

## Newstead Town Board Meeting- February 22, 2021

A regular meeting was called to order by the Newstead Town Board on Monday, February 22, 2021 at 7:23pm at the Newstead Town Hall.

Present: David Cummings- Supervisor  
John Jendrowski- Councilman  
Edmund Burke- Councilman  
Joseph Dugan- Councilman  
Patricia Pope- Councilwoman  
Brendan Neill- Town Attorney  
Emily Janicz- Assistant Town Attorney  
Scott Rybarczyk- Town Engineer  
Michael Bassanello- Highway Supt.  
Dawn Izydorzak- Town Clerk

Roll Call was taken with all board members present.

Supervisor Cummings led the pledge to the flag.

Minutes from the regular meeting held on February 8, 2021 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilman Jendrowski to approve as presented.  
Carried Unanimously

**Agenda Changes** – none

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

Two letters were received from Charter Communications regarding changes in programming and services beginning in March.

A letter was received from the NYSDOT regarding the speed study request on Carney & Cedar St. The DOT has determined it will establish a 45mph speed limit on all of Carney Rd and a 45mph zone on Cedar St from 0.5+/- miles north of Lewis Rd all the way to Swift Mills Rd. Erie County Highway Dept. will be responsible for posting new signage.

A request was received from One Church to use the Town Hall parking lot for an outdoor scavenger hunt pick up location on March 27<sup>th</sup> from 5pm-7pm.

A packet of information was received from NextEra Energy regarding updates on their Empire State Line Transmission project giving detailed construction schedules and information, along with their required Notice of Intent to Commence Construction details, including a March 2<sup>nd</sup> start date.

A packet of information was received from NY Rural Water Association regarding their annual meeting and annual training. It has been passed along to the highway department and Supervisor.

A letter was received from Comp Alliance notifying the town that it has received the Comp Alliance Safety Workplace Award for its performance during policy year 2019, which included a check award.

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

**Work Session:** The Supervisor reported no work session was held last week due to the holiday but the following items were discussed prior to tonight's meeting: water and sewer project updates, planning item updates, building issue updates, grant updates, gas well purchase update, plus any other items brought before the Board.

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

**Budget transfers:** none

**Approval of Bills** – Councilman Dugan reported that the Abstract(s) from Batch(es) #2112 plus postage transfer have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #2115 for payment. Vouchers on this abstract(s) numbered 85 - 132, totaling \$81,226.85. Councilwoman Pope seconded to approve payment as follows:

Abstract Batch(es) #2115:

General Fund (A)-\$22,687.59, General Fund- Outside Village (B)-\$148.28, Highway (DA) -\$0, Highway: Outside Village (DB)-\$30,314.10, Bike Path (HTG)- \$19,077.50, Drainage (SD)- \$8,814.24, Fire Protection (SF)-\$0, Refuse (SR)-\$8.32, Sewer #1 Fund (SS)-\$29.24, Sewer District #2 (SS02)-\$105.54, 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:\$81,226.85

Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – a report was presented from the Highway Supt as follows: the crew finished painting the Denio basement, plowed Town and County roads and all parking lots multiple times, fixed mailboxes , pushed back Scotland Rd snow by the airport, and changed the cutting edge on the pickup truck plow.

**Assessor** – a report was presented from Tina as follows: the office activity has picked up quite a bit with last minute exemption submissions. She will continue to process exemptions through the end of February as well as work on new construction as it is closed out by the building department. She commended Julie and Christine for doing a fantastic job and stated the flow of the office works very well.

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

Jaime Berger	11769 Rapids	Interior renovation/siding
Franks Commercial Service	13734 Bloomingdale	Sump pump
LP Commercial Net Lease	12996 Main	Signage updates
Patriot Towers Inc	11167 Main	Cell tower maintenance

The Town Board accepted the building report as presented.

**Town Clerk-** 2021 County-Town tax bills are coming in at a brisk pace. The Denio lower level refurbishment is done and looks great. Thanks again to the highway department for all their hard work on this.

**Town Attorney(s)** – nothing at this time

**COUNCILPERSONS:**

**Jendrowski-** he received quotes from Towlson and Petschke for replacement of the hot water tank at the library. He also attended the library board meeting where they discussed the false fire alarm problem. They were told a new control panel won't fix the problem and looked at a proposal that would replace the whole system at a cost of \$16,000. Kristine is looking into a grant to cover costs. The Supervisor would like us to get a 2<sup>nd</sup> opinion before moving ahead with anything. John also spoke with the Wittman family regarding the purchase of a bench for long the bike path in memory of their family member.

**Dugan** – nothing at this time

**Burke** – nothing at this time

**Pope-** she attended the Association of Towns virtual training and has forwarded the NYS Procurement information to the board members.

**Supervisor-** he addressed several resident complaints regarding electrical lines and snowmobile issues.

**UNFINISHED BUSINESS:**

**Buildings-** painting and refurbishments are done at the Denio lower level. Quotes were received for the library hot water tank for both a commercial grade vs. a residential 50-gallon size from Towlson and Petschke's. It was determined that going with the 50-gallon residential grade was the best course through Towlson. Councilman Jendrowski will schedule the installation as soon as possible.

**Planning-** several new code change proposals are pending

**Water-** the SHPO approval for Kirby Rd has been received. We are now down to waiting on final approvals from both the NYS DOH and the County DOH. The proposed homeowner's packet will be delivered to the Board for their review and approval by the end of this week. Homeowners will be sent packets as soon as they are approved and ready to give them enough time to get their home to the road lines in before the main line is installed.

**Grants-** the Trailways grant is finished and closed out. The Supervisor and Mike are working on a grant for a bridges project. Scott cautioned them that bridges are 20 feet and over. Culverts are under 20 feet. The Supervisor spoke with Tremaine at the State regarding the generator and parks grants. Unfortunately, there is no movement forward from the State on either of those grants yet.

**NEW BUSINESS:**

**Public Hearing- Local Law #1 of 2021- 6 Month Moratorium:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the calling of a public hearing on the proposed Local Law #1 of 2021 that would place a moratorium on the installation and use of intermodal freight transports and similar vessels within the town on private property for a 6 month period, with the hearing to be held on April 12, 2021 at 7:15pm at the Town Hall and authorizing the Clerk to publish notice in the Akron Bugle.

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

**Approval – Use of Town Hall Parking Lot:**

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the request from One Church to use the Town Hall parking lot for an outdoor scavenger hunt pick up location on March 27<sup>th</sup> from 5pm-7pm.

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

**Privilege of the Floor/Question Period:** Eli Cobti of Burdick Rd was present and offered assistance with reaching out to Legislator Green regarding some of our speed study issues. The Supervisor will get him the information.

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 7:50pm.  
Carried Unanimously

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