

Minutes of the December 16, 2014 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 (3); Trustees: Robert Bendix (3), Stuart Blodgett (3), Alan Schober (3), and Kurt Werts (3).

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

General Public: 12

**WELCOME BY
MAYOR**

At 6:03 P.M., Mayor Taylor led the gathering in the Pledge of Allegiance to open the meeting.

**APPROVAL OF
MINUTES**

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

- Regular Board Meeting November 18, 2014.

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

- Organizational Board Meeting December 1, 2014.

**CONSENT
AGENDA**

Motion Trustee Bendix, seconded Trustee Werts and carried unanimously to approve the December vouchers and invoices which Trustee Bendix reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$1,093,482.00 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

**FIRE CHIEF
DAVID GRECO**

Fire Chief David Greco spoke on the following:

- Heating unit in the Chief's Room needs to be repaired, and quotes to replace have been obtained. The cost to repair the unit is almost as much as replacing it with a new one.
- E-15 has a cracked windshield that is being repaired.
- Thanks to Doug Townsend and Dan Vankouwenberg for making sure that the Fire Dept. building was heated for the Saturday December 13th Breakfast with Santa.

**AECC DIRECTOR
MIKE**

Mr. Muscolino spoke on the following:

- Annual Christmas Tree lighting was attended by over 400 peo-

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MUSCOLINO

ple, and many compliments were given about the additional community involvement in the program. About 300 children attended the Christmas Part at the AECC afterwards.

- Winter programs are ongoing at the Center, which will be shut down on December 24th to allow the staff to perform annual floor maintenance at the Fingers Lakes DDSO building that they allow the AECC to utilize for some of their programs.

CODE
ENFORCEMENT /
ECONOMIC
DEVELOPMENT

Mr. Peake spoke on the following:

- The quarterly Economic Development newsletter is being prepared for the Winter Quarter 2015, and Mr. Peake informed the Mayor and the Board that they should contact him if they desire to have anything placed in the letter.
- He would like the Village to pursue discussions with the NYS Canal Authority once again about obtaining the 25 acres of property on the south side of West Shore Boulevard, between Legendary Auto and the Edgett St. Bridge, from the Canal Corp. This area could be utilized for development by the Village and/or private developers. The area is currently utilized by NYS for dumping dredging material from the Erie Canal when they perform that maintenance task within the village limits. Their main issue is that there isn't a sufficient replacement area available to dump the dredging if the property is transferred to the Village. The Board concurs that this discussion should take place to see if the issues can be resolved to make this project happen; they also believe the area has potential for future development.
- Two new home construction projects have been started in Southwinds Landing.
- The Snow Sculpting contest will be held for the whole month of January 2015, versus a one day event, to help ensure sufficient snowfall will be available to contestants.
- Informed the Board about the outstanding Village Code Update project, and the need to move it forward. The process stopped due to issues between the Village committee and the former consultant. After some discussion, it was decided that the Mayor, Trustee Schober as the Planning/Zoning Board liaison, and Mr. Peake would meet with Diana Smith from MRB Group to discuss how to best proceed forward.

CLERK
TREASURER

Motion Trustee Schober, seconded Trustee Blodgett and carried unanimously to approve the Review Report of the Village Justice Court for Fiscal Year 2014.

Motion Trustee Bendix, seconded Trustee Werts and carried unanimously to accept the results of the BOCES Electricity Supply bid for 2014 December 16 Minutes of Village Board Meeting

calendar year 2015 and to continue to purchase the Village's electricity supply from Energy Cooperative of America, Inc.

Motion Trustee Werts, seconded Trustee Schober and carried unanimously to grant the Sewer Relief request from account holder 32003.4 for a water leak from October 6 through November 12, 2014 caused by a faulty relief valve on the boiler for the property.

Mr. Murawski informed the Board that the Fiscal Year 2016 budget preparation process would be starting later this month, with notification being sent out to the Board, department managers, and other relevant parties.

MAYOR

The matter of the Town of Arcadia/Village of Newark Fire Protection Agreement was brought up. Trustee Schober asked if it was known how the initial annual payment amount was determined. No one was able to definitively answer the question, but it was stated by Fire Chief Greco and the Mayor that the Town of Arcadia had similar agreements with the Marbletown Fire Department and the Fairville Fire Department, and that they received the same payment that the Village of Newark receives, with Fairville receiving a slightly higher payment for the ambulance service it provides. Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to authorize the Mayor to sign the 2015-2017 Fire Protection Agreement with the Town of Arcadia.

Mr. Muscolino provided a brief background on how the Senior Lunch Program at the AECC is funded and how it operates. Motion Trustee Werts, seconded Trustee Blodgett and carried unanimously to authorize the Mayor to sign the Senior Citizens Nutrition Program contract with Wayne County for calendar year 2015.

Motion Trustee Werts, seconded Trustee Blodgett and carried unanimously to approve the request of the Knights of Columbus #897 to display their Christmas Crèche in Central Park for the Christmas Holiday Season 2014. Mr. Murawski was instructed to inform them that they should submit their request next year at an earlier date so that the matter could be resolved earlier in the season.

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to declare surplus the 5' by 8' enclosed trailer from the WWTP and to dispose of it at Fair Market Value.

Motion Trustee Werts, seconded Trustee Bendix and carried unanimously to authorize the Mayor to sign the Agreement for Services contract with the Ontario County Soil and Water Conservation District for the period of January 21, 2015 through December 31, 2017. The Dis-

trict agrees to provide administrative and supervision services for the Watershed Inspection program.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to authorize the Mayor to sign the Wayne County Multi-Jurisdictional Municipal Shared Services Agreement on behalf of the Village of Newark.

Motion Trustee Werts, seconded Trustee Schober and carried unanimously to authorize the Mayor to sign the Wayne County Multi-Jurisdictional Municipal Mutual Aid Agreement on behalf of the Village of Newark.

Motion Trustee Werts, seconded Trustee Bendix and carried unanimously to adopt the following resolution:

Whereas, Governor Cuomo and the New York State Legislature have enacted a Property Tax Freeze as part of the 2015 Budget Process; and Whereas, one provision of the Property Tax Freeze/Property Tax Credit program is for Local Governments to prepare and submit a Government Efficiency Plan by June 1, 2015; and

Whereas, Local Governments have the option of preparing their own plan, or preparing a plan with other local governments; and Whereas, the Village of Newark has reviewed the Property Tax Freeze Credit Guidance Publication prepared by the New York State Department of Taxation and Finance; and

Whereas, after consideration the Village of Newark has determined that it desires to work with Wayne County government and other local governments that also opt to work with Wayne County to prepare and submit a consolidated Government Efficiency Plan; now therefore be it **RESOLVED**, that the Village of Newark has determined it will join Wayne County Government and other local governments that also opt to join Wayne County to prepare and submit a consolidated Government Efficiency Plan; and be it further

RESOLVED, that the Village of Newark designates Stephen Murawski as a contact person and source of information for the County Administrator; and be it further

RESOLVED, that Stephen Murawski will transmit a certified copy of this Resolution to the Wayne County Clerk of the Board of Supervisors.

Motion Trustee Werts, seconded Trustee Schober and carried unanimously to authorize the Mayor to sign the Second Amendment to the Water Supply Agreement with the Town of Phelps to allow them provide water to the proposed Extension # 1 to the Orleans Water District.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to authorize the Mayor to sign the one year lease agreement with the Newark Chamber of Commerce to utilize the Village Interpretive Center located 199 Van Buren St. effective January 1, 2015.

Motion Trustee Werts, seconded Trustee Schober and carried unanimously to authorize the Mayor to sign the annual Intermunicipal Agreement with the Town of Arcadia to allow them to utilize the Village Dog Kennel located at Colburn Park on Route 31 in the Village, effective January 1, 2015.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to authorize the Village to prepare Certificate Letters of Congratulations to Kendra Custer, Elizabeth Joslyn, Jazmine Guzman, Rebecca Atwell, Abigail Nezelek, Jalen Bel and Hayley Tack of Newark for their receipt of the Girl Scout Bronze Award.

LEGAL

Attorney Art Williams had nothing for open session.

POLICE CHIEF DAVID CHRISTLER

Motion Trustee Werts, seconded Trustee Bendix and carried unanimously to authorize the Police Chief to sign the “No Cost” contract with the company Get Crash Reports.com, This will save the Village the time spent obtaining this information for insurance companies when they contact the police about accidents within the Village. The service will also provide free crash pattern analytical data for the Village if needed, and will generate some minimal revenue from customers who request the crash information.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to authorize the Village to place “Blind Driveway” signage on East Maple Ave. for both east and westbound traffic in the area around the Armstrong Senior Living Center and the W/FL BOCES offices.

Chief Christler also noted the following:

- The previously approved K-9 training school for Officer Weegar is set for the week of January 5, 2015.
- Wayne County Sheriff’s Office will be providing free Emergency First Aid Training for Village police officers.

The Chief also stated that he wants to start the process of utilizing Section 103 of the Village Code – Nuisance Abatement, for the property located at 1009 North Main Street. The location had incurred numerous points for property maintenance over the required time period. This location is also where the December 1, 2014 raid took place where two individuals were arrested for numerous felony and misdemeanor charges. After some significant discussion, Motion Trustee Blodgett, se-

conded Trustee Bendix and carried unanimously to authorize Village Attorney Williams to start the legal notification process with the property owner required under the Nuisance Abatement statute. The Board will be provided with further information at the January 2015 Board meeting to determine what options will be available for them to address these Public Nuisances at the property.

TRUSTEES

Trustee Bendix wanted to start the discussion on the potential relocation of the Newark Food Closet. He feels that the location might be inhibiting some residents from participating in the program. Trustee Blodgett stated that the Village has talked to some of the churches in the community to see what options they might be able to provide. Mayor Taylor wants to ensure that the Newark Food Closet itself is on board with finding another location for their organization.

Trustee Bendix also stated that he wants to keep the momentum going on the ongoing Municipal Building foyer renovation project. He feels that the community supports some type on ongoing, revolving display for the Village of Newark and its businesses in this area. The Board agreed to have DPW Supervisor Doug Townsend, Trustee Bendix, Arcadia Supervisor Colacino and Chamber of Commerce president Chrissy Kent coordinate the process. Included in the area for consideration is the outside entrance area on the west side the Municipal Building.

Trustee Blodgett noted that he is scheduled to review the January 2015 Vouchers, but that he will not be able to make the January 20, 2015 Board meeting due to a previous commitment. Trustee Schober agreed to switch and take the responsibility for the review of January 2015 payments.

TIME FOR THE PUBLIC

No one else from the public had any comment.

EXECUTIVE SESSION

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to go into Executive Session at 7:10 P.M to discuss a personnel matter for a specific individual within the DPW, and pending litigation.

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to come back into open session at 7:13 P.M.

TIME FOR THE PUBLIC

Samuel Camacho, whose brother was one of the individuals arrested in the 1009 N. Main St. raid, stated that he was planning on moving into the location in January 2015. He wants to attempt to address some of the outstanding issues with the property maintenance, but he is asking

if the property is going to be closed down. Attorney Williams informed Mr. Camacho about the process of accumulating points against a property that can cause it to be closed down, and that is what has happened to this location. He informed Mr. Camacho that the Village Board voted tonight to move that process forward, but that he was free to work with the property owner on issues with the location. Mr. Camacho asked if there was anything he could do to help keep the property open, to which Mr. Williams answer "Not at the present time".

EXECUTIVE
SESSION

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to go into Executive Session at 7:17 P.M to discuss a personnel matter for a specific individual within the DPW, and pending litigation.

Motion Trustee Schober, seconded Trustee Blodgett and carried unanimously to come back into open session at 7:25 P.M.

INTER -
MUNICIPAL
AGREEMENT

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the Intermunicipal Agreement with the Town of Arcadia that allows the Village to utilize the services of Town Highway Superintendent Dan Pullen for calendar year 2015.

ADJOURNEMENT

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to adjourn the meeting. The meeting was adjourned at 7:27 P.M.

Stephen Murawski,
Village Clerk-Treasurer