

Minutes of the November 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 (30); Trustees: Robert Bendix (27), Stuart Blodgett (28), Alan Schober (29), and Rebecca Vermeulen (24).

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

General Public: 52

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 Vermeulen and carried unanimously to approve the following minutes:

- Regular Board Meeting October 15, 2018.
- Special Board Meeting October 31, 2018.
- Special Board Meeting November 6, 2018.
- Special Board Meeting November 9, 2018

CONSENT
AGENDA

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously to approve the November vouchers and invoices Trustee Blodgett reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$900,253.12 were authorized for all funds.

TIME FOR THE
PUBLIC

Joseph Nicosia, Board President of the Newark Public Library, read the following into the record:

Dear Mayor Taylor: On behalf of the Newark Public Library, its staff and Board, I would like to thank you, the Village Board, the DPW, and Doug Townsend for all of the help and cooperation given to us during our recent infestation of the Library. All of us work together to uphold the highest standards of quality and service to our community but sadly, sometimes things happen that are out of our control. By working together to solve the problem, the community was inconvenienced minimally. Again, thank you to everyone involved in the cleanup efforts.

Respectfully, Joseph S. Nicosia - Newark Public Library Board President

The Board thanked the department heads for their monthly reports.

MAYOR -
PRESENTATION
OF NEW POLICE
CHIEF

Mayor Taylor introduced newly appointed Police Chief Mark Thoms, who then took the Oath of Office administered by Village Justice Michael Miller. Chief Thoms thanked many in attendance for their support they have given him, and that he looks forward to continuing his service to the Village of Newark and its residents.

FIRE CHIEF
RUSTY HAVERT

Chief Havert noted the following:

- 514 calls for service YTD.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to approve the membership of Jason Tellier of 349 West Avenue to Excelsior Hook & Ladder Co. # 4. He had his arson check done and was investigated by his company.

Motion Trustee Blodgett, seconded Trustee Vermeulen and carried unanimously to approve the Breakfast with Santa event to be held on December 8, 2018 at the Newark Fire Department.

AECC DIRECTOR
MIKE
MUSCOLINO

Mr. Muscolino was excused.

CODE
ENFORCEMENT/
ECONOMIC
DEVELOPMENT

Mr. Peake was excused.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously to approve the reappointments of Jim McBride to the Planning Board and Steven Hasseler to the Zoning Board of Appeals, both for five year terms, and the appointment of Adam Stoneham to the Zoning Board of Appeals, to fulfill the term of Paul Chetney, which expires on December 7, 2020.

CLERK/
TREASURER

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to authorize Police Chief Thoms to receive a Village of Newark Visa credit card for the department, with a credit limit of \$5,000.00.

Mr. Murawski had nothing else for Open Session.

MAYOR

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously to approve the appointment of Joseph Peters of Newark to the position of Commissioner on the Newark Housing Authority Board, to fulfill the term of Helen Blandino, which expires on June 30, 2023.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously to schedule a Public Hearing at 6:10 P.M. on December 18, 2018 on the proposed amendment to the schedule for Senior Citizen

Exemptions for Assessed Value of their property for Village Taxes.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously to approve the transfer of \$120,000.00 from the Water Reserve account F00.0231B.0000, for the Wood Lane water main replacement project, the meter upgrade project, and the water plant upgrade project, subject to Permissive Referendum.

Motion Trustee Blodgett, seconded Trustee Vermeulen and carried unanimously to schedule a Public Hearing at 6:20 P.M. on December 18, 2018 on the Village of Newark Community Development Block Grant application for Economic Development Assistance.

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

BOND RESOLUTION DATED NOVEMBER 20, 2018 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF NEWARK, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE STREET LIGHTING CAPITAL IMPROVEMENTS WITHIN THE VILLAGE, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the purpose hereinafter described consists of street lighting capital improvements authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, the Village hereby determines and finds that the proposed action hereinafter described constitutes a “type II” action under the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder (“SEQRA”) which will not result in any significant adverse environmental impacts in that the purpose consists of the purchase of equipment and the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, and such purpose is not subject to any further environmental review under SEQRA; now therefor, be it

RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF NEWARK, NEW YORK (hereinafter referred to as the “Village”), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Newark shall undertake the acquisition and installation of LED street light fixtures, and the acquisi-

tion of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such Village use (hereinafter referred to as “purpose”), and general obligation serial bonds in an aggregate principal amount not to exceed \$1,650,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose, and said amount is hereby appropriated therefor.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$1,650,000. The plan for financing of said purpose is to provide all of such maximum cost by issuance of obligations as herein authorized.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 5 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty (30) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are not issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to statutory limitations, if any.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the

consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, whether to authorize the receipt of bids in an electronic format, all contracts for, and terminations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Newark.

Section 7. The faith and credit of the Village of Newark, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. After compliance with Section 9 hereof, this resolution shall be published in full by the Village Clerk of the Village of Newark together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution is subject to a permissive referendum of the qualified electors of the Village of Newark, pursuant to Section 36.00 of the Local Finance Law.

After some discussion, the Board tabled the matter of approving the location of a new RTS bus shelter in the Village of Newark.

Motion Trustee Blodgett, seconded Trustee Vermeulen and carried unanimously to approve sending Dan Callahan and Matt DePauw to the Pump seminar on November 28th at Siewart Equipment in Rochester. The class is free, and provides them with five hours of required training toward maintaining their certification renewal with NYS.

Motion Trustee Blodgett, seconded Trustee Vermeulen and carried unanimously to approve sending Mike Gonzalez and Mike Bouwens to the FLWWC Winter Meeting in Waterloo, New York on December 6th. The training provides credit hours toward maintaining their certifications.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the Professional Service contracts with Fisher Associates for services related to the 2016 BRIDGE NY East Ave Bridge rehabilitation project. The first contract is for \$6,000.00 for Contract Document Revisions and Rebidding, and the second is for \$5,500.00 to provide the Level I Load Rating analysis.

Mayor Taylor presented the Board with a copy of the proposed schedule for the Tree Lighting Ceremony on December 1st for their review.

Motion Trustee Blodgett, seconded Trustee Vermeulen and carried unanimously to approve the one-year lease renewal with the Newark Chamber of Commerce for their usage of the Interpretive Center.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously to approve the one-year IMA between Newark and Arcadia for the Town's usage of the Newark Animal facility at Colburn Park.

The Mayor noted that the Village's application for the Blue Cut Rd. culvert was not funded through the 2018 BRIDGE NY program.

Mayor Taylor also noted that the public presentation of the Cornell Design Connect project will be held on December 12, 2018 at 5:45 P.M. in the 2nd Floor Courtroom.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to support the Newark Central School District letter being sent to the NYS Education Dept. Commissioner asking that the District be granted status as a member of the NYS My Brother's Keeper Community Network.

Mayor Taylor had nothing else for Open Session.

LEGAL

Attorney Art Williams had nothing else for the Board tonight.

POLICE CHIEF

Police Chief Mark Thoms noted the following:

- Requested an Executive Session for a specific individual or position within the police department.
- Provided the Board with a copy of the October 2018 911 Call

Report Log for their review.

TRUSTEES	None of the Trustees had anything for Open Session.
TIME FOR THE PUBLIC	No one from the public wished to address the Board.
EXECUTIVE SESSION	Motion Trustee Vermeulen, seconded Trustee Blodgett and carried unanimously to go into Executive Session at 6:38 P.M. to discuss a potential purchase or sale of Real Estate, a potential legal matter, and a specific contract offer.
OPEN SESSION	Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to come back into Open Session at 8:35 P.M. Motion Trustee Vermeulen, seconded Trustee Blodgett and carried unanimously to approve the sale of the old Rescue R-7 for \$20,000.00. Motion Trustee Vermeulen, seconded Trustee Blodgett and carried unanimously to authorize Chief Thoms to post for two sergeant positions within the Village of Newark police department. Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously to authorize completing the safety improvements recommended for the 3 rd Floor Municipal Building foyer/entrance area for up to \$15,000.00
ADJOURNMENT	Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:37 P.M.

Stephen Murawski,
Village Clerk-Treasurer