

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

PRESENT

Mayor Jonathan Taylor (5); Trustees: Robert Bendix (4), Stuart Blodgett (5), Chris Burgess (5), and Emily Howard (5).

Officer In Charge James Thomson, Superintendent of DPW Bob Hutteman, Village Clerk-Treasurer Valerie Quade, Code Enforcement Officer Michael Bouwens, Economic Developer Mark Peak (excused), Fire Chief Chuck Witt and Attorney Art Williams.

General Public: 7

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

- Regular Board Meeting February 15, 2022.

CONSENT
AGENDA

Motion Trustee Burgess, seconded Trustee Howard and carried unanimously to approve the March vouchers and invoices Trustee Blodgett reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$350,820.20 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

CHIEF
CHUCK WITT

Chief Witt discussed the following:

- The fire department had 22 calls in February 2022.
- Thanked the Code Enforcement Officer Michael Bouwens and Superintendent of DPW Bob Hutteman for their fast response at the structural fire.

CODE
ENFORCEMENT

Code Enforcement Officer Michael Bouwens gave the following update:

- Final installations of Civic.gov software.
- Single family home going on Peirson is moving along.
- Habitat for Humanity contacted the Village regarding building a house on Pearl Street.
- Has talked to the Land Bank about 315 East Myrtle and 201 Church Street. They are trying to track down who owns 315 East Myrtle. There are interested buyers in 201 Church Street.

Motion Trustee Burgess, seconded Trustee Bendix and carried unanimously to recommend for the subdivision plan for the parcel located at the northwest corner of Peirson Avenue and Woodlane to go to the Planning Board.

ECONOMIC DE-
VELOPEMENT

Economic Development Mark Peake was excused. Mayor Taylor announced there is a DRI public meeting at the school on March 16th. They are discussing project ideas and looking for public input.

CLERK
TREASURER

A public hearing is schedule regarding the Fiscal Year End 2023 Budget on April 12, 2022 at 6:00 P.M.

MAYOR

Motion Trustee Blodgett, seconded Trustee Howard and carried unanimously to approve spring brush pick up dates starting April 25th and ending May 31st, 2022.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the Newark Varsity Boys Baseball to hold a chicken BBQ in the municipal parking lot on March 27, 2022.

Motion Trustee Blodgett, seconded Trustee Burgess and carried unanimously to approve the Newark Rotary to hold a chicken BBQ in the municipal parking lot on April 10, 2022 and June 19, 2022.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve sewer relief at 629 S. Main Street due to frozen water pipes that burst.

Motion Trustee Blodgett, seconded Trustee Burgess and carried unanimously to approve sewer relief at 405 Church Street due to frozen water pipes that burst.

Motion Trustee Bendix, seconded Trustee Burgess and carried unanimously to approve sewer relief at 923 Peirson Avenue due to frozen water pipes that burst.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the United States Department of Agriculture (USDA) permission to access Village property to check for European Cherry Fruit Flies. The USDA will notify the Village when and where they will be accessing Village property.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to allow the Waste Water Treatment Plant to request prices for pretreatment administration.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve Scholarship Fundraiser walk held June 4, 2022 at T Spencer Knight Park. The walk will be along the Canal Path.

Motion Trustee Blodgett, seconded Trustee Burgess and carried unanimously to approve Cornerstone Fellowship the use of Central Park on

July 8th-10th 2022. Church Street will be closed. This is contingent on providing insurance certificates.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to appoint Bernard P. Donegan as Financial Consulting services and Municipal Advisor services in connection with the Waste Water Treatment Plant.

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

BOND RESOLUTION DATED MARCH 15, 2022 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF NEWARK, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE SEWER SYSTEM 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 sewer system capital improvements to include improvements to the Wastewater Treatment Plant authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, the Village, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder (“SEQRA”), has completed its environmental review and, on September 15, 2020, has duly adopted a negative declaration with respect to the type I action and has determined that the implementation of the action as proposed will not result in any significant adverse environmental impacts; 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 construction of sewer system improvements, to include, without limitation, the installation of a UV disinfection system and construction of an expanded compost barn on additional property to be acquired adjacent to the existing WWTP site, construction of a new 16,000 square foot building and covered breezeway to connect to the existing facility, and the acquisition 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 construction and Village use (hereinafter referred to as “purpose”), and general obligation serial bonds in an aggregate principal amount not to exceed \$2,022,000 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 estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$2,022,000, 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 obligations as herein authorized, to be offset and reduced dollar for dollar by the amount of grants received, if any, currently estimated to be 1,000,000.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivisions 4 and 21 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 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 power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, if applicable, 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. 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.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve participating with Wayne Finger Lakes BOCES in the Cooperative Natural Gas Bid for the period of October 1, 2022 through September 30, 2023.

Motion Trustee Blodgett, seconded Trustee Howard and carried unan-

imously to accept the receipt of the liquor license for Newark Pilots.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve Mark Peake to attend the Cannabis Business Incubator Symposium on Saturday March 26 from 9-12:30 at the FLCC main campus.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve sewer relief at 108 Dell Street due to frozen water hose that burst.

Motion Trustee Bendix, seconded Trustee Howard and carried unanimously to approve the Emmanuel Methodist Church Free Lunch Program to hold a chicken BBQ in the municipal parking lot on April 23, 2022.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve sewer relief at 118 Burnham Street due to frozen water hose that burst.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve Mike Gonzalez and Parker Slocum to attend the Finger Lakes Water Works Conference on April 5, 2022 for \$35.00 per person.

Motion Trustee Blodgett, seconded Trustee Burgess and carried unanimously to approve the Newark Police Department to do a Chicken BBQ and Cornhole Tournament fundraiser for their PBA on June 25, 2022 at the Fireman's Field.

Attorney Williams gave an update on the easements received for the West Miller Culvert.

Officer in Charge James Thomson gave the following update:

LEGAL

OFFICER IN
CHARGE JAMES
THOMSON

- There were 577 calls for service in the month of February. Included in those were 16 traffic stops, 11 motor vehicle crash investigations and 11 arrests.
- There was 1 call for a lost or stolen bike. It was located and returned. Mr. Schuler came to pick up 65 bikes and 6 scooters. He will be back to pick up the 56 left.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve Officer Jackson to attend the Digital Evidence Investigation training at the National Computer Forensics Institute in Hoover, Alabama August 8-12, 2022. Training, Lodging, travel and meals are paid for by the US Secret Service and will be no cost to the Village.

Discussion occurred about the Newark Police Department issuing Authorization cards for Law Enforcement Officer's Safety Act. The Village Board declined this as there are other agencies retired officers could get this from.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve a part time job posting for the Interpretive Center.

Discussion occurred about putting in a donation box at the Interpretive Center as requested. The Village Board agreed that this would be a good idea.

**SUPERINTEN-
DENT DPW BOB
HUTTEMAN**

Superintendent Bob Hutteman was excused. Mayor Taylor provided a summary of ongoing projects at the DPW.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the Library HVAC Change order #1: adding additional zone valves and thermostats for a total of \$2,565.21.

Motion Trustee Blodgett, seconded Trustee Howard and carried unanimously to approve the Library HVAC Change order #2: moving fin tube below the window for \$1,142.86.

Motion Trustee Bendix, seconded Trustee Burgess and carried unanimously to approve the Library HVAC Change order #3: electrician to investigate the existing wiring for the AHU's and thermostats for \$2,321.21.

TRUSTEES

An update was given that Superintendent Hutteman is getting quotes for additional lights installs on Lincoln Road.

**TIME FOR THE
PUBLIC**

No public comments.

**EXECUTIVE
SESSION**

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to go into Executive Session at 7:13 P.M. to discuss Potential Contract and a Water/Sewer issue.

Valerie Quade
Village Clerk-Treasurer