

Newstead Town Board Meeting- February 14, 2022

The Board entered executive session at 6:45pm to discuss the LOSAP contract on a motion from Councilman Jendrowski, seconded by Councilman Burke. Carried

The Board exited executive session on a motion by Councilman Jendrowski, seconded by Councilwoman Pope at 6:52pm, having taken no action. Carried

A regular meeting was called to order by the Newstead Town Board on Monday, February 14, 2022 at 7:30pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
John Jendrowski- Councilman
Edmund Burke- Councilman
Patricia Pope- Councilwoman
Emily Janicz - Town Attorney
Michael Coutu- Assistant Town Attorney
Scott Rybarczyk- Town Engineer
Dawn Izydorczak- Town Clerk

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

Councilwoman Pope led the pledge to the flag.

Minutes from the regular meeting held on January 24, 2022 were presented for approval. A motion was made by Councilman Burke, seconded by Councilwoman Pope to approve as presented. Carried

Agenda Changes – none

Communications – The Town Clerk presented the following correspondence:

A request for use of both Town Parks was received from Akron Soccer League for their annual Kick-it First soccer tournament on May 13th-15th as well as their soccer season beginning on April 1st and running through October 15th.

A request was received from One Church to use the Town Hall parking lot for their “Easter Egg Drive N Find” event on Sat., April 9th from 5:00-7:00pm.

A request was received for a beer/wine permit for the Cultural Center by Julie Brady for a private event on Sun., April 24th .

A request was received for a beer/wine permit at Veteran’s Park by Morgan Edwards for a class reunion on Sat., July 16th

A request was received for a beer/wine permit at Skyline Park by Betty Bergman for a family reunion on Sun., July 31st.

A request was received for a beer/wine permit at Veteran’s Park by Jennifer Brennan for a graduation party on Sat., July 30th .

A request was received for a beer/wine permit at Skyline Park by Kimberly Hawes for a shower on Sun., August 7th .

The Senior Center announced it will be having a Covid-19 booster clinic on Friday, March 18th from 9:00am-1:00pm.

An email was received from Jeff Aichinger of Crittenden Rd expressing his concerns over the refuse and recycling pickup lately.

The packets for the 2022 Conservation Tree & Shrub Seedling Program have been received and are available at the Town Hall. Orders are due by March 4th.

A notice was received from Charter Communications regarding upcoming programming changes on March 14th with the launch of Start TV satellite feeds.

A motion was made by Councilman Burke, seconded by Councilwoman Pope 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: a meeting with Erie Co. Sheriff Deputy Dan Wood about use of the Denio, water/sewer and culvert project updates, planning items, building issue updates, grant updates, gas well, 5G issues, Covid policy for employees, town facilities requests, ECFE survey, refuse and recycling issues, LOSAP resolution, EC hazard mitigation plan resolution zero turn mower purchase, plus any other items brought before the Board. The board went into an executive session to discuss contractual matters at 8:31pm and exited executive session at 8:55pm, having taken no action.

Agenda Items Question Period: no one spoke

Budget transfers: a motion was made by Councilman Jendrowski, seconded by Councilwoman Pope to approve the budget transfer(s) as presented in memos from Bookkeeper Colleen Salmon dated 2/14/22 for 2021 and 2022. Carried

Approval of Bills – Councilman Burke reported that the Abstract(s) from Batch(es) #2202 for 2021 & 2206 for 2022 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2214 and 2216 prepay were presented for payment. Vouchers on this abstract(s) numbered 67-134, totaling \$560,277.74. Councilwoman Pope seconded to approve payment as follows:

Abstract Batch(es) #2214 and 2216 prepay:
 General Fund (A)-\$45,162.06, General Fund- Outside Village (B)-\$124.09, Highway (DA) - \$99,586.57, Highway: Outside Village (DB)-\$0, 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)- \$360,000.00, CAP-Bike Path (HTG)-\$0, Drainage (SD)-\$0, Fire Protection (SF)-\$0, Refuse (SR)-\$53,081.49, Sewer #1 Fund (SS)-\$351.44, Sewer District #2 (SS02)-\$106.50, Sewer District #3 (SS03)-\$1,861.09, Trust & Agency(TA)-\$0 and Consolidated Water (SW00)-\$4.50, 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:\$560,277.74 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – no report was presented

Assessor – a report was presented from Tina and read by the Supervisor stating that all sales, splits and merges are all caught up. New construction is up to date and she is still meeting with individuals from the manufactured home communities to switch them over to the STAR credit per NYS changes. Next year will be extremely busy with the reassessment project so, she plans to start the process early.

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

James Asmus	12778 Lewis	Windows
PM Pavement Inc	11680 Meahl	One Family Home
ADESA New York LLC	12200 Main	Temporary mobile sign
David Fogelsonger	12516 Stage	Interior drainage/sump pump
Crown Castle	4678 S Newstead	Replace/upgrade cell tower equipment

The Town Board accepted the building report as presented.

Town Clerk- County-Town tax bills have been received, processed and were mailed on Friday February 11th. We will collect for the penalty free period thru March 15th. Dawn reported that Emily

had her baby girl last weekend 4 weeks early and everyone is doing fine. She also thanked everyone that attended Christine's retirement dinner for coming out.

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski- he spoke with Danny on funding sources for a generator at the Denio. He spoke with a resident on Barnum Rd regarding a lawn that went un-mowed all last summer. He reported on the library sprinkler updates and a new ramp for the maintenance shed. He spoke with Louis Henley and Chris Bower on the tablet purchases for the fire company and he spoke with the Lion's regarding their request for storage space in the park pavilion for flags.

Dugan – not present

Burke – he expressed his interest in pursuing Councilman Dugan's idea to come up with a system to push information out to residents and supports exploring options.

A discussion was held on the possibility of purchasing a sign board for the front of Town Hall. The Town Clerk was asked to get information and proposals.

Pope- She attended the Recreation Board meeting and is working with Emily to propose local law modifications to address 5G in our code.

Supervisor- He addressed refuse & recycling complaints, gas well issues, worked on the CDBG projects for HVAC & sidewalks, he worked with the attorneys and engineer on the water district issues and reissued a new extension to the state of emergency thru March 16th.

UNFINISHED BUSINESS:

Buildings- John reported the library sprinkler test is complete and all sprinkler heads passed inspection so, they are good for the next 10 years. After that they will be inspected again and be good for 5 more years, if they pass at that time. He will talk to Mike about helping Kristine get the ramp repaired to the maintenance shed. The new Hazard Mitigation Plan adoption will open up funding possibilities for getting a generator at the Emergency Management offices in the Denio.

Planning- NextEra continues to work at several locations and had Mike down to observe the crossing of the thruway work. Steve stated they enjoyed having him on site and explained all the work to be done and its potential impacts on roads. They will also be doing helicopter work this week.

John reported the Lions would like a formal agreement allowing them to store their flags in the Stan Victor Pavilion at the Skyline Park. Emily will work on putting together a simple agreement.

Water/Sewer- the contractors latest attempt at satisfying the State was submitted today so we will wait to see if it is accepted. We will be paying out a portion of what is owed to them with tonight's bills. The latest meeting with them was productive. Scott reported the culvert study can probably be removed from the agenda now.

Grants- nothing new to report

NEW BUSINESS:

Approval- Site Plan for 13311 Main Rd project:

A motion was made by Councilman Jendrowski, seconded by Councilwoman Pope approving the site plan dated September 29, 2021 for the proposed project at 13311 Main Rd by owner Newstead Properties, LLC for a tow track & controlled crash facility on 66 acres in the I-1 zoning district and authorizing the Town Clerk to make the appropriate filings with the DEC.

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

Approval- Erie County All Hazard Mitigation Plan:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the Erie County All Hazard Mitigation Plan as presented to the town and adopting its use in its entirety for the town.

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

Approval- Covid-19 Policy for town employees:

A motion was made by Councilwoman Pope, seconded by Councilman Burke approving the updated policy for town employees relative to time off for Covid-19 exposures and illness.

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

Approval- Public Referendum on LOSAP Plan Amendments:

A motion was made by Councilman Jendrowski, seconded by Councilwoman Pope approving the proposed amendments to the LOSAP Plan as presented to the town for the Newstead Fire company protection district and calling for a public referendum vote on the plan amendments which will be held on May 17, 2022 at the Newstead Town Hall from 10:00am-7:00pm.

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

Public Hearing- Site Plan for 13399 Main Rd project:

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the calling of a public hearing on the proposed site plan for a self-storage expansion project at 13399 Main Rd by owner 13399 Main Rd, LLC/Green Kangaroo, with the hearing to be held on February 28, 2022 at 7:25pm and authorizing the Town Clerk to publish notice of the hearing in the Akron Bugle.

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

Approval- Parks & Buildings Use and Beer/Wine Permits Requests:

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the requests for beer/wine permits and Building and Park Use requests as follows: Cultural Center by Julie Brady for a private event on Sun., April 24th, Veteran's Park by Morgan Edwards for a class reunion on Sat., July 16th, Skyline Park by Betty Bergman for a family reunion on Sun., July 31st, Veteran's Park by Jennifer Brennan for a graduation party on Sat., July 30th, Skyline Park by Kimberly Hawes for a shower on Sun., August 7th, One Church to use the Town Hall parking lot for their "Easter Egg Drive N Find" event on Sat., April 9th from 5:00-7:00pm, Akron Soccer League for their annual Kick-it First soccer tournament on May 13th-15th as well as their soccer season beginning on April 1st and running through October 15th.

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

Approval- Annual HHW, Electronics & Shred-it Event:

A motion was made by Councilwoman Pope, seconded by Councilman Burke approving offering only one HHW, electronics and Shred-it event for this year in conjunction with the Village of Akron, which will be held on May 21st from 9am-12pm.

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

Approval-Purchase of Kubota Commercial Zero Turn Mower:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the purchase of a Kubota Commercial Zero Turn Mower at a cost of \$18,672.39 for the highway department.

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

Approval- Lateral Restriction Hardship Application- 11680 Meahl Rd:

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the application for a lateral restriction exception hardship at 11680 Meahl Rd in water district 10 as submitted by owner Paul Marinaccio, based on supporting documentation provided.

Cummings-Aye, Dugan-Absent, Burke-Aye, Jendrowski-Aye, Pope-Aye 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 Burke, seconded by Councilwoman Pope to adjourn the regular meeting at 8:17pm. Carried

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