

Minutes of the July 15, 2019 meeting of the Board of Trustees of the Village of Newark held in the 2<sup>nd</sup> floor court room of the Municipal Building at 5:00 PM.

PRESENT

Mayor Jonathan Taylor (18); Trustees: Robert Bendix (16) (Late), Stuart Blodgett (14), Alan Schober (16), and Rebecca Vermeulen (13).

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

General Public: 6

WELCOME BY  
MAYOR

At 5:00 P.M., Mayor Taylor led the gathering in the Pledge of Allegiance to open the meeting.

APPROVAL OF  
MINUTES

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously 4-0 (Trustee Bendix Late) to approve the following minutes:

- Regular Board Meeting June 18, 2019.

The Board thanked the department heads for their monthly reports.

FIRE CHIEF  
KEVIN VELTE

Chief Velte noted the following:

- 276 calls for service YTD.
- Fire Dept. boat ready for tomorrow night's Taste of Wayne County event.
- Requested that the Village send out a notice by Facebook about the Village Burn Ordinance that is already in place.

AECC DIRECTOR  
MIKE  
MUSCOLINO

Mr. Muscolino was excused.

CODE  
ENFORCEMENT/  
ECONOMIC  
DEVELOPMENT

Motion Trustee Vermeulen, seconded Trustee Blodgett and carried unanimously 4-0 (Trustee Bendix Late) to approving the following additions of Paragraph K and L of the Village of Newark Land For Jobs application:

- K. The applicant(s) will be required to sign documents approving that the Village perform both a background check and credit check on all applicant(s), providing both a tax identification number (S.S or TIN), and a date of birth for individual applicants (NEW 2019).

- L. The business that is being proposed is currently legal in New York State at the time of the application (NEW 2019).

Trustee Bendix arrived at 5:08.

Mr. Peake spoke on the following:

- 600-650 Cyclists came through for this year's Cycle the Erie event.

Mr. Peake requested an Executive Session for a potential Real Estate matter.

Motion Trustee Vermeulen, seconded Trustee Bendix and carried unanimously to approve waiving the permit requirement for homeowners who want to participate in the Treasures Along the Erie Community Wide Garage Sales on August 3, 2019.

CONSENT  
AGENDA

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to approve the July vouchers and invoices Trustee Bendix reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$1,231,003.87 were authorized for all funds.

CLERK  
TREASURER

Motion Trustee Vermeulen, seconded Trustee Blodgett and carried unanimously to authorize the Village to participate in the upcoming Electricity Supply WFL 2020-12 Bid process.

MAYOR

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to accept the Investment Grade Audit report for the LED Street Light project dated May 29, 2019 completed by RealTerm Energy that puts the Net Project Cost at \$720,513.00.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the Subcontractor Agreement that RealTerm Energy is going to enter into with the Contractor who was awarded the Installation Bid for the LED Street Light project.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to table the approval of the easement request from the Town of Arcadia to install the two meter pits for the connections to the Village water system that the Board previously approve.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to approve the request of DPW Supervisor Townsend to attend the Kickoff meeting for the Wayne Co. Hazard Mitigation Plan on August 1<sup>st</sup>.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the No Cost Route 88 Water Main project Change Order # 2.

Motion Trustee Blodgett, seconded Trustee Vermeulen and carried unanimously to approve Change Order # 2 for the Route 88 Sewer Main project, with a net savings of \$0.58.

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

**WHEREAS**, the Village of Newark Village Board, (hereinafter referred to as Village Board) is completing an application through the New York State Consolidated Funding Application (CFA) under New York State Department of Environmental Conservation (DEC), for the preparation of a Non-Agricultural Nonpoint Source Engineering Planning Report; and

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Village Board does hereby classify the above referenced Action to be a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [27] of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED THAT**, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

**BE IT FINALLY RESOLVED THAT**, the Village Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to approve the following motion:

**WHEREAS**, Village of Newark, Wayne County, supports the submission of a 2019 Consolidated Funding Application (CFA) on behalf of the Village, for the Non-Agricultural Nonpoint Source Planning Grant Program under the Green Infrastructure Practice / Storm water Retrofits category, to conduct an overall study to address storm water management problems at Perkins Park; and

**WHEREAS**, the New York State Department of Environmental Conservation (DEC) provides a competitive statewide reimbursement grant program to assist in the initial planning of non-agricultural nonpoint source water quality improvement projects; and

**WHEREAS**, The Village of Newark intends to study green infrastructure best management improvements to address storm water management problems at Perkins Park where Military Run flows through the

park, discharging immediately north of the park into the Erie Canal;  
and

**WHEREAS**, if funding is received it will allow the Village of Newark to prepare a planning report that explores and evaluates cost effective solutions for best management practices to improve water quality issues of erosion, tributary velocities as well as capacity; and

**WHEREAS**, by addressing these water quality issues it will also enable the Village to seek further financing for construction through the Water Quality Improvement Program to advance the required water quality improvements;

**NOW THEREFORE BE IT RESOLVED**, the Village Board, on behalf of the Village, identifies Mayor Jonathan Taylor as the authorized representative for the project, able to execute necessary documents relative to and as required for the CFA; and

**BE IT FURTHER RESOLVED**, the Village Board does hereby accept that they shall provide at least 10% match of the total of any grant funding awarded as a local match in the form of in-kind services or cash contributions hereby appropriated and obligated from the Village's General Fund; and

**BE IT FURTHER RESOLVED**, that the Village of Newark recognizes and fully supports the submission of the CFA for a Non-Agricultural Nonpoint Source Planning Grant for Green Infrastructure Practices / Storm water Retrofits on behalf of the Village.

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

**WHEREAS**, the Village of Newark Village Board (hereinafter referred to as Village Board) has reviewed the SEQR Short Environmental Assessment Form (EAF) Part 1, prepared by the MRB Group (hereinafter referred to as Village Engineer) on the above referenced Erie Canal Trail Improvements Project (hereinafter referred to as Action); and

**WHEREAS**, the Village Board determines that said Action is classified as an Unlisted Action under the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Village Board determines that said Action is also subject to a coordinated review and approval by other involved agencies under SEQR Regulations; and

**WHEREAS**, the Village Board determines that it is the most appropriate agency to insure the coordination of this Action and will provide written notifications to interested and involved agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations.

**NOW, THEREFORE BE IT RESOLVED** that the Village Board does hereby declare its intent to be designated as the lead agency for the Action.

**BE IT FURTHER RESOLVED**, that the Village Engineer is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before noon on **Monday, August 19, 2019**.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to authorize the Mayor to sign the Short Environmental Assessment Form, Part 1 – Project Information form for the Erie Canal Grant project.

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to authorize the Mayor to sign the Joint Application Form for the Permit to work along the canal for the Erie Canal Grant project.

Mayor Taylor requested an Executive Session for a specific individual for the DPW.

Mayor Taylor read a Thank You letter from Joseph Hill from Canandaigua for the excellent work completed by the Village employees to locate and fix a leak for the Canandaigua Lake Intake Line near his property on Otetiana Cove along Canandaigua Lake.

Mayor Taylor had nothing else for Open Session.

**LEGAL**

Motion Trustee Blodgett, seconded Trustee Vermeulen and carried unanimously to approve the Discharge of Mortgage for Kenneth and Roxanne Rowe for the fully paid \$15,000.00 for the old Urban Renewal Mortgage that was never discharged, at the owners' expense.

Attorney Art Williams had nothing else for the Board tonight.

**POLICE CHIEF**

Chief Thoms noted the reports he had provided the Board and asked if there were any questions or comments in relation to them.

He noted that Bob Howard was going on vacation from August 1<sup>st</sup>-13<sup>th</sup>, and that Tracy Brown, his short term substitute replacement, would be covering for him.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to approve the training request for Jim Thomson and Randy Rice, as the Village Police Firearms Instructors, to attend the upcoming Use of Force Refresher Training at the Monroe County Public Safety Training Center on July 31<sup>st</sup> and August 1<sup>st</sup>.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to approve the repair of the old K-9 vehicle, the Chevy Tahoe, to be repaired to be used as an Animal Control Officer vehicle. The Village will purchase the necessary parts for \$1,174.02 from Kenworth Group, and the Town of Arcadia will complete the necessary repairs.

Village Attorney Art Williams was instructed to draft a new Shared Services agreement with the Town of Arcadia on maintaining and replacing vehicles and equipment utilized by the Animal Control Officer who works for both the Town and the Village.

Motion Trustee Bendix, seconded Trustee Schober and carried unanimously to reverse the motion to table the Town of Arcadia's request for the Easement to install the two meter pits.

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to approve the request of the Town of Arcadia to obtain a Permanent Easement for the Installation, Operations, and Maintenance of Utility Lines and Equipment related to the installation of the two meter pits to connect the Village water system with the WCWSA system.

TRUSTEES	None of the Trustees had anything for Open Session.
TIME FOR THE PUBLIC	No one from the public wished to speak or address the Board.
EXECUTIVE SESSION	Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to go into Executive Session at 5:52 P.M. to discuss a specific position within the DPW and a potential purchase or sale of real estate.
ADJOURNMENT	The meeting was adjourned at 6:44 P.M.

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Stephen Murawski,  
Village Clerk-Treasurer