

Newstead Town Board Meeting- February 27, 2017

A public hearing was called to order by the Newstead Town Board on Monday, February 27, 2017 at 8:00pm 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
Scott Rybarczyk- Wendel/Town Engineer
Dawn Izydorczak- Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the **public hearing** to order on the proposed 5-lot major subdivision on South Newstead Rd owned by CMK Builders of Alden.

The Town Clerk read the proof of publication. Supervisor Cummings read the memo from the Planning Board with their recommendations and comments on the project.

Comments: Rich Morrison of 4917 South Newstead Rd stated his parcel is in the middle of this project and he has concerns with the 1 lot that is proposed to wrap around his property leaving a 31 foot piece of land to the north and what it would potentially be used for. He feels this project is taking away his privacy, which is what he moved out here for. Now he has the potential of having neighbors in his back yard while he is trying to enjoy his deck.

Matt Stoldt from CMK builders was present and answered several questions on the project. He also stated they may be taking down the old existing farmhouse to leave space for another new build. They bought the land to develop it, not let it sit vacant.

Supervisor Cummings explained the reasoning behind the U-shaped lot which would help meet the 150' road frontage requirement. He does not particularly like this either and offered the thought of applying for a variance of the road frontage instead of the U-shaped lot leaving that 31' strip of land. He also stated he felt the building of the first house on the original property was jumping the gun on the project even though it was technically legal. He just feels the perception is wrong and would have liked to see the entire project subdivision approved first so maybe this could have been avoided.

Councilman Jendrowski asked if the 31' strip of land was the only issue Mr. Morrison has with the project. He replied no, it is also the impending lack of privacy and seclusion.

Councilman Burke stated he would like to try to find a way to eliminate the 31' strip of land that would result in the one parcel surrounding Mr. Morrison's property.

There being no other comments, a motion was made by Councilman Burke, seconded by Councilman Dugan to close the public hearing at 8:20pm. Carried

The **regular meeting** of the Town Board was called to order at 8:20pm with the same members present as above.

Councilman Burke led the pledge to the flag.

Minutes from the previous regular meeting held on February 13, 2017 were presented for approval. A motion was made by Councilman Burke, seconded by Councilman Jendrowski to approve with correction of typo on page 3. Carried

Agenda Changes – a motion was made by Councilman Jendrowski, seconded by Councilman Burke to make the following agenda changes: remove item A. and add a motion for park use by Akron Sports Carried

Communications – The Town Clerk presented the following correspondence:

A thank you letter was received from Librarian Kristine Sutton thanking the board for upgrading the sidewalk at the library and their continued support of the library.

A request for a beer/wine permit for the Kraz family reunion at Skyline Park on July 29th.

A request for a beer/wine permit for the Cummings family reunion at Veterans Park on July 30th,

A request for use of Skyline Park by Akron Sports Inc for their 2017 baseball season, 4/1 -8/1/17.

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

Work Session: The Supervisor reported that no work session was held last week due to the holiday, however the following items were discussed prior to tonight’s meeting: planning items, water/sewer projects, senior center roof, grants, services, highway items, courts, open job positions and any other matters brought before the Board.

Agenda Items Question Period: no one spoke

Budget transfers: none

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1694 has been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1697 for payment. Vouchers on this abstract(s) numbered from 146-178, totaling \$27,871.76. Councilman Dugan seconded to approve payment as follows:

Abstract Batch(es) #1697:

General Fund (A) -\$22,994.94, General Fund- Outside Village (B) \$24.72, Highway (DA) -\$0, Highway: Outside Village (DB) \$4,396.74, CAP- Murder Creek- (HM) \$0, CAP-Sewer Dist 3(HNL) \$0, 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) \$0, Refuse (SR) \$0, Sewer #1 Fund (SS) \$28.55, Sewer District #2 (SS02)- \$387.79, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$39.02, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0
Total: \$27,871.76 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Mike reported the crews have been putting up new road signs, cleaned the hedge row at Veterans Park & boom mowed, made a few minor repairs to the trucks (air driver on #10 & wheel bearing on #2), cold patched a few holes, did some road ditching on Howe Rd and plowed and salted a few times.

Assessor – no report presented.

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

Destroyer Park Golf	7033 Sandhill	Temporary Special Use Permit
Jim Slowinski	11300 Hiller	Driveway
Paul Jurek	11976 Buckwheat	Pole barn with lean-to
Doug Matusek	12663 McNeeley	Temporary Special Use Permit

The Town Board accepted the report as presented.

Town Clerk- County/Town tax bills are in coming in at a good pace.

Attorney for the Town – he attended the Association of Towns conference in New York. There were some really good programs this year on Solar and Code changes.

COUNCILPERSONS:

Jendrowski- he met with Kristine, Bill Asmus and Tolson on the library sidewalk. It was discovered there is a bad sensor in the heating unit which was making it run constantly but it has now been fixed. He attended the CAC meeting on radon, met with Christine, Mike and Dr. Burke on radon issues, attended the code seminar/round table meeting, met with the Town historian and had a tour of the facility and our collections, and met with Jon Cummings on the asset management program.

Dugan – he attended the code seminar/round table meeting and met with Chief Mike Mutter at the Chiefs meeting to discuss information flow between the fire companies and town officials/offices.

Burke – he attended the CAC meeting on radon issues and other topics, attended the code seminar/round table meeting where he learned the new build homes are so tight they are having humidity issues in them and that can also affect the radon levels/readings in these homes. He attended the ECIDA meeting on the Aakron Rule expansion project and a Village Planning Board meeting on the same project. He feels this is a good use of tax abatements to help a local business expand and create new jobs.

Supervisor- He attended the Association meeting in West Seneca, met with Mr. Dash on ECWA issues, attended the second half of the code seminar/round table meeting, met with the Town Historian, addressed Senior Center issues, and met with Chief Mutter, who will be attending the next board work session.

UNFINISHED BUSINESS:

Buildings- the Senior Center roof will be done soon

Planning- radon, solar and planning code changes are on-going.

Water/Sewer- nothing new on water, but the sewer approvals have been received from Erie County Department of Health and the DEC. Mike and Jon will get together and set a tentative project schedule so they will be ready to go when weather allows and then let Scott know the schedule.

Grants- several are in process with the trailways grant commitments set for spring/summer. A meeting will be held to re-analyze the park grant again and DASNY will be discussed at next work session.

NEW BUSINESS:

Approval- Beer/Wine Permit:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the request for a beer/wine permit on July 29th in Skyline Park for a family reunion.

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

Approval- Beer/Wine Permit:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the request for a beer/wine permit on July 30th in Veteran’s Park for a family reunion.

Cummings-Abstain, Dugan -Aye, Burke-Aye, Jendrowski- Aye Carried

Approval- Park Use request:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the request by Akron Sports Inc to use Veteran’s Park for their 2017 baseball season from 4/1 b- 8/1/17.

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

Privilege of the Floor/Question Period: no one spoke

The board entered executive session at 8:38 to discuss a personnel matter. They exited at 8:43pm. 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 8:43pm.

Carried

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