

**Newstead Town Board Meeting- August 23, 2021**

The Board entered executive session at 7:20pm to discuss personnel and policies on a motion from Councilman Dugan, seconded by Councilman Jendrowski. Carried Unanimously

The Board exited executive session on a motion by Councilman Burke, seconded by Councilwoman Pope at 7:41pm, having taken no action. Carried Unanimously

A regular meeting was called to order by the Newstead Town Board on Monday, August 23, 2021 at 7:45pm at the Newstead Town Hall.

Present: David Cummings- Supervisor  
Edmund Burke- Councilman  
John Jendrowski- Councilman  
Joseph Dugan- Councilman  
Patricia Pope- Councilwoman  
Brendan Neill- Town Attorney  
Emily Janicz- Assistant Town Attorney  
Scott Rybarczyk- Town Engineer  
Dawn Izydorzak- Town Clerk

Roll Call was taken with all board members present.

Supervisor Cummings led the pledge to the flag.

Minutes from the regular meeting held on August 9, 2021 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilman Jendrowski to approve as presented. Carried Unanimously

**Agenda Changes** – none

**Communications** – The Town Clerk presented the following correspondence:

A letter from Charter Communications notifying the town of upcoming changes in their programming services on or about September 1st.

A memo was received from Erie County Dept. of Environment and Planning regarding the annual enrollment period for the Agricultural District in Erie County. The open enrollment period runs from September 1<sup>st</sup> – 30<sup>th</sup>.

A copy of a letter from Wendel to DJM Contracting Inc was received giving Notice to Proceed in commencing work on the Indian Falls, Knapp and Kirby Rd waterline project as of August 9, 2021.

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan to accept and file the presented correspondence. Carried Unanimously

**Work Session:** The Supervisor reported that at the work session held last week the following items were discussed: budget meetings with department heads, water and sewer project updates, planning items and code change updates, building issue updates, grant updates, gas well, stimulus funding, terms & conditions updates, sidewalk and projects for stimulus funds, plus any other items brought before the Board.

**Agenda Items Question Period:** no one spoke

**Budget transfers:** a motion was made by Councilman Dugan, seconded by Councilwoman Pope to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 8/23/21. Carried Unanimously

**Approval of Bills** – Councilman Burke reported that the Abstract(s) from Batch(es) #2156 prepay, 2160 bond payoff & 2161 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2163 were presented for payment. Vouchers on this abstract(s) numbered 836 - 871, totaling \$41,412.38. Councilwoman Pope seconded to approve payment as follows:

Abstract Batch(es) #2163:

General Fund (A)-\$29,319.85, General Fund- Outside Village (B)-\$0, Highway (DA) -\$0, Highway: Outside Village (DB)-\$11,944.76, CAP-Multicultural Ctr (HMCC)- \$0, CAP-Water-Scotland (HS)-\$0, CAP-Water-Koepsel (HW)-\$0, CAP-Water-Draper (HW01)-\$0, CAP-Water-Cedar (HW02)-\$0, CAP-Water-Knapp (HW03)- \$0, CAP-Bike Path (HTG)-\$0, Drainage (SD)-\$0, Fire Protection (SF)-\$0, Refuse (SR)-\$0, Sewer #1 Fund (SS)-\$30.22, Sewer District #2 (SS02)-\$75.51, Sewer District #3 (SS03)-\$0, Trust & Agency(TA)-\$0 and Consolidated Water (SW00)-\$42.04, WD1(SW1)- \$0, WD2(SW2)- \$0, WD3(SW3)- \$0, WD4(SW4)- \$0, WD5(SW5)- \$0, WD6(SW6)- \$0, WD7(SW7)-\$0, WD7A(SW7A)- \$0, WD8(SW8)- \$0, WD9(SW9)- \$0, WD10(SW10)- \$0; Total:\$41,412.38  
Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – a report was presented from the Highway Supt and read by the Supervisor that the crew has completed putting shoulders on Havens, Billo and County Line roads, mowed parks, the bike path and boom mowed, screened millings for shoulders, replaced cross culverts on Downey and Crego roads and removed all the bushes at the Denio building for future new landscaping.

**Assessor** – a report was presented from the Assessor and read by the Supervisor as follows: she is preparing to send out exemption renewal notices in September. The maps have been updated with the latest changes from the County.

**Building Office** – the following building report was presented by Christine Falkowski of the Planning & Building Department:

Dean Schultz	6425 Utlely	Detached garage
Virginia Maloney Irr Trust	5235 S Newstead	Lean-to off pole barn
Kevin Paquin	12438 Swift Mills	Barn Addition
Lakeshore Management	174 Quarry Hill	Manufactured Home
Sandra Bassanello	12255 Buckwheat	AG Pool
Shawn Carter	4891 N Millgrove	AG Pool

The Town Board accepted the building report as presented.

**Town Clerk-** Dawn will be out for a couple days for surgery. Jen will be in charge.

**Town Attorney(s)** – nothing at this time

**COUNCILPERSONS:**

**Jendrowski-** he spoke with Steve Rott regarding the quote for over \$800 for the liner, roof and gutter work at the library and gave Steve the approval to do the work. He also spoke with Kristine regarding the sprinkler inspection and the HVAC work. They have given the go ahead for the sprinkler inspections. She is still getting quotes for replacing the carpet and working on funding for the HVAC work. He also informed the Board that they are hoping to complete some more of the headstone repair work at Maple Lawn Cemetery again this fall. They are looking at the end of October into the beginning of November to do more work.

**Dugan** – he spoke with Newstead Fire Co. President Louis Henley and is working to set up a future meeting with the fire company representatives to touch base with them and get an update on how things are going.

**Burke** – in auditing the vouchers this week he noticed the Recreation Dept. donation to Hospice & Palliative Care in the amount of \$1,233 that the kids raised during their annual “fun run” event. He gave kudos to all the kids that participated and residents that donated to this worthy event.

**Pope**- nothing at this time

**Supervisor**- the July Supervisor’s Report is on file with the Town Clerk. He spoke with the REACH group and Judy Moore regarding a community garden request, reached out to Modern regarding refuse pickup delays that are happening more frequently lately, and attended the ribbon cutting at the Back Lot Concert venue on Main Rd. He is working on the Carney Rd & Cedar St intersection complaints and issues with the State Police and the Sheriffs Dept. to present an appeal to the Erie County Legislature and DPW to get a 4-way stop approved. He also spoke with both of our US Senators regarding the rules for using COVID funding and how it is allowed to be spent. The town has 5-6 projects we are looking at possibly.

**UNFINISHED BUSINESS:**

**Buildings**- no response has been received back from the Friends of the Limerick regarding the purchase agreement provided. The library issues are being addressed one by one. The shrubbery was all pulled at the Denio in preparation of new plantings for spring. Thanks to the highway dept. for their help on pulling them all out.

**Planning**- code updates are in process. NextEra gave an update that several new structures are going up along the project and weather has delayed some of the construction.

**Water/Sewer**- work started on August 19<sup>th</sup> on the waterline project. The contractor will be working Mon.-Fri. from 7am-7pm and a full 8 hours on Saturdays as well. They have put in 100’ of waterline so far. Due to drilling through so much rock there will be vibrations and noise. Any complaints or questions can be forwarded to Scott to address. On the Culvert Study, Scott will reach out to Mike to find out the status of data collection.

**Grants**- nothing new to report.

**NEW BUSINESS:**

**Public Hearing-Local Law #8 of 2021- Solar Law Amendments:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the calling of a public hearing on the proposed Local Law #8 of 2021 amending the Solar Law, with a hearing to be held on September 27, 2021 at 7:20pm at the Town Hall and authorizing the Town Clerk to publish notice in the Akron Bugle, the official town paper.

(Resolution) Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope- Aye  
Carried Unanimously

**Public Hearing-Local Law #9 of 2021- Zoning Law Amendments-Pole Barns:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the calling of a public hearing on the proposed Local Law #9 of 2021 amending the Zoning Law relative to pole barns, with a hearing to be held on September 27, 2021 at 7:25pm at the Town Hall and authorizing the Town Clerk to publish notice in the Akron Bugle, the official town paper.

(Resolution) Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope- Aye  
Carried Unanimously

**Public Hearing-Local Law #10 of 2021- Shipping Container Law Zoning Amendments:**

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the calling of a public hearing on the proposed Local Law #10 of 2021 amending the Zoning Law relative to shipping containers, with a hearing to be held on September 27, 2021 at 7:15pm at the Town Hall and authorizing the Town Clerk to publish notice in the Akron Bugle, the official town paper.

(Resolution) Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope- Aye  
Carried Unanimously

**Approval- Cancel August 30<sup>th</sup> work session:**

A motion was made by Councilman Dugan, seconded by Councilwoman Pope approving the cancelation of the scheduled work session to be held on August 30, 2021.

Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope- Aye Carried Unanimously

**Privilege of the Floor/Question Period:** no one present to speak

There being no further business to come before the board for the regular meeting, a motion was made by Councilman Burke, seconded by Councilwoman Pope to adjourn the regular meeting at 8:05pm. Carried Unanimously

Respectfully Submitted,  
Dawn D. Izydorczak, RMC, Town Clerk