

Minutes of the June 19, 2018 meeting of the Board of Trustees of the Village of Newark held in the 2nd floor court room of the Municipal Building at 7:00 PM.

PRESENT

Mayor Jonathan Taylor (20); Trustees: Robert Bendix (17), Stuart Blodgett (20), Alan Schober (19), and Rebecca Vermeulen (15).

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

General Public: 13

WELCOME BY
MAYOR

At 7:00 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 May 15, 2018.
- Special Board Meeting May 22, 2018.

CONSENT
AGENDA

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously to approve the June vouchers and invoices Trustee Blodgett reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$1,154,029.95 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:

- Fire Companies have sold popcorn as a fundraiser at the Movies In the Park events held in May and June so far.
- Arcadia Hose Co. #2 will be holding their annual Clambake fundraiser on October 6, 2018.
- The official dedication of the new fire truck from Pierce Manufacturing will be held on September 8, 2018.
- A circus will be renting the Fireman's Field on July 15, 2018 to hold a one day event.
- Youth Soccer will be holding an event at Fireman's Field on July 21st-22nd, and there will be concessions sold by the volunteer fire companies at the event.
- Chief Havert asked that the Board approve the transfer of \$20,000.00 of grant funding that wasn't expended in Fiscal Year 2018 be transferred to the 2019 budget. The Board stated

that they will address the request at a later date when the work actually begins.

- Excelsior Hook & Ladder Co. #4 will be holding their annual Gun Raffle on November 4, 2018.
- The Volunteer Fire Dept. has received a \$7,000.00 grant from NYS Senator Helming to epoxy the floor in the fire department building truck bays.

Motion Trustee Bendix, seconded Trustee Vermeulen and carried unanimously approve the Clambake, Soccer, and Gun Raffle fundraisers by the various fire companies.

AECC DIRECTOR
MIKE
MUSCOLINO

Mr. Muscolino spoke on the following:

- He shared an emotional message on the passing of AECC long time employee Nancy Colavito while on the job back in May. Mr. Muscolino noted her many years of dedicated service to the Community Center and to the Village of Newark; Mayor Taylor and the Board echoed those sentiments.
- He also spoke about the AECC events coming up this summer that were included in a handout that he distributed to the Board.

CODE
ENFORCEMENT/
ECONOMIC
DEVELOPMENT

After some discussion and confusion, motion Trustee Vermeulen, seconded Trustee Blodgett and carried unanimously to deny the request of Dance With Me Studios to use the Village parking lot behind Parker's Restaurant for the Community Wide Garage Sale being held on August 4, 2018. They suggested that the dance studio contact Fire Chief Havert about potentially utilizing the Fireman's Field location for the garage sale event.

Mr. Peake was excused from the meeting, and there was no information that he needed to communicate to the Board or public.

CLERK/
TREASURER

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to accept the engagement letter agreement from Bonadio & Co. to perform the Fiscal Year 2018 audit for the Village of Newark at a cost not to exceed \$12,500.00, and to authorize the Mayor to sign the same.

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

BE IT RESOLVED by the 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 acquisition of three police cars to replace

similar vehicles previously in service for one year or more, which may include apparatus required in connection therewith (hereinafter referred to as “purpose”), is hereby authorized and general obligation serial bonds in an aggregate principal amount not to exceed \$140,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The maximum cost to the Village is estimated to be up to \$140,000 for said purpose and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of serial bonds and bond anticipation notes as herein authorized, to be offset and reduced dollar for dollar by the amount of grants received, presently estimated to be up to \$40,000.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 77 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is three (3) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will not be in excess of three 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 applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

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 determinations 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. This resolution, or a summary hereof, 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 shall take effect immediately upon its adoption.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously to accept the \$40,000.00 grant offer included in the USDA RD Community Facilities funding packing to facilitate the purchase of three new police vehicles.

Mr. Murawski had nothing else for Open Session.

MAYOR

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to authorize the Newark Food Closet to utilize the Village Municipal Building on Saturday, July 28, 2018, from 11:00 A.M. to 1:00 P.M., for an extra food day distribution made possible by an outpouring of food donated by the community at large.

Motion Trustee Vermeulen, seconded Trustee Schober and carried unanimously to approve the usage of the Colburn Park on July 12, 2018 by the Rochester Rough Riders 17 and under baseball team at a fee of \$250.00 for the one game.

Motion Trustee Blodgett, seconded Trustee Vermeulen and carried unanimously to approve the Newark Park Band schedule of concerts to be held in Central Park on July 10th, 17th, 24th 31st, and August 7th, and to authorize the contribution of \$2,100.00 by the Village to underwrite the event.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously to deny the request of the property owner of 130 Ford St., Lisa Jimerson, to have the Village install a second curb cut for her property location.

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously to approve the usage of T. Spencer Knight Park on Tuesday, August 14, 2018, for the showing of the movie "Newark in 1942", produced by the Newark Arcadia Historical Society.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously to approve the transfer of \$6,100.00 from account F00.01990.4000, Contingency, to F00.8330.4180, Sand, to purchase additional sand needed to rebuild the sand filters at the WTP.

Motion Trustee Vermeulen, seconded Trustee Blodgett and carried unanimously to approve the purchase of an additional 13 decorative street sign posts for the Route 88 South Reconstruction Project from Capital Streetscapes at a cost not to exceed \$10,039.00.

The Board took no action on the proposed Business Sign update for the Route 88 South project.

Motion Trustee Blodgett, seconded Trustee Vermeulen and carried unanimously to approve the purchase of an additional 3 street light poles, to be added at the intersection area of Union St. and Main St., as part of the Route 88 South project, if the bolt pattern at the base of the new lights allows it.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unani-

mously to approve the creation of door tags that will notify the homeowners in the area of S. Main St. where the water main is being replaced, of the potential of their water connection failing, subject to language changes to be added by Attorney Williams, to make the notification more palatable to the property owners.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to move the July Village Board Meeting to Monday, July 16, 2018 at 5:00 P.M., due to the Taste of Wayne County event that the Village is hosting on the regular Board meeting night of Tuesday, July 17th.

The Village Board reviewed information provided by DPW Supervisor Doug Townsend that informed them of the ongoing deterioration of the Blue Cut Road culvert. They are in support of immediate action being taken to temporarily shore up the culvert and road above it, and then waiting to see if the Village of Newark obtains funding under the BRIDGE NY 2018 grant application they submitted to completely rehab the culvert. Mr. Townsend is to be instructed to provide the board with alternatives to fix the culvert, and the related cost estimates.

Due to scheduling conflicts, no one from the Board will be able to attend the GML 207 Update training being sponsored by Coughlin & Gerhart, LLP, on July 26, 2018.

Mayor Taylor noted that the Newark High School Graduation will be held at Colburn Park on Friday, June 22, 2018, at 8:00 P.M. He informed the Board that all of the necessary preparations are moving forward, included traffic control that will be provided by the Newark Police Dept.

He also noted that the Village of Newark will be making their presentation to the Finger Lakes Regional Economic Council tomorrow, June 20th, at 2:00 P.M., for our Downtown Revitalization Initiative submission.

LEGAL

Attorney Williams informed the Board that he has been approached by Spectrum, Inc. to obtain an easement from the Village of Newark so that they can install fiber optic service to 135 E. Union St., where Marshall Exteriors is locating their new showroom. Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously to grant the requested easement to Spectrum, Inc., subject to Mr. Williams review and approval.

POLICE CHIEF

Chief Christler noted that the annual parades that have been held are working out with the new routes required due to the ongoing construction on S. Main St. He also noted that staffing is in place to assist with

traffic control at the High School Graduation being held at Colburn Park. The Chief also mentioned that some issues have arisen with the installation of the new “No Parking” signs that were placed in front of the property at 106 Lyons St. The Village has been working with the residents and the business that is located in that area, and some changes have been agreed to that will help alleviate the problem that has arisen. No change will be made to the sign and its location at the present time, and the Village will wait to see how things work out.

TRUSTEES Trustee Bendix asked when the new LED street light test fixtures are coming in. Clerk/Treasurer Murawski stated that he will follow up with the consultant, RealTerm Energy, tomorrow to get an update.

TIME FOR THE PUBLIC Karen Moulton of 2992 Walworth Rd. asked the Board how long the term of the Animal Control Officer is. Village Attorney Williams stated that the position is not an appointed one, but one that is ongoing. She also asked how the investigation of ACO Howard and his interaction with Stephanie Boerman is going. The Board informed her that no investigation is taking place.

ADJOURNMENT Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to adjourn the meeting.

The meeting was adjourned at 8:17 P.M.

Stephen Murawski,
Village Clerk-Treasurer