

## Newstead Town Board Meeting- December 29, 2016

A regular meeting was called to order by the Newstead Town Board on Thursday, December 29, 2016 at 7:30pm at the Newstead Town Hall.

Present: David Cummings- Supervisor  
John Jendrowski- Councilman  
Joseph Dugan- Councilman  
Edmund Burke- Councilman  
Mike Bassanello- Highway Supt  
Nathan Neill- Town Attorney  
Dawn Izydorczak- Town Clerk

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

Supervisor Cummings led the pledge to the flag.

Minutes from the previous regular meeting held on December 12, 2016 were presented for approval. A motion was made by Councilman Jendrowski, seconded by Councilman Burke to approve as presented. Carried

**Agenda Changes** – a motion was made by Councilman Jendrowski, seconded by Councilman Burke to make the following agenda changes: add motion to hire PT CEO. Carried

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

A letter was received from Charter Communications notifying the town of the channels and program providers they are currently in negotiation with for service.

A letter was received from Legislator Ed Rath regarding the pending State legislation and County's support of legislation for limiting the purchase, storage and use of tannerite and similar products sold under different names, without a proper license or other authorization to do so.

Copies of letters between Legislator Ed Rath and Commissioner of Erie County Social Services Al Dirschberger were received regarding the placement and removal of an intern at the Newstead Public Library on Fridays to service local access and needs to DSS services. Legislator Rath requested a case manager be permanently stationed here and the Commissioner has denied that request.

A request for a liquor license for 13278 Carney Rd, Inc. for Dande Farms Golf Course was received.

A letter was received from NYS Parks, Recreation & Historic Preservation notifying the town that is was not chosen as a recipient of an EPF grant for the Skyline Park Enhancement project.

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 the work session held last week the following items were discussed: buildings projects at town buildings; water & sewer updates; planning items- airport request, Cedar St- wind turbine, solar moratorium & CEO position; grant items- Trailway, Park, CDBG, master plan bid opening, DASNY; IT services & Clarence senior van; 2017 appointments & other items for new year, NYC training, first aid training, school choice week, and any other matters brought before the Board.

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

**Budget transfers:** a motion was made by Councilman Jendrowski, seconded by Councilman Burke to approve the budget transfers as presented in a memo from Bookkeeper Colleen Salmon dated 12/29/16. Carried

**Approval of Bills** – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1676, 1678 & electronic payments for WD7 & postage have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1680 & electronic payment for postage fee for payment. Vouchers on this abstract(s) numbered from 1387-1446, totaling \$26,644.04. Councilman Dugan seconded to approve payment as follows:

Abstract Batch(es) #1680 & electronic payment for postage fee:  
General Fund (A) -\$17,182.47, General Fund- Outside Village (B) \$2,141.47, Highway (DA) -\$0, Highway: Outside Village (DB) \$2,051.40, CAP-Sewer Dist 3(HNL) \$80.00, CAP- Trail Grant (HTG)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$0, CAP- Water-Cedar (HW02)- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$4,470.00, Refuse (SR) \$0, Sewer #1 Fund (SS) \$597.42, Sewer District #2 (SS02)- \$74.54, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$46.74, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0  
Total: \$26,644.04 Carried

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – Mike reported they did repairs to truck #10 on the bearings in the sander and on the #9 wing, a set of blue prints for the Burdick Road slide to was taken to Ed Rath’s office, they boom mowed the bike path, they put CRI on the shoulders, they delivered recycling totes, they took the guard rail down on the bike path and they put up 45 MPH signs on Hiller Road.

**Assessor** – no report presented.

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

Jodi Hamernik	12685 Stage	Roof
Dennis Neuman	6744 Utley	Chicken coop
CMK Builders	5556 Barnum	One Family Home

The Town Board accepted the report as presented.

**Town Clerk**- nothing at this time

**Attorney for the Town** – nothing at this time

**COUNCILPERSONS:**

**Burke** – nothing at this time

**York** – not present

**Jendrowski** - nothing at this time

**Dugan** – nothing at this time

**Supervisor**- nothing at this time

**UNFINISHED BUSINESS:**

**Buildings** – nothing new/no report

**Planning** – nothing new/no report

**Water/Sewer** – nothing new/no report

**Grants** – nothing new/no report

**NEW BUSINESS:**

**Award of Bid - Cedar St Waterline Materials:**

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the award of the supply of waterline pipes and other material for the construction and installation of the waterline on Cedar St to the low bidder, Lock City Supply, Inc., with a low bid of \$40,564.78, subject to the terms set forth in the resolution and authorizing the Supervisor to execute the contract.

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

**Approval- Amendment to Twin City Contract:**

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the proposed amendment to the current contract with Twin City Ambulance Service providing for only a Basic EMT and Paramedic to be present on the rigs, 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, York-Absent  
Carried

**Authorize Municipal Endorsements for Akron Airport Projects:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan authorizing the requests for Municipal Endorsements for the Akron Airport projects as follows: replacement of runway 7-25 medium intensity runway lighting, construction/replacement of the runway 7 PAPI and the runway 25 PAPI and REIL, and construction/replacement of the airport beacon.

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

**Approval- Auditing Services Contract Renewal:**

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the proposed contract renewal with Drescher & Malecki LLP for the 2016 year end audit and 2017 auditing services to the town, 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, York-Absent  
Carried

**Approval- Extension of Moratorium on Solar Farms:**

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the proposed extension of the moratorium on the construction and installation of Solar Farms within the town for another 6 month term ending on July 6, 2017 to enable the town to enact legislation.

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

**Approval- Secretary to the Highway Supt. hire:**

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the request by the Highway Supt. to hire Rachel Kleparek as part time Secretary to the Highway Superintendent at a rate of \$13.59 per hour effective January 3, 2017.

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

**Approval- Clerk to Justice change to Full Time:**

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the change in status for Clerk to the Justice for Justice Campbell to full time status with Justice Freeman's appointment remaining a part time position effective immediately.

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

**Approval- Temporary Special Use Permits for 2017:**

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the recommendations of the planning board to renew special use permits for the following for 2017: Lewistraum Kennels, Champion Auto Locators, T & T Tire & Auto, Destroyer Park Golf, Bed'n Biscuit Harbour and Dealers Choice. The Board does not approve renew of special use permits for the following businesses based on recommendations from the planning board: Smith Auto Sales & Service and Michael Shields, for reasons set forth in the attached memo.

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

**Approval- Temporary Home Based Business SUP for 2017:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the recommendations of the planning board to renew special use permits for the following home based businesses for 2017: Triple G Small Engine Repair, Outdoor Pleasures, Earthworks-Jason Schlabach, James Marfurt, William D. Lorenz Construction, Gary's Turf Care, Doug Matusek and Muddy Paws Farm LLC. The Board does not approve renew of permits for the following businesses based on recommendations from the planning board: Christopher Milhollen & James Ames, for the reasons outlined in the attached memo.

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

**Approval- 2017 Liquor License- Dande Farms:**

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the request for a liquor license for 2017 for Dande Farms Golf Course LLC located at 13278 Carney Rd which will be operated by 13278 Carney Rd Inc.

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

**Approval – Hire PT interim CEO:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan to hire Michael Borth as the part time interim Code Enforcement Officer at a rate of \$27.50 per hour effective immediately.

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

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

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 8:07pm.

Carried

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