

**Newstead Town Board Meeting- August 24, 2020**

A regular meeting was called to order by the Newstead Town Board on Monday, August 24, 2020 at 7:30pm at the Newstead Town Hall.

Present: David Cummings- Supervisor  
Edmund Burke- Councilman  
Joseph Dugan- Councilman  
Brendan Neill- Town Attorney  
Emily Janicz- Assistant Town Attorney  
Michael Bassanello- Highway Supt.  
Scott Rybarczyk- Town Engineer  
Dawn Izydorczak- Town Clerk

Roll Call was taken with all board members present except Councilman Jendrowski.

Councilman Dugan led the pledge to the flag.

Minutes from the regular meeting held on August 10, 2020 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilman Burke to approve as presented.  
Carried

**Agenda Changes** – a motion was made by Councilman Dugan, seconded by Councilman Burke to make the following agenda changes: add a motion to allow the hiring of a part time clerk and remove item C. a motion on Ag exemption changes  
Carried

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

Notices were received from Charter Communications announcing programming changes coming in September.

A request for a beer/wine permit was received from Morgan Edwards for a birthday party on September 27, 2020 at Veteran’s Park.

A letter from property owner Tyler Criswell requesting access to town water thru Water District #10 to his property at 11575 Tonawanda Creek Rd, as a well is not feasible on the property due to possible contaminated ground water in that area.

A notice was received from the Erie County Department of Environment & Planning announcing the 30-day inclusion period for agricultural districts beginning on September 1<sup>st</sup> and ending on September 30<sup>th</sup>. Forms are available thru the County or the Town Clerk.

A notice of public hearing was received from the Town of Lancaster regarding their Zoning Revisions by Local Law, with the hearing to be held on August 24, 2020 at 7:15pm.

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

**Work Session:** The Supervisor reported work session was held last week where the following items were discussed: water project updates, planning item updates, building issue updates, grant updates, LOSAP, Property purchase, Limerick Hall agreement, gas well, Court issues, National Grid pole, Newstead pottery discussion, 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 Councilman Burke to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 8/24/20.  
Carried

**Approval of Bills** – Councilman Dugan reported that the Abstract(s) from Batch(es) #2059 have been reviewed with the previously un-audited vouchers and everything was found in order. He

presented Abstract Batch(es) #2062 for payment. Vouchers on this abstract(s) numbered 856-898, totaling \$40,245.35. Councilman Burke seconded to approve payment as follows:

Abstract Batch(es) #2062:

General Fund (A)-\$9,378.17, General Fund- Outside Village (B)-\$114.79, Highway (DA) -\$0, Highway: Outside Village (DB)-\$22,010.20, CAP- Scotland Rd (HS)-\$0, CAP- Koepsel Rd (HW)-\$0, CAP Water-Downey Rd (HW01)-\$0, CAP- Water Cedar (HW02)-\$0, CAP-Water Knapp (HW03)-\$0, CAP- Bike Path (HTG)-\$5,674.00, Drainage (SD)-\$2,498.56, Fire Protection (SF)-\$0, Refuse (SR)-\$429.45, Sewer #1 Fund (SS)-\$28.78, Sewer District #2 (SS02)-\$68.87, Sewer District #3 (SS03)-\$0, Trust & Agency(TA)-\$0 and Consolidated Water (SW00)-\$42.53, 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:\$40,245.35  
Carried

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – a report was presented from the Highway Supt as follows: the crews completed ditching on Draper Rd, replaced driveway pipe on Utley Rd, mowed the parks, cemeteries and other town properties, serviced the grader and helped Erie County on a Burdick Rd project, and field ditched/mowed throughout the Town. Mike reported that the new salt prices came in for the upcoming season, which are as follows: the State-\$58.27/ton, Erie County- \$44.13/ton

**Assessor** – a report was presented from Tina as follows: The office has quieted down and the school backup has been sent to the County. She will be working on new construction inspection and valuation as permits are closed out by the Building Department. Exemption renewals will be sent next month and then the office should start to get busy again. We are still holding 2 small claims hearings.

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

Donald Oldfield	6600 Dye	2 <sup>nd</sup> story addition
David Peck	5566 Barnum	3 season room
Paul Vohwinkel	4446 S Newstead	Shed
5720 Cummings Rd Inc	287 Lakeside	Porch alteration
Jarred Redford	11815 Sheila	Finish basement
Rebecca Vara	12475 Stage	IG Pool
5720 Cummings Rd Inc	9 Sprucewood	Deck
Matthew Brewer	6217 Utley Rd	Sump pump
Robert Meyers	5872 Crittenden	Shed
Joseph Commisso	12213 McNeeley	IG Pool
Clifford Albrecht	11672 Main	Roof
Duella Odell	13331 Bloomingdale	Roof

The Town Board accepted the building report as presented.

**Town Clerk-** nothing at this time

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

**COUNCILPERSONS:**

**Jendrowski-** not present

**Dugan** – he and Councilman Jendrowski have been having ongoing contractual talks with Newstead Fire Co President & Chief.

**Burke** – he met with the Conservation Advisory Council Chairman to review updates to the drainage and culvert map for the Town. They are also looking for input from the Highway Superintendent and Clerk on the map.

**Supervisor-** the July Supervisor's Report is on file with the Town Clerk. He met with the new part time parks assistant, Dale, who has also been on ride-a-longs with Jim Akin. He sent out several letters to residents addressing various issues, he wrote a response letter to Visone on the bike path issues, and he spoke with John Whelan regarding his request for a RESTORE grant thru New York State. He informed Mr. Whelan that this program is a loan program and the monies received must be paid back to New York State. Also, the program for this year has not yet been released and may not be at all.

**UNFINISHED BUSINESS:**

**Buildings-** the town should have a signed agreement by tomorrow on the Limerick Hall lease, the work at the Denio will start tomorrow

**Planning-**AirBnB's to be addressed, Solar PILOT still in limbo, Scott also provided new information on new solar programs that may leave the local municipalities with less control. The Town is looking at this to address asap. Drainage issues being looked at and addressed in the Main/Buell to Cummings Rd area.

**Water-** nothing new, Scott reported that 90% of CFA's are dead for this year.

**Grants-** nothing new

**NEW BUSINESS:**

**Approval- Establish Capital Reserve Fund- Multi-Cultural/Senior Center:**

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the establishment of a Capital Reserve Fund for a Multi-Cultural/Senior Center in the Town of Newstead, subject to Permissive Referendum and authorizing the Town Clerk to post and publish the resolution in the Akron Bugle.

(Resolution) Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Absent Carried

**Approval- Beer/Wine Permit:**

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the request for a beer/wine permit from Morgan Edwards for a birthday party on September 27, 2020 at Veteran's Park. The party size falls under the allowed requirements under COVID-19.

Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Absent Carried

**Approval- Hire a part time temporary Clerk:**

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the hiring of a part time temporary Clerk to assist in the Town Clerk's office during school tax collection beginning on September 1<sup>st</sup> – October 16<sup>th</sup> at a rate of \$14.00 per hour.

Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Absent Carried

**Privilege of the Floor/Question Period:** no one spoke

The Highway Superintendent reminded the Board that McNeeley Rd will be shut down for repaving Tuesday & Wednesday this week.

There being no further business to come before the board for the regular meeting, a motion was made by Councilman Burke, seconded by Councilman Dugan to adjourn the regular meeting at 7:45pm. Carried

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