

Village of Newport regular meeting – November 20, 2017

The regular meeting of the Village of Newport was called to order on November 20, 2017 @ 7:00 PM by Mayor Hennings with the following members present"

Mayor –Ashley Hennings
Trustee – Steven Woods
Trustee – Thomas Roberts

Tricia Foster (clerk), Michele Weakley (treasure), Herm Harris (street superintendent), Barb Curran (historian), Mike Woods (water superintendent), George Farley (codes & Zoning), Adam Helmer, Dave Jones (Newport Fire Dept.), Craig Felhaber, Daniel Burgess (Village Lawyer)

Absent: Cathy Asaro (deputy clerk)

Pledge of Allegiance

Approval of Minutes:

Motion made by Trustee Roberts to accept the minutes as written for the Village Lawyers and Fire Commissioner Interviews held on September 27, 2017, Seconded by Trustee Woods.

All in favor: Mayor Hennings, Trustee Woods, Trustee Roberts

Opposed: None

Motion carried

Motion made by Trustee Woods to accept the minutes as written for the appointment of a village lawyer and the fire commissioner held on October 2, 2017, seconded by Trustee Roberts.

All in favor: Mayor Hennings, Trustee Woods, Trustee Roberts

Opposed: none

Motion carried

Motion made by Trustee Woods to accept the minutes as written for the regular meeting held on October 16, 2017, Seconded by Trustee Roberts.

All in favor: Trustee Woods, Trustee Roberts

Opposed: None

Abstained: Mayor Hennings

Motion carried

Department heads report:

History Center:

Barb Curran gave her report and it will be placed on file.

Water Superintendent:

Mike Woods gave his report and it will be placed on file. Mike asked if we could put something on the website and newsletter about freezing pipes in the winter months.

Street Superintendent:

Herm Harris gave his report and it will be placed on file.

ZBA:

We have 2 open seats any interested parties should contact the village office

Planning Board:

We have 1 possibly 2 open seats on the board, any interested parties should contact the village office.

Codes & Zoning:

George Farley gave his report and it will be placed on file.

Fire Dept.:

No new business

Fire District:

They passed their budget. Regular meetings are will be held on the 3rd Tuesday on each month @ 7:00PM at the firehouse. Election will be held on December 12th from 6:00PM to 9:00 PM at the firehouse. Mayor Hennings asked if the Village could be copied in on the minutes of the meeting.

Recreation:

Mayor Hennings stated that the Halloween party was a huge success with a couple of hundred people coming. They are currently planning the holiday party.

Treasurer:

Michele Weakley gave her report and it will be placed on file.

Abs 6 vouchers 27-33 \$4952.33 checks 3419-3424

Abs 6 vouchers 101-124 \$36103.51 checks 10776-10799

Village Bobcat:

We would trade in the 2007 bobcat for a new S500S at Warner Sales and Service. State Contact is for \$24,105.53 which includes a trade in value of \$9,400.00.

Motion made by Trustee Roberts to purchase a new 2017 Bobcat from Warner Sale and Service in the state contact amount of \$24,105.53, seconded by Trustee Woods.

All in favor: Mayor Hennings, Trustee Woods, Trustee Roberts

Opposed: None

Motion carried

Fire District:

Resolution #41

Motion made by Mayor Hennings to accept the resolution to abolish the Village of Newport Fire Department, seconded by Trustee Roberts.

All in favor: Mayor Hennings, Trustee Woods, Trustee Roberts

Opposed: none

Motion carried

Resolution # 42

Motion made by Mayor Hennings to accept the resolution to dissolve all fire protection districts of the Village of Newport, seconded by Trustee Roberts.

All in favor: Mayor Hennings, Trustee Woods, Trustee Roberts

Opposed: none

Motion carried

Resolution # 43

Motion made by Mayor Hennings to accept the resolution to transfer repair reserve funds to the Newport joint fire district, seconded by Trustee Roberts.

All in favor: Mayor Hennings, Trustee Woods, Trustee Roberts

Opposed: none

Motion carried

Playground bid:

We have the specs and blueprints at the village office and any interested parties and came and look at them during office hours. A Meeting of the contractors and engineer will be held on November 27, 2017 @ 10:00AM at the playground. On December 18th we will one any bids during the monthly regular meeting. They have asked for the pool table to be removed by us, Mayor Hennings said that they are looking to get rid of it.

Lower Main St.:

Mayor Hennings stated that the project is complete. The Asst. Regular engineer said that everything looked good.

Adam Helmer who owns the old Soron Building at 3080 Bridge St. he is replacing the sidewalks in front of the building. He is asking if the Village would pay for the materials for the front sidewalks. The estimated cost is \$1,079.00; the concrete receipt is for \$900.00 hand written one for the other materials. Mayor Hennings said that they would look into it and would have an answer by the December meeting.

Motion made by Mayor Hennings seconded by Trustee Roberts to go into Executive session @ 7:40PM to discuss a possible legal matter of an employee.

All in favor: Mayor Hennings, Trustee Woods, Trustee Roberts

Opposed: none

Motion carried

Motion made by Mayor Hennings, Seconded by Trustee Roberts to come out of executive session @ 7:58PM.

All in favor: Mayor Hennings, Trustee Woods, Trustee Roberts

Opposed: None

Motion carried

Mayor Hennings stated that there is no action to be taken at this time.

Public Comments to start @ 7:58PM not to exceed 30 minutes

Craig Felhaber asked if the concrete being using for 3080 Bridge St. meets state Specs and is using the specs used for the other sidewalks. Also stated that he would request manufacture sealer that he is using, he states that he wants to support locals. George Farley said that he met with him a month ago about the wall closest to the insurance company; George said that it is considered repair and maintenance. Discussion ensued

Trustee Woods asked about the property on Main St why that is not considered repair and maintenance? George stated that he is doing electrical maintenance and has no permit. He has been cited 2 times with no response and mail coming back, Craig Felhaber stated that issue a stop work order and tag the building.

Craig Felhaber stated that there is a horse in back of the property at 7323 West St and doesn't have the proper acreage.

Craig Felhaber asked about the lighting at the playground, Trustee Woods stated that they are waiting for the lighting to come in.

Motion made by Mayor Hennings, seconded by Trustee Roberts to close the meeting @ 8:26PM.

All in favor: Mayor Hennings, Trustee Woods, Trustee Roberts

Opposed: none

Motion carried

The vouchers were reviewed and signed and bank statements and balance sheets were reviewed.

Respectfully submitted,
Tricia L Foster

Village Clerk

RESOLUTION NO. 41

A RESOLUTION TO ABOLISH THE VILLAGE OF NEWPORT FIRE DEPARTMENT

WHEREAS, the Village of Newport, pursuant to applicable provisions of Article 11A (Sections 189-a to 189-i) of the Town Law, has duly and legally become part of the newly formed Newport joint fire district; and,

WHEREAS, the action to become part of the joint fire district necessarily requires the abolition of the Village of Newport Fire Department in order to facilitate the forthcoming functions and operations of such district; and,

WHEREAS, Village Law 10-1020, subject to the permissive referendum and other requirements and directives therein, authorizes the abolition of a Village Fire Department by Resolution of the Board of Trustees,

NOW, THEREFORE, this 20th day of November, 2017 be it

RESOLVED, that subject to any superseding proceeding, the Village of Newport Fire Department shall be deemed abolished effective 11:59:59 PM, December 31, 2017; and,

RESOLVED, that this Resolution, pursuant to the requirements of Village Law 9-902(1), shall take effect thirty (30) days after this date subject to the permissive referendum provisions of Article 9 of the Village Law; and,

RESOLVED, that pursuant to Village Law 9-900(2), and within ten (10) days after the adoption of this Resolution, the Village Clerk shall post and publish a notice of the within action in the same manner as is provided for notice of a general village election and shall also complete all other requirements of that section of law; and,

RESOLVED, that pursuant to Village Law 10-1020, upon the effective abolition of the Village of Newport Fire Department, and within ten (10) days after service of notice on the officers thereof, such Fire Department officers shall remit all money and property of the department to this Board of Trustees.

RESOLUTION NO. 42

A RESOLUTION TO DISSOLVE ALL FIRE PROTECTION DISTRICTS OF THE VILLAGE OF NEWPORT

WHEREAS, the Village of Newport, pursuant to applicable provisions of Article 11A (Sections 189-a to 189-i) of the Town Law, has duly and legally become part of the newly formed Newport joint fire district; and,

WHEREAS, upon the January 1, 2018 commencement of municipal operations of the joint fire district there will be no legal or practical reason, justification or requirement to continue the fire protection districts now maintained by the Village of Newport and the Village of Newport Fire Department with the Towns of Newport and Norway,

NOW, THEREFORE, this 20th day of November, 2017 be it

RESOLVED, that effective December 31, 2017, 11:59:59 PM, and in conjunction with whatever formal action is required by the Town Boards of Newport and Norway pursuant to Articles 11 and 11A of the Town Law, and Village of Newport Fire Department, the existing fire protection districts of the Village of Newport shall be deemed dissolved.

RESOLUTION NO. 43

A RESOLUTION TO TRANSFER REPAIR RESERVE FUNDS TO THE NEWPORT JOINT FIRE DISTRICT

WHEREAS, the Village of Newport, pursuant to applicable provisions of Article 11A (Sections 189-a to 189-i) of the Town Law, has duly and legally become part of the newly formed Newport joint fire district; and,

WHEREAS, the Village maintains two (2) repair/maintenance reserve funds for the benefit of its fire department building and equipment, i.e., Building having a present balance of \$20,108.68, and, Vehicle/Equipment having a present balance of \$119,731.79; and,

WHEREAS, the action to become part of the joint fire district necessarily suggests the proposed transfer of these funds to such district in order to facilitate its forthcoming functions and operations; and,

WHEREAS, General Municipal Law 6-D directs the appropriation of moneys from such types of funds,

NOW, THEREFORE, this 20th day of November, 2017 be it

RESOLVED, that, subject to the public hearing requirements of General Municipal Law 6-D and on, or before December 31, 2017, the then balances of the Building and Vehicle/Equipment reserve accounts are proposed to be transferred to the Newport joint fire district to be used, with the requirements of General Municipal Law 6-D(3)(a), only in accordance for the purposes about which they were established; and,

RESOLVED, pursuant to General Municipal Law 6-D(2), a public hearing for the proposal herein shall be held on December 18, 2017, 7:00 PM, at the Village meeting room, 7370 State Highway 29 (Main Street), Newport, New York; and,

RESOLVED, the Village Clerk shall publicize this public hearing in accordance with the requirements of General Municipal Law 6-D(2) and other applicable provisions of law; and,

RESOLVED, the proposed transfer of the funds specified herein shall not be effective until after the held public hearing, a formal vote of this Board of Trustees, and formal acceptance of this action by the joint fire district Board of Fire Commissioners.