

Minutes of the April 16, 2019 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 (11); Trustees: Robert Bendix (9), Alan Schober (10), and Rebecca Vermeulen (8). Absent: Stuart Blodgett (9)

Police Chief Mark Thoms, 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: 25

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 March 19, 2019.
- Special Board Meeting April 2, 2019.
- Special Board Meeting April 5, 2019.

CONSENT
AGENDA

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to approve the April vouchers and invoices Trustee Blodgett reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$1,474,678.13 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

MAYOR

Mayor Taylor introduced Giancarlo (John Carlos) Colon, a Newark student, for the purpose of recognizing him. Fire Chief Havert noted that John's quick action in notifying 911 of a fire at 109 Blossom Road helped potentially save the lives of the residents inside who were unaware of the fire, and also limited the damage that the fire caused. Police Chief Mark Thoms presented John with a "Do The Right Thing" award for his action in notifying 911, and also gave him gift certificates provided by Joey's Northside Grocery, BB's Pizza, and Wal Mart. Mayor Taylor noted that we seem to only recognize the youth of today when they do something bad, and it is a pleasure to have young people like John in the Village of Newark.

FIRE CHIEF

Chief Havert noted the following:

RUSTY HAVERT

- 158 calls for service YTD.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously 4-0 (TBE) to approve the removal of Bea Orbaker and Ken Christler from the membership roll of the Fire Department.

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

Chief – Kevin Velte
1st Assistant Chief – Chuck Witt
2nd Assistant Chief – Jeff Miller
3rd Assistant Chief – Rod Bliss

AECC DIRECTOR
MIKE
MUSCOLINO

Mr. Muscolino provided and reviewed with the Board a handout of Spring activities at the AECC.

CODE
ENFORCEMENT/
ECONOMIC
DEVELOPMENT

Mr. Peake provided the Board with an update on Economic Development activity in the Village.

He also noted that the Grand Opening of the Erie Landing at Wayne ARC is May 2nd at 10:30 A.M., and the Annual Community Pride Day event is May 18th.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to adopt the NYS Unified Solar Permit, with modifications, as part of the Village of Newark Code.

The Board tabled the matter of using the NYS Court System to collect unpaid Admin Fees for Public Works charges attached to specific properties. They want to see the result of the current case of Monroe County vs. Town of Brighton related to this issue, which is currently being appealed by Monroe Co.

CLERK
TREASURER

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously 4-0 (TBE) to authorize relevy of the past due unpaid water/sewer bills and unpaid public works charges on the June 2019 Village Real Estate Property Taxes. The Board will approve the dollar amounts for these relevies at the May 2019 Board meeting.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to authorize the Treasurer to enact whatever budget transfers may be necessary for Fiscal Year 2019 to eliminate deficits in any budgetary line item, subject to review by the Budget Oversight Committee.

The Board took no action on the request to consider approving an in-

crease in the fee that an Outside Village customer would pay to replace their damaged water meter and transmitter.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to authorize the Village to participate in the Cooperative Bid coordinated by WFL/BOCES for the natural gas supply for the period of 10/01/2019 to 09/30/2020.

MAYOR

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to approve the Fiscal Year 2020 Proposed budget, with a Tax Rate of \$13.430168, which is unchanged and under the Village's tax cap limit for this year. The Tax Levy is \$4,214,717.00. Appropriations approved for the Funds are as follows: General - \$6,483,138; Water - \$1,888,859; Sewer - \$2,739,477.

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to accept the NYS AG and Market Municipal Dog Shelter Inspection Report dated February 20, 2019.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to approve the Professional Services agreement with MRB Group, at a cost not to exceed \$1,500.00, for them to provide additional technical information to the Village to assist in completing the WWTP Facility SPDES Permit Renewal.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve the use of the Village's parking lot on E. Union St. by the Newark Rotary for a Chicken BBQ fundraising event on April 28th.

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve the use of the Village's parking lot on E. Union St. by the Newark High School Cross Country Team for a Chicken BBQ fundraising event on June 2nd.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve the Consent Order and Judgment Agreement between Wal Mart Real Estate Business Trust # 1813 and the Village of Newark to approve the \$201,900.00 assessment reduction for Tax I.D. 69111-00-342234 for Assessment Roll 2019 and forward.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to approve the payment of \$684.00 to the Town of Arcadia to reimburse them one quarter of the \$2,736.00 bill from Chalifoux Law, P.C. for their legal representation in the case.

After discussion and questions on the matter, motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to declare surplus the old Fire Department pagers and to dispose of. The Board tabled the request to declare surplus the old Turnout Gear until the Department provides the Board with the complete detailed list of what gear is being requested to be surplused and disposed of.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to approve using the WNHS Club to manage Movie Night in the Park for 6 nights in June-August 2019, and to donate \$50.00 per movie to the club.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to approve the Professional Services agreement with MRB Group for them to assist the Village in preparing the 2019 DRI application at a cost not to exceed \$1,200.00.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve the Professional Services agreement with LaBella to provide services related to the 2018-2019 CDBG Economic Development application. The Pre Application service fee should not exceed \$750.00, and if accepted, the Full Application package fee shall not exceed \$5,000.00. The Village will be reimbursed by the entity seeking the state funding for the fees incurred.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to approve the Professional Service agreement with Fisher Associates to provide Construction Administration and Inspection services related to the BRIDGENY 2016 East Avenue Bridge project, at a cost not to exceed \$55,000.00.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously 4-0 (TBE) to approve the reappointment of Tonya Finn for a five-year term, effective July 1, 2019, as a member of the Board of Commissioners of the Newark Housing Authority.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve the use of the Village's parking lot on E. Union St. by the Newark Wahoos Swim Club for a Chicken BBQ fundraising event on May 5th.

After much discussion and some questions, it was determined that, due to the cost of the project, the Pump Station Alarm System Upgrade project will need to go out to public bid. Mayor Taylor instructed WWTP Chief Operator John Reynolds to begin putting the bid package together so that the Village will be ready to go out to bid once funding be-

comes available.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to approve the expenditure of CHIPS funding to mill and pave South Avenue, E. Myrtle St., Alan St., Marie Ave., and Highland Ave.

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously 4-0 (TBE) to approve the hiring of Ryan Velte for Summer Help with the DPW effective May 20, 2019.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously 4-0 (TBE) to state that the Village of Newark Board supports the Town of Phelps in its efforts to create the new Melvin Hill Water District-Extension 2 for the residents of Fort Hill Road, Co. Rd. 23, and Griffith Rd. in the Town of Phelps, and that the water required for this new district will not cause the Town of Phelps to exceed its daily water allotment per their water contract with the Village of Newark. The Village of Newark also agrees to signing a new contract that has a forty-year term.

Mayor Taylor had nothing else for Open Session.

LEGAL

Attorney Art Williams had nothing for the Board tonight.

POLICE CHIEF

Chief Thoms informed the Board on the status of the switch to the Four Way STOP sign configuration at the Peirson Ave. and Blossom Rd. intersection. There is a meeting of the involved parties on April 23rd to address any issues with the change before any decision is made to make the new set up permanent. He also asked if the Board had any questions on the monthly reports that he provided them.

Motion Trustee Schober, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to approve Officer Colacino to attend the Advanced Roadside Impaired Driving Enforcement (ARIDE) course being offered at the Finger Lakes Law Enforcement Academy in Canandaigua on June 5th-6th at no cost to the Village. Officer Colacino stated that he waives all overtime related to his attending this course. The Chief is also authorized to register Officer Colacino for Drug Recognition Expert training in the upcoming months.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to authorize two Officers to attend the Photography Evidence Technician course at the Hopewell Town Hall from May 20th-24th at a cost of \$100.00 per attendee.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried

unanimously 4-0 (TBE) to accept \$3,000.00 from the U.S. Secret Service to continue to provide training and equipment to Inv. Warren as their computer forensic liaison in Wayne Co., and to authorize Inv. Warren to participate in online training related to the position at a cost of \$1,995.00, with the remaining funding being used to purchase new equipment in this field.

Chief Thoms informed the Board of the In Service training June 6th-9th for Emergency Vehicle Operations training.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously 4-0 (TBE) to declare surplus the K-9 equipment, and to dispose of in a trade with the Wayne Co. Sheriff for their ballistic body armor and duty belts to be used by our two new hires.

Chief Thom's request to declare surplus the police clothing in storage in the basement was tabled until the Board is provided with a detailed list of the items to be considered for disposal.

The Chief also noted that ARC of Wayne has requested traffic control to be available for its Erie Landing opening on May 2nd.

TRUSTEES

None of the Trustees had anything for Open Session.

TIME FOR THE PUBLIC

Dennis Tellier of 116 Moore St. expressed his concern about parking on the street during school hours that makes it difficult for Village equipment to come down the street to pick up brush and plow snow. He stated that it used to be Two Hour Parking until the restriction was removed a few years ago. Mr. Tellier stated that all of the residents of the street have signed the petition he presented to the Board to reinstate the Two Hour Parking restriction on Moore St. Mayor Taylor noted that the change was made in an attempt to accommodate the increased staff at the school.

EXECUTIVE SESSION

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously 4-0 (TBE) to go into Executive Session at 7:32 P.M. to discuss ongoing Union contract negotiations.

ADJOURNMENT

The meeting was adjourned at 7:55 P.M.

Stephen Murawski,
Village Clerk-Treasurer