

## Newstead Town Board Meeting- February 28, 2022

The Board entered executive session at 6:45pm to discuss personnel issues on a motion from Supervisor Cummings, seconded by Councilman Jendrowski. Carried Unanimously

The Board exited executive session on a motion by Councilman Dugan, seconded by Councilman Jendrowski at 7:05pm, having taken no action. Carried Unanimously

A **public hearing** was called to order by the Newstead Town Board on Monday, February 28, 2022 at 7:29pm at the Newstead Town Hall.

Present: David Cummings- Supervisor  
John Jendrowski- Councilman  
Joseph Dugan- Councilman  
Edmund Burke- Councilman  
Patricia Pope- Councilwoman  
Emily Janicz - Town Attorney  
Mike Bassanello- Highway Superintendent  
Dawn Izydorczak- Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing on the proposed site plan for an addition to the Green Kangaroo Storage facility located at 13399 Main Rd to order.

The Town Clerk read proof of publication. The Supervisor explained this project has been reviewed by the Planning Board, Code Enforcement Officer and Wendel and recommended for approval to the Town Board. It consists of a total of 11,250 sq. ft. in additions to 3 existing buildings on site already. He read comments received.

Comments: Jake Metzger of Metzger Engineering and Noel Dill of Stephen Development were present to represent the owners. They presented the Board an aerial map of the property showing the proposed project and explained the project to the board. They are simply expanding the 3 buildings that were originally built in 2013.

No comments from the public were received.

There being no further comments, a motion was made by Councilman Dugan, seconded by Councilwoman Pope to close the public hearing at 7:36pm. Carried Unanimously

The **regular meeting** of the Town Board was called to order at 7:36pm with the same members present as listed above.

Councilman Jendrowski led the pledge to the flag.

Supervisor Cummings presented Carl Klingenschmitt and Ken Koehler with their 35 years of service awards for being charter members of the Conservation Advisory Committee. David Stutz will also be presented with his 10-year service award and Mary Jane Shonn with her 5-year service award at a later date.

Minutes from the regular meeting held on February 14, 2022 were presented for approval. A motion was made by Councilwoman Pope, seconded by Councilman Burke to approve as presented. Carried Unanimously

**Agenda Changes** – none

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

A notice was received from Charter Communications regarding upcoming changes to Spectrum Northeast's satellite feed effective March 28<sup>th</sup>.

An email was received from Akron Boy Scout Troop 559 leader David Scotch inquiring if the town is interested in 50 free spruce tree seedlings that the scout troop would then plant this spring on town property, wherever the town requests.

A request was received for a beer/wine permit for Veteran’s Park by Tammy Kelley for a birthday party on May 28<sup>th</sup>.

A request was received for a beer/wine permit at Veteran’s Park by Peggy Kidder for a family reunion on July 24<sup>th</sup>.

A request was received for a beer/wine permit at Veteran’s Park by Peggy Kidder for a family reunion on July 23<sup>rd</sup>.

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 no work session held last week but the following items were discussed prior to tonight’s meeting: water/sewer updates, planning items, building issue updates, grant updates, gas well, 5G issues, town facilities requests, refuse and recycling issues, plus any other items brought before the Board.

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

**Budget transfers:** none

**Approval of Bills** – Councilman Burke reported that the Abstract(s) from Batch(es) #2214 & 2216 prepay have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2219 were presented for payment. Vouchers on this abstract(s) numbered 135- 164, totaling \$58,688.15. Councilwoman Pope seconded to approve payment as follows:

Abstract Batch(es) #2219:  
 General Fund (A)-\$23,427.96, General Fund- Outside Village (B)-\$0, Highway (DA) -\$0, Highway: Outside Village (DB)-\$35,097.28, 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)-\$29.84, Sewer District #2 (SS02)-\$91.03, 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:\$58,688.15  
Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – a report was presented from the Highway Supt that the crew has plowed and salted roads and parking lots several times, checked the light bulbs at the Denio, plastered walls and painted at the Senior Center, plowed the cemeteries, replaced ceiling tiles and light bulbs at the town hall, worked on the truck, service loader and boom tractor, fixed mailboxes and pushed back snow banks, cleaned drains in the shop and pushed up salt, filled potholes, scraped and salted flooded roads, fixed the ramp on the library shed, checked 2 pipes for blockages, and cleaned the intake pipe by the bike path at Cummings.

**Assessor** – no report was presented

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

David Fogelsonger	12516 Stage	Garage
Newstead Properties LLC	13311 Main	Exterior Tow Track
Washington Street Clarence LLC	11234 Main	Storage units
Alan Herdzik	12130 Stage	Generator
William Battaglia	11760 Clarence center	Remodel/renovations

ADESA New York LLC	12200 Main	Zoning Compliance
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The Town Board accepted the building report as presented.

**Town Clerk-** tax collection is well underway, and payments are coming in steadily.

**Town Attorney(s)** – Emily attended the Association of Towns virtual conference last week. It was well run and offered good programs.

**COUNCILPERSONS:**

**Jendrowski-** he reported updates on the dog lift for the new DCO truck, the Lions will be asking to refurbish the fence around Maple Lawn cemetery as one of their spring projects, he gave updates on the library issues (see under buildings), and thanked Joe at the highway for the work done on the shed ramp at the library.

**Dugan** – he spoke several times with NFC President Louis Henley on the LOSAP issues and is happy we are moving forward with the 2-phase plan.

**Burke** – he has had conversations about public access to buildings versus safety issues at the JMF.

**Pope-** she continues to work with Emily on amendments to the cell tower law and 5G to present to the Board.

**Supervisor-** the Supervisor’s Report for January 2022 is on file with the Town Clerk. He addressed state issues on the waterline grant and project, as well as working on other grants in progress. He addressed safety at public buildings and addressed the tree request from the Boy Scout Troop 559. The Board okayed the donation of the trees.

**UNFINISHED BUSINESS:**

**Buildings-** John reported with 6” of snow on the library roof there have been no leaks so far so, he feels we do not have to replace the roof. He feels the leak issue is ore from driven rain seeping in through the walls. He checked the sidewalk, bathrooms, and sewer pumps and all is well. The only issue now is the upstairs patio. He will be meeting with Kevin Stone to get a maintenance agreement quote.

**Planning-** Steve reported NextEra continues to work with extra activity happening on the weekends. One complaint was addressed from a resident, but they took care of it quickly. Bike Path repairs will be done inhouse this summer and Mike and Dave are working to come up with estimated costs.

**Water/Sewer-** Dave reported we are really close now to obtaining approvals for the water grant from the state.

**Grants-** the bid opening on the HVAC work at the Senior Center was cancelled and we are waiting for a new updated scope of work from the County. A resolution will be addressed tonight on the senior van grant.

**NEW BUSINESS:**

**Approval- Site Plan for 13399 Main Rd project:**

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the proposed site plan dated 10/6/21 for a 11,250 sq. ft. self-storage expansion project at 13399 Main Rd by owner 13399 Main Rd, LLC/Green Kangaroo and issues a negative SEQRA declaration on the project.

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

Carried Unanimously

**Approval-Support for Grant Submissions for Purchase of Senior Van:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope issuing full support of the Akron-Newstead Senior Center's request for funding assistance from the Odd Fellow and Rebekah Benefit Fund to expand transportation services to its underserved Senior members and agreeing that if funding is secured to purchase a senior van, the town will accept responsibility for ancillary costs to operate the new van, including cost of fuel and regular maintenance.

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

**Approval- Use of Beer/Wine Permits & Park Use:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the requests for beer/wine permits and Park Use as follows: Veteran's Park by Tammy Kelley for a birthday party on May 28<sup>th</sup>, Veteran's Park by Peggy Kidder for a family reunion on July 24<sup>th</sup>, Veteran's Park by Peggy Kidder for a family reunion on July 23<sup>rd</sup>.

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

**Approval- John Potera Photo Use Request:**

A motion was made by Councilman Dugan, seconded by Councilwoman Pope approving the request by John Potera to use certain historical photos owned by the town subject to the terms of an agreement signed by the requestor and the town.

Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope-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 Pope to adjourn the regular meeting at 7:59pm.  
Carried Unanimously

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