with ACO Howard.

Mayor Taylor stated that enough people have spoken on the matter, per the Village's policy related to Time For The Public. He stated that it is very important that any issues with the ACO need to be sent in a written letter to the Police Chief if they are going to be looked at and investigated. He also stated that a copy of the complaint can be sent to the attention of the Village/Clerk so that the Mayor and the Board can be made aware of the matter.

Ed DeWolf of the Town of Arcadia stated that ACO does a great job as ACO, and that the ACO cares very much about the safety and welfare of dogs.

Doug Hares of Minstead Rd., Town of Arcadia, informed the Board that ACO Howard has helped him multiple times with Animal Control issues, including a potential rabid raccoon.

Cindy of Plain St. stated that many people have asked ACO Howard to deal with animal issues other than canine, and he replied to them that he only has the authority to deal with dogs. If he was able to help Mr. Hares, why doesn't he provide the same service for other people?

Mayor Taylor thanked all the participants for their comments. He stated that the Board considers these potential issues as an important matter that needs to be addressed, but that it needs to be done properly so that the necessary communication and follow up can occur.

Richard Colacino of 410 Sycamore, Town of Arcadia, read a prepared statement that addressed what he feels are multiple issues that the Village Board has not managed properly. Mayor Taylor provided factual responses to each of Mr. Colacino's issues that show the Village Board has not been negligent in addressing the matters he mentioned. Mr. Colacino has asked why the Board choose to reconstruct S. Main St., when N. Main St. has a greater need of repair. Mayor Taylor noted that NYS provided funding to repair S. Main St., and that the Village did not have an option of what section they were going to repair. Mr. Colacino stated that the dumpster and recycling bins at the rear entrance to the Village Municipal Building were a code violation. Mayor Taylor stated that he has spoken to Code Enforcement Officer Peake about the matter, and the CEO stated that where they are located is not a code violation. Mr. Colacino stated that his son had purchased two buildings on S. Main St. that were part of Urban Renewal, and that the wiring inside was not up to code and needed to be replaced. Mayor Taylor stated that this was a private matter, and that the Village of Newark has no responsibility at the current time.

Paul Murphy of Murphy and Sons Funeral Home in Newark thanked the Board for their decision to pave the two entrances to the N. Main St. cemetery. He has received many complaints from his customers about the state of the road conditions at the two entrances; he hopes that the Village can get to the paving sooner rather than later.

EXECUTIVE
SESSION

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to go into Executive Session to discuss Pending Litigation at 7:53 P.M.

ADJOURNMENT

The meeting was adjourned at 8:05 P.M.

Stephen Murawski,
Village Clerk-Treasurer