

Minutes of the November 15, 2022 meeting of the Board of Trustees of the Village of Newark held in the 2<sup>nd</sup> floor courtroom of the Municipal Building at 6:00 PM.

PRESENT

Mayor Jonathan Taylor (27); Trustees: Robert Bendix (23), Stuart Blodgett (21), Chris Burgess (25), and Emily Howard (20).

Police Chief Richard Martin, Superintendent of DPW Bob Hutteman, Village Clerk-Treasurer Valerie Quade, Code Enforcement Officer Michael Bouwens, Economic Developer Mark Peake, Fire Chief Charles Witt and Attorney Art Williams.

General Public: 27

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 to approve the following minutes:

- Regular Board Meeting October 18, 2022.

CONSENT  
AGENDA

Motion Trustee Blodgett, seconded Trustee Burgess and carried unanimously to approve the November vouchers and invoices Trustee Bendix reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$1,521,411.30 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

Girl Scout Troop 60324 was recognized for the Bronze Award.

PUBLIC HEAR-  
ING

At 6:05 P.M. the meeting went into a public hearing to discuss the proposed change in Village Code Chapter 130 Signs. There were no public comments and the public hearing was closed.

OPEN SESSION

Motion Trustee Howard, seconded Trustee Burgess and carried unanimously to come back into Open Session at 6:06 P.M.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the change in Village Code Chapter 130 Signs.

FIRE CHIEF

Chief Witt discussed the following:

- There was 35 calls in October.

Motion Trustee Burgess, seconded Trustee Howard and carried unanimously to approve the breakfast with Santa at the Fire Department on December 10<sup>th</sup> from 7am to 11am.

Motion Trustee Blodgett, seconded Trustee Burgess and carried unanimously to approve the Fire Departments Cash Raffle which will be drawn the 2<sup>nd</sup> Tuesday in December.

Motion Trustee Burgess, seconded Trustee Bendix and carried unanimously to approve the removal of Roy Ball, Jr from the Newark Volunteer Fireman's Association membership roll.

There was a discussion regarding the Fire Departments whistle.

PUBLIC HEARING

At 6:12 P.M. the meeting went into a public hearing to discuss the proposed change in Village Code Chapter 170 Zoning. There were no public comments and the public hearing was closed.

OPEN SESSION

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to come back into Open Session at 6:13 P.M.

CODE ENFORCEMENT

Code Enforcement Officer Michael Bouwens gave the following update:

- Closing out year-end building permits.
- The number of rental registration is up.
- Mavis Tire is ready to start construction and hope to break ground soon.
- Zoning Board is looking for 2 more members.

Motion Trustee Bendix, seconded Trustee Burgess and carried unanimously to approve the reappointment of Allison Kirsch to the Planning Board.

Motion Trustee Bendix, seconded Trustee Burgess and carried unanimously to approve the reappointment of David Carr to the Planning Board as an Alternate.

Motion Trustee Blodgett, seconded Trustee Burgess and carried unanimously to approve the following resolution:

**WHEREAS**, the Village of Newark Village Board of Trustees (hereinafter referred to as Village Board) on October 18, 2022 declared its intent to be designated the Lead Agency for the Village of Newark Zoning Code Update under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Village Board has provided written notices to this effect to the identified involved and interested agencies; and

**WHEREAS**, the Village Board has not received any written objections from the involved or interested agencies to the Board's being designated as the lead agency under the SEQR Regulations; and

**WHEREAS**, the Village Board has previously determined that it is the most appropriate agency to insure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

**NOW, THEREFORE BE IT RESOLVED** that the Village Board of Trustees does hereby designate itself as the lead agency for the Action identified above herein.

Motion Trustee Burgess, seconded Trustee Howard and carried unanimously to approve the following resolution:

**WHEREAS**, the Village of Newark Village Board of Trustees (hereinafter referred to as Village Board) has determined the above referenced Action to be a Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Village Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 1, 2, and 3 on the Action prepared by the MRB Group; and

**WHEREAS**, the Village Board has completed the coordinated review and public comment period provided for under the SEQR Regulations; and

**WHEREAS**, the Village Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action; and

**WHEREAS**, the Village Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Full Environmental Assessment Form Parts 1, 2, and 3.

**NOW THEREFORE BE IT RESOLVED**, that said Action **WILL NOT** result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

**BE IT FINALLY RESOLVED** that the Village Board of Trustees does hereby make a Determination of Non-Significance on said Action, and the Village Mayor is hereby directed issue the Negative Declaration as evidence of the Village Board of Trustees' determination of environmental non-significance.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the change in Village Code Chapter 170 Zoning.

PUBLIC HEARING

At 6:17 P.M. the meeting went into a public hearing to discuss the proposed change in Village Code Zoning Map. There were no public comments and the public hearing was closed.

OPEN SESSION Motion Trustee Blodgett, seconded Trustee Howard and carried unanimously to come back into Open Session at 6:18 P.M.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the change in Village Code Zoning Map.

ECONOMIC DEVELOPEMENT

Economic Developer Mark Peake gave the following update:

- Awarded the prizes for the pumpkin sculpture contest.
- Three new businesses looking to come into the Village.
- Looking into the National Fitness Campaign Grant from MVP.
- Hoping to hear soon about the DRI projects being awarded.
- New Brewery open in the Village.

PUBLIC HEARING

At 6:21 P.M. the meeting went into a public hearing to discuss the proposed change in Local Law #5 repealing service on Municipal Boards. There were no public comments and the public hearing was closed.

OPEN SESSION

Motion Trustee Blodgett, seconded Trustee Howard and carried unanimously to come back into Open Session at 6:22 P.M.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the change in Local Law #5 repealing service on Municipal Boards.

CLERK  
TREASURER

Motion Trustee Burgess, seconded Trustee Blodgett and carried unanimously to authorize the Village of Newark to relevy the delinquent 2022-2023 Newark Village Property Taxes and penalties totaling \$287,662.95 to Wayne County for collection.

MAYOR

Motion Trustee Bendix, seconded Trustee Burgess and carried unanimously to approve the Cross Country Club boosters to have the Turkey Trot on Thanksgiving.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve Lighthouse Baptist Church use of the gazebo to perform "An Old Fashioned Christmas" on December 10<sup>th</sup>.

Motion Trustee Blodgett, seconded Trustee Burgess and carried unanimously to accept the Municipal Shelter Inspection report dated October 27, 2022.

Motion Trustee Bendix, seconded Trustee Burgess and carried unanimously to approve the Boy Scout Troop 122 to collect Christmas trees at a cost of \$3.00 per tree.

Motion Trustee Blodgett, seconded Trustee Howard and carried unanimously to approve a Public Hearing at the December 20<sup>th</sup> Village Board Meeting regarding the Restore NY Grant.

Discussion occurred regarding an ongoing sewer relief for Runaway Brewery. The request was denied by the Village Board.

LEGAL

Attorney Williams had no update.

CHIEF OF POLICE

Chief Martin gave the following update:

- There were 591 calls for service in the month of October. Included in those were 24 motor vehicle accidents, 84 property checks, 11 traffic tickets, 26 arrest with no use of force.
- There was 3 calls for the Animal Control Officer.
- Officers that were out are back to full duty.
- Vacant officer position still open. There have been difficulties with background investigations.
- Would like to commend office DeBoerdere and Colacino for their response to the homicide on Murray Street.

Motion Trustee Burgess, seconded Trustee Blodgett and carried unanimously to approve Officer Colacino to attending the Patrol Rifle Armorer school for a cost of \$1,185 including hotel and travel.

SUPERINTENDENT DPW BOB HUTTEMAN

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve a refund for over payment of a water service connection for \$1,150.00.

Discussion regarding Allerton Reservoir was tabled.

Motion Trustee Blodgett, seconded Trustee Burgess and carried unanimously to approve that the Village of Newark is the lead agent for the West Miller Street Culvert project.

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to approve the following resolution.

WHEREAS, the Village Board of Newark, New York is considering the replacement of the West Miller Street Culvert with a new precast concrete box culvert. The improvements also includes the demolition and removal of the existing culvert and the restoration of all disturbed areas, together with improvements incidental thereto (the “project”); and

WHEREAS, to aid the Board in determining whether such Project might have a significant effect on the environment, the Board caused to

be prepared an environmental assessment form or similar information (“EAF”), a copy of which it attached hereto; and  
WHEREAS, the Board duly reviewed the EAF and related documents with respect to the above-referenced project and duly considered the impacts which may be expected to result from the proposed action with the criteria set forth in the State Environmental Quality Review Act and the applicable regulations promulgated thereunder (“SEQRA”); and

WHEREAS, the Board determined that the project was an “Unlisted Action” pursuant to SEQRA; and

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE BOARD OF NEWARK IS RESPONSIBLE FOR DETERMINING WHETHER AN ENVIRONMENTAL IMPACT STATEMENT IS REQUIRED IN CONNECTION THEREWITH AND OTHERWISE COMPLYING WITH THE PROCEDURAL AND SUBSTANTIVE REQUIREMENTS OF SEQRA;

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE BOARD OF NEWARK, NEW YORK AS FOLLOWS:

1. Based upon the review by the Board of the EAF and other necessary criteria, the Board hereby finds and determines that the proposed action is an “Unlisted Action” under SEQRA and will result in no significant impacts and therefore, such action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,” and (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA. Reasons supporting this determination are attached hereto and hereby made a part of this resolution for the purposes of SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.

2. A copy of this resolution shall be placed on file in the office of the Village Clerk, where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA. This resolution shall take effect immediately.

Superintendent Hutteman gave the following update:

- Snow plows are ready for winter weather.
- Paving of East and West Pearl Street done.
- Doing pothole repairs.
- Leaves and Brush pick up went well.
- Bridge NY applications due January 2023.
- Christmas decorations going up soon.
- Cleaning out leaves to help with drainage after the flooding.

Mayor Taylor spoke about the \$3.6 WIAA Grant the Village received for the Allerton Reservoir. Construction estimated for fall 2023.

TRUSTEES

Trustees had no update.

TIME FOR THE  
PUBLIC

Casey Carpenter of Grace Ave spoke that the Salvation Army is looking for volunteers and places to put do the Red Kettle Campaign.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve that the Salvation Army can set up a red kettle at the Village Tree Lighting December 3<sup>rd</sup>.

EXECUTIVE SES-  
SION

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to go into executive session at 6:57 P.M. to discuss positions in the Police Department, DPW and Office.

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Valerie Quade  
Village Clerk-Treasurer