

Newstead Town Board Meeting- December 27, 2018

A regular meeting was called to order by the Newstead Town Board on Thursday, December 27, 2018 at 7:30pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
John Jendrowski- Councilman
Joseph Dugan- Councilman
Edmund Burke- Councilman
Dawn Izydorczak- Town Clerk

Roll Call was taken with all board members present except Councilwoman Morlacci.

Supervisor Cummings led the pledge to the flag.

Minutes from the regular meeting held on December 10, 2018 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: convert item k. to a resolution and add a resolution on Sewer District 3
Carried

Communications – The Town Clerk presented the following correspondence:

A notice of public hearing was received from Erie County Board of Health with hearings to be held on January 15, 2019 at 3:30pm at the County offices in room 904 regarding revisions to the Housing Hygiene and Property Maintenance laws for the County.

The Semi-annual Town Historians report was received from Town Historian Don Holmes.

A letter was received from the Village of Akron notifying the town of an opportunity to procure sewer capacity for projects outside the village and apply for grant funding for those projects.

A notice from the Division of Criminal Justice Services on changes to Peace Officer training requirements.

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

Work Session: The Supervisor reported that at work session held last week the following items were discussed: water & sewer projects updates, planning items- 2019 fee schedule, NextEra & Clarence Center Rd development proposal, building issues-Senior Center sprinklers, grant updates, highway agreements and purchase proposals, organizational meeting for 2019, 2019 appointments, cemetery issues and any other items brought before the Board. An executive session was held at 8:55pm until 9:35pm regarding fire company contracts and court personnel issues with no action taken.

Agenda Items Question Period: no one present to speak

Budget transfers: a motion was made by Councilman Burke, seconded by Councilman Dugan to approve the budget transfer as presented in a memo from Bookkeeper Colleen Salmon dated 12/27/18.
Carried

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1884, 1886 & 1887 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1889 plus USDA payment for payment. Vouchers on this abstract(s) numbered from 1376-1428, totaling \$74,994.40. Councilman Dugan seconded to approve payment as follows:

Abstract Batch(es) #1889 plus USDA payment:
General Fund (A) -\$25,299.16, General Fund- Outside Village (B) \$167.33, Highway (DA) -\$0,
Highway: Outside Village (DB) \$29,905.08, CAP- Trail Grant (HTG)- \$180.00, CAP-Generator

(HTI)-\$12,594.16, CAP-Water-Scotland (HS)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$0, CAP- Water- Cedar (HW02)- \$0, CAP- Water-Knapp- (HW03) \$0, Drainage (SD)- \$0, Fire Protection (SF) \$5,000.00, Refuse (SR) \$257.04, Sewer #1 Fund (SS) \$28.91, Sewer District #2 (SS02)- \$88.77, Sewer District #3 (SS03)- \$0, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$73.14, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$1,350.81, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0;
 Total:\$74,944.40 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Mike presented a report read by the Supervisor stating they took #8 to Frey the Wheelman to replace 2 springs, replaced street & road signs, filled holes in the Evergreen Cemetery driveway, cleaned the cold storage building, took guard rails down on the bike path, cut trees on Kirby & Crego roads, replaced the transmission cover on #7, and announced Mike Bassanello has been elected as President of the Town Highway Superintendents Association of Erie County.

Assessor – Tina presented a report read by the Supervisor stating STAR exemption renewals continue to come in and she and Julie are continuing to review old exemption files. After the holidays she will be sending notifications to property owners whose data needs to be updated for missing items.

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

David & Laura Borchert	6795 Cedar	Interior Drainage
Gerard Gruber	4811 N Millgrove	Roof, Windows, Siding
Niagara Label	12715 Lewis	Addition
Alvin Odell	13358 Bloomingdale	Roof & siding
Brandi Stoldt	4909 S Newstead	2 decks

The Town Board accepted the building report as presented.

Town Clerk- nothing at this time

Town Attorney – not present

COUNCILPERSONS:

Jendrowski- nothing at this time

Dugan – he had a few conversations with Mike Mutter of Newstead Fire Co on fire issues.

Burke – nothing at this time

Morlacci- not present

Supervisor- the November Supervisor’s Report is on file with the Town Clerk.

UNFINISHED BUSINESS:

Buildings- nothing new

Planning- nothing new

Water/Sewer- nothing new

Grants- nothing new

NEW BUSINESS:

Resolution - Legal Contract Renewal:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the proposed contract renewal with Brendan Neill, Esq. for legal services as Town Attorney in 2019 and Jennifer Strong as Assistant Town Attorney in 2019, subject to the terms set forth in the resolution and authorizing the Supervisor to execute the agreements.

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

Resolution - Agreement to Expend Highway Funds for 2019:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the proposed agreement to expend highway funds for 2019 in the sum of \$175,000.00 for repair and/or replacement of culverts, sign replacement, maintenance of (including chipping and sealing of) various roads throughout the Town including but not limited to chipping Martin Road (1 mile) from Scotland Road to the Genesee County line, subject to the terms set forth in the contract and authorizing the Highway Superintendent to execute the agreements.

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

Resolution - Engineering Contract Renewal:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the proposed contract renewal with Wendel WD Architecture, Engineering, Survey & Landscape Architecture, PC for engineering services for 2019, subject to the terms set forth in the resolution and authorizing the Supervisor to execute the agreements.

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

Resolution - Bond Counsel Contact Renewal:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the proposed contract renewal with Hawkins Delafield & Wood LLP for bond counsel services for 2019, subject to the terms set forth in the resolution and authorizing the Supervisor to execute the agreements.

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

Resolution - Town of Clarence Contact Renewal:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the proposed contract renewal with the Town of Clarence for the Going Places Senior Van service for 2019, subject to the terms set forth in the resolution and authorizing the Supervisor to execute the agreements.

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

Resolution – Grant Writing Contact Renewal:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the proposed contract renewal with Rotella Grant Management for grant writing services for 2019, subject to the terms set forth in the resolution and authorizing the Supervisor to execute the agreements.

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

Resolution – Accounting/Audit Contact Renewal:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the proposed contract renewals with Drescher & Malecki LLP for accounting services for 2019 and auditing services for 2018 and 2019, subject to the terms set forth in the resolution and authorizing the Supervisor to execute the agreements.

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

Approval- 2019 Fee Schedule:

A motion was made by Supervisor Cummings, seconded by Councilman Burke approving the proposed 2019 Fee Schedule as presented to the Board.

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

Approval- Temporary Special Use Permits for 2019:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the following temporary Special Use Permits for 2019: Champion Auto Locators at 11678 Main Rd, Dealer's Choice at 12474 Main Rd, Smith Auto Sales & Service at 11372 Main Rd .

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

Approval- Temporary Home Based Business SUP for 2019

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the following temporary Home-based Business Special Use Permits for 2019: WNY Woodworks at 12050 McNeeley Rd.

The Board, based on recommendations from the Planning Board, approved changing classification from a temporary SUP to a permanent SUP with no annual renewal necessary effective 1/1/19 for the following Home Based Businesses: Triple G Small Engine Repair at 12506 Buckwheat Rd, Outdoor Pleasures at 7463 Maple Rd, Earthworks-Jason Schlabach at 6453 Utley Rd, James Marfurt at 4870 N Millgrove Rd, W.A. Peronne at 6500 Draper Rd, Wm. Lorenz Construction at 4231 Billo Rd, Gary's Turf Care at 6505 Draper Rd, Muddy Paws Farm LLC at 11570 Clarence Center Rd.

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

Approval- Insurance Contract for Firefighters Cancer Act Benefit:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving entering into a contract with Chubb Accident & Health to provide mandated enhanced cancer disability benefit insurance coverage for Newstead Fire Company for the period of 1/1/19-12/31/19 as required by law for the firefighters Cancer Act Benefit and authorizing the Supervisor to execute all necessary documents for the policy.

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

Approval- Maintenance Fee Agreement for Sewer District #3:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the proposed \$50.00 per month Maintenance Fee Agreement with Niagara Label for Sewer District #3 and authorizing the Supervisor to execute the agreement.

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

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

Councilman Jendrowski asked about ladders that are available to change out a bulb at the library. Dawn informed him what is available at each of the buildings. He asked the board members if he could change out the existing light fixture in question above the stair case due to how hard it is to replace bulbs in the existing fixture in its current location. Everyone agreed.

The Organizational Meeting will be held on January 7, 2019.

There being no further business to come before the board for the regular meeting a motion was made by Councilman Dugan, seconded by Councilman Burke to adjourn the regular meeting at 8:04pm.

Carried

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