

Newstead Town Board Meeting- December 9, 2019

The Board entered executive session at 6:50pm to discuss contractual issues and personnel issues on a motion from Councilman Burke, seconded by Councilman Dugan. Carried Unanimously

The Board exited executive session on a motion by Councilman Jendrowski, seconded by Councilwoman Morlacci at 6:53pm, having taken no action. Carried Unanimously

A public hearing was called to order by the Newstead Town Board on Monday, December 9, 2019 at 7:02pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
John Jendrowski- Councilman
Edmund Burke- Councilman
Joseph Dugan- Councilman
Jeannine Morlacci- Councilwoman
Brendan Neill- Town Attorney
Emily Janicz- Assistant Town Attorney
Scott Rybarczyk- Town Engineer
Jennifer Herberger – Deputy Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing to order on the proposed Local Law #4 of 2019 rescinding Local Law #3 of 2019 at 7:02pm.

The Clerk read proof of publication.

Comments: The Supervisor explained the reason for the local law and the public hearing.
No one spoke

There being no further comments, Councilman Dugan motioned to close the public hearing, seconded by Councilwoman Morlacci at 7:05pm.

The regular meeting of the Newstead Town Board was called to order at 7:05pm with the same members present as listed above.

Councilwoman Morlacci led the pledge to the flag.

Minutes from the regular meeting held on November 25, 2019 were presented for approval. A motion was made by Councilman Burke, seconded by Councilman Dugan to approve as presented. Carried Unanimously

Agenda Changes – a motion was made by Councilman Jendrowski, seconded by Councilwoman Morlacci to make the following agenda changes: add motion to approve various temporary special use permits and resolution to support legislation to halt new criminal justice reform. Carried Unanimously

Communications – The Clerk presented the following correspondence:

A notice of programming changes was received from Charter Communications.

A notice of training opportunities was received from the Ontario County Agricultural Enhancement Board regarding workshops for local farmland owners and farmland protection implementation grant programs.

An email was received from the staff at the Pennysaver notifying the town that as of the end of December the paper will cease to operate.

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

Work Session: The Supervisor reported that no work session was held last due to the annual safety dinner but the following items were discussed prior to tonight’s meeting: water & sewer project updates, planning item updates, building issues updates, grant updates, gas well inquiry, Limerick Hall, court bailiffs, drainage policies, property purchases, contracts and personnel items, plus any other items brought before the Board.

Agenda Items Question Period: no one spoke

Budget transfers: a motion was made by Councilwoman Morlacci, seconded by Councilman Burke to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 12/9/19. Carried Unanimously

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1983 prepay, 1984 & cert. check for property purchase have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1987 prepay, 1988 & WD 7 bond for payment. Vouchers on this abstract(s) numbered from 1304-1358, totaling \$85,426.69. Councilman Dugan seconded to approve payment as follows:

Abstract Batch(es) #1987 prepay, 1988 & WD 7 Bond:
 General Fund (A) -\$21,694.40, General Fund- Outside Village (B) \$48.99, Highway (DA) -\$0, Highway: Outside Village (DB) \$20,448.97, CAP- Trail Grant (HTG)- \$110.00, CAP-ADESA Rehab (HAR)-\$1,046.45, CAP-Water-Scotland (HS)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$0, CAP- Water- Cedar (HW02)- \$0, CAP- Water-Knapp- (HW03) \$11,827.01, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$26,844.56, Sewer #1 Fund (SS) \$1,299.00, Sewer District #2 (SS02)- \$312.50, Sewer District #3 (SS03)- \$614.50, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$4.50, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$1,175.81, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0;
 Total:\$85,426.69 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Mike was not present but submitted a report that was read by the Supervisor. The highway crew replaced cross culvert on McNeely Road, took a load of scrap to the scrap yard, put hitches on the trucks, cleaned a beaver dam on Draper Road, painted STOP on the new bike path at Cummings Road, hauled 12 ton of sand from Frey Sand & Gravel, plowed, salted and cleaned parking lots, plowed Pioneer Cemetery, repaired #3 hose & #7 broken clevis, replaced cut edge on #10 plow & #9 plow, put sander in #5 & replaced spinner motor on #9, took links out of apron chain for #9 & #8, painted park benches, shot grades on Perry’s ditch & ditch on Dye Road and put up 300’ of snow fence on the bike path.

Assessor – Tina presented a report read by the Supervisor stating the residential portion of the reassessment has been completed. She is working on the valuation of the individual homes in the manufactured home parks and will then begin the commercial portion and she will be sending letters requesting gas well production reports this week.

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

Newstead Properties, LLC	13311 Main Rd	Sign

The Town Board accepted the building report as presented.

Town Clerk- nothing at this time

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski- he and Councilman Dugan met with Newstead Fire Company’s president and chief regarding zone 2 of the town and he is working on streamlining the sprinkler inspections between the town hall and the library.

Dugan – he met with Newstead Fire Company regarding contracts and he attended the Newstead Fire Company Installation dinner.

Burke – he attended the safety meeting on December 2nd and the Newstead Fire Company installation dinner.

Morlacci- she attended the safety meeting and the rotary community Christmas.

Supervisor- he has been working on various contracts, attended the Newstead Fire Company installation dinner, has been working with the state to finish the trail ways grant, the generator grant and continuing work with the parks grant.

UNFINISHED BUSINESS:

Buildings- replaced the downstairs furnace in the Denio.

Planning- nothing new

Water/Sewer- per Scott the ADESA sewer pump project is moving forward and he is waiting to receive the timetable for progress. Still working on the design of Cedar Street pump station and sewer grants will be announced soon.

Grants- the CDBG will be announced by Friday, once the town installs new fence at the Buell Street portion of the bike path, that section will be opened, the parks grant has moved on to the next phase, there is some money left in the generator grant that we are looking to spend and we are working on grants for 2020.

NEW BUSINESS:

Adoption- Local Law #4 of 2019:

A motion was made by Councilwoman Morlacci, seconded by Councilman Jendrowski approving the adoption of Local Law #4 of 2019 to rescind Local Law #3 of 2019 known as the tax cap override law.

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

Resolution - Town of Clarence Contact Renewal:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the proposed contract renewal with the Town of Clarence for the Going Places Senior Van service for 2020, 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- Aye
Carried Unanimously

Public Hearing- Fire Services Contract with Newstead Fire Department:

A motion was made by Councilman Jendrowski, seconded by Councilwoman Morlacci approving the calling of a public hearing on the proposed Fire & Emergency Services contract with the Newstead Fire Department for 2020, to be held at the Town Hall on December 30, 2019 at 6:55pm and authorizing the clerk to publish notice in the Akron Bugle.

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

Resolution – Grant Writing Contact Renewal:

A motion was made by Councilwoman Morlacci, seconded by Councilman Jendrowski approving the proposed contract renewal with Rotella Grant Management for grant writing services for 2020, 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-Aye
Carried Unanimously

Resolution - Legal Contract Renewal:

A motion was made by Councilman Jendrowski, seconded by Councilwoman Morlacci approving the proposed contract renewal with Brendan Neill, Esq. for legal services as Town Attorney in 2020 and Emily Janicz and Jennifer Strong as Assistant Town Attorney in 2020, 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-Aye
Carried Unanimously

Approval- Highway Union Contract:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the proposed contract between the Town and Teamsters Local Union No. 264 representing the full-time highway department employees for the town from 1/1/20-12/31/22.

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

Resolution – Accounting/Audit Contact Renewal:

A motion was made by Councilman Dugan, seconded by Councilwoman Morlacci approving the proposed contract renewals with Drescher & Malecki LLP for accounting services for 2020 and auditing services for 2019 and 2020, 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-Aye
Carried Unanimously

Approval- Temporary Special Use Permits for 2020:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the following temporary Special Use Permits for 2020: Champion Auto Locators at 11678 Main Rd, Dealer’s Choice at 11520 Main Rd, Smith Auto Sales & Service at 11372 Main Rd and M. Shields Enterprises LLC at 12690 Main Rd.

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

Approval- Temporary Home-Based Business SUP for 2020:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the following temporary Home-based Business Special Use Permits for 2020: WNY Woodworks at 12050 McNeeley Rd, Tonawanda General Concrete at 12509 Stage Rd, United Technology Services at 12884 Nice Rd and Pet Rescue RX at 7429 Sandhill Rd.

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

Resolution – Support of Criminal Justice Reform Legislation:

A motion was made by Councilman Dugan, seconded by Councilman Burke to support a resolution introduced by Senator Chris Jacobs know as the Criminal Justice Reform (Bail & Discovery Reform).

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

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 Burke, seconded by Councilman Dugan to adjourn the regular meeting at 7:31pm.

Carried Unanimously

Respectfully Submitted,
Jennifer L Herberger, Deputy Town Clerk