

Minutes of the January 16, 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 (2); Trustees: Stuart Blodgett (2) and Robert Bendix (2). Excused: Trustees Alan Schober (1) and Rebecca Vermeulen (1).

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

General Public: 26

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 Blodgett and carried unanimously 3-0 (Trustees Schober and Vermeulen Excused – TSVE) to approve the following minutes:

- Regular Board Meeting December 19, 2017.

CONSENT
AGENDA

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously 3-0 (TSVE) to approve the January vouchers and invoices Trustee Blodgett reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$341,526.09 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:

- 22 calls for service YTD.
- Annual Firemen's Banquet at the end of the month. The Board should have received their invitations.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously 3-0 (TSVE) to approve the surplus of nine old chain saws, and to dispose of them at FMV (\$500.00) in a trade-in with Q's Landscaping for the purchase of eight new chain saws at a net cost of \$1,962.06.

AECC DIRECTOR
MIKE
MUSCOLINO

Mr. Muscolino was excused; the Mayor stated that there was nothing to report on Mr. Muscolino's behalf.

CODE
ENFORCEMENT/
ECONOMIC
DEVELOPMENT

Motion Trustee Bendix, seconded Trustee Blodgett and carrier unanimously 3-0 (TSVE) to approve the request to send Code Officer Mark Peake and Code Inspectors Dave Carr and Roger VanDeMortel to their annual training in Liverpool, New York April 10th-12th at a total cost of \$1,080.00. This training is required for the personnel to maintain their certification.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously 3-0 (TSVE) to refer to and request that the Village Planning Board and Zoning Board of Appeals review and approve the proposed recommended changes to Code Sections 90 (Housing Standards), 113 (Property Maintenance), 134 (Site Plan Review), and 149 (Subdivision of Land).

Mr. Peake spoke on the following:

- Plans for the BOCES project at Silver Hill coming in this week.
- Noted that he is off work the week of January 22nd.

CLERK/
TREASURER

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously 3-0 (TSVE) to approve the proposed changes to Village Code Section 164-8, Rules and Regulations, related to customer notification of potential leak situations, and concerning name changes to customer accounts. The full language can be found the Code Section 164-8 binder maintained by the Clerk/Treasurer.

Mr. Murawski had nothing else for Open Session.

MAYOR

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously 3-0 (TSVE) to approve contract with Naturcycle to market the Village's compost product obtained from the WWTP, subject to Item #4 being changed from 2 Cubic Yards to 5 Cubic Yards.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously 3-0 (TSVE) to approve the request to send Mike Gonzalez, Mike Bouwens, Jeff DeCann and two DPW water department employees to the Annual Business Meeting of the Finger Lakes Water Works Conference on February 1st in Geneva at a cost of \$25.00 each. The training provides the employees with credits mandatory to maintaining their respective certifications.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously 3-0 (TSVE) to appoint Mike Gonzalez as the Village of Newark Commissioner to the Canandaigua Lake Watershed Commission, and Mayor Taylor as the Alternate for a one year term effective January 1, 2018.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unani-

mously 3-0 (TSVE) to declare surplus the old generator at the Municipal Building and to dispose of at Fair Market Value.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously 3-0 (TSVE) to approve the use of Village streets for the 3rd Annual Laurel House 5K race on June 9, 2018. The Sponsor will need to be informed that the event will need to find a different course due to the construction that will be taking place on South Main St. with the Village, and on Lincoln Road as part of NYSEG's gas line project.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously 3-0 (TSVE) to approve the contract with the NYS Canal Corporation for the Route 31 Culvert project, and to authorize the Mayor and Village Attorney to sign the same.

LEGAL

Village Attorney Williams brought up the issue that arises when a property is sold, and there are one or more tenants that have an active water account with the Village of Newark at that location. The issue is that the tenant might have an outstanding water bill and/or water usage that they don't pay the bill for. Village Code authorizes that the uncollected amount be relieved on the June property tax bill. He feels that is isn't fair for the new owner to be stuck with a bill that was incurred that the previous owner should be responsible for. His view is that a final bill or bills should be generated for the tenants and paid at the property closing so that there is correct apportionment of the water bill and or usage. Mr. Murawski noted that there are multiple issues that would need to be addressed if this change was to be implemented, or else the Village would be financially impacted in a negative way. After many questions and much discussion, the Board instructed the Village Attorney and Clerk/Treasurer to get together to develop a potentially workable solution to the issue to present at the February 2018 Board meeting.

POLICE CHIEF

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously 3-0 (TSVE) to approve the training request of Officer Weegar to attend mandatory K-9 Recertification Training in Cooperstown, New York January 29th-31st at the NSY K-9 Training Center located there. The only cost is \$90.00 for meals; a Village vehicle will be used.

After much discussion and numerous questions of the Chief about the need for additional Field Training Officers and the potential precedent that approving the request might create, motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously 3-0 (TSVE) to approve the training request of Officer Weegar to attend Field Officer Training School at the FL Training Academy in Hopewell, New York February 5th-9th, 2018, at a cost of \$100.00 for tuition only. Mayor Taylor asked that a report card from the training on the K-9 dog Mac be

provided to the Board; Chief Christler stated that he would make sure that the Board did obtain the report card from the Recertification Training.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously 3-0 (TSVE) to approve the training request of Investigator Warren to attend the “Network Intrusion Response Program” training at the National Forensics Institute in Hoover, Alabama February 19th – March 9th, 2018 at no cost to the Village of Newark. This training is part of the ongoing relationship between the Village of Newark and the U.S. Secret Service and Investigator Warren’s role as their Computer Forensics Liaison. No overtime will be created by this request because there is no contractual requirement to fill the position.

Chief Christler noted the following:

- Sergeant Keyton retired effective December 31, 2017. He asked the Board if they want a list of eligible Sergeant candidates to fill the empty position. The Board tabled the request due to the absence of the two Trustees.

TRUSTEES	None of the Trustees had anything for Open Session
TIME FOR THE PUBLIC	No one from the public wished to address the Board.
ADJOURNMENT	Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously 3-0 (TSVE) to adjourn the meeting. The meeting was adjourned at 7:03 P.M.

Stephen Murawski,
Village Clerk-Treasurer