

Newstead Town Board Meeting- July 11, 2022

A small reception was held prior to the work session to honor Councilman Joseph Dugan who was inducted by Senator Ed Rath into the NYS Senate's Veteran's Hall of Fame Class of 2022.

The Board entered executive session at 6:44pm to discuss personnel and contractual issues on a motion from Councilman Dugan, seconded by Councilman Jendrowski. Carried

The Board exited executive session on a motion by Councilman Burke, seconded by Supervisor Cummings at 7:15pm, having taken no action. Carried

A public hearing was called to order by the Newstead Town Board on Monday, July 11, 2022 at 7:35pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
John Jendrowski- Councilman
Joseph Dugan- Councilman
Edmund Burke- Councilman
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 Councilwoman Pope.

The Supervisor called the public hearing to order regarding the proposed Local Law #2 of 2022 authorizing Board members to participate in meetings via videoconference at 7:35pm.

The Town Clerk read proof of publication. The Supervisor explained this law would allow Town Board members to participate in meetings in extreme situations via videoconferencing. Town Attorney Janicz explained the purpose and parameters of the law.

Comments: Sharon Carlo of John St thanked Dawn for clarifying some of her questions prior to the hearing but just wanted to clarify that this law would not be able to be abused by board members to just not attend meetings. She questioned if there is a specific duration permitted. Town Attorney Janicz clarified that this law allows a board member to videoconference into a meeting, but they must be still located within the Town of Newstead boundary, and it must be for extenuating circumstances that they cannot attend the meeting in person. Councilman Dugan read a paragraph of the policy that outlines the circumstances this law can be used and then all other board members must agree that it is for a proper purpose if used, as well. A specific criterion must be met.

There being no further comments, a motion was made by Councilman Dugan, seconded by Councilman Jendrowski to close the public hearing at 7:44pm. Carried

The regular meeting of the Newstead Town Board was called to order with the same members listed as present above at 7:44pm.

Supervisor Cummings led the pledge to the flag.

Minutes from the regular meeting held on June 27, 2022 were presented for approval. A motion was made by Councilman Burke, seconded by Councilman Dugan to approve as presented. Carried

Agenda Changes – none

Communications – The Town Clerk presented the following correspondence:

A letter was received from the New York State Town Clerk's Association congratulating Town Clerk Dawn Izydorczak on maintaining her Registered Municipal Clerk status thru June 2027.

A letter was received from Councilwoman Patricia Pope requesting to appear virtually for all meetings of the Town Board until further notice due to her husband's current health issues. A request for beer/wine permit was submitted for the Tanya's Trot at Veteran's Park on Sunday, September 25th.

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

Work Session: The Supervisor reported that no work session held last week but the following items were discussed prior to tonight's meeting: a meeting was held with CEO Dave Miller and Assessor Tina Rados, water/sewer updates, planning items, building issue updates, grant updates, highway issues, 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) #2254 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2255 prepays and #2257 were presented for payment. Vouchers on this abstract(s) numbered 691-736, totaling \$2,644,062.29. Councilman Jendrowski seconded to approve payment as follows:

Abstract Batch(es) #2255 prepays and 2257:
 General Fund (A)-\$18,102.32, General Fund- Outside Village (B)-\$89.59, Highway (DA) -\$0, Highway: Outside Village (DB)-\$5,470.12, CAP-Multicultural Ctr (HMCC)- \$0, CAP-Water-Scotland (HS)-\$215,000.00, CAP-Water-Koepsel (HW)-\$980,000.00, CAP-Water-Draper (HW01)-\$120,000.00, CAP-Water-Cedar (HW02)-\$115,000.00, CAP-Water-Knapp (HW03)-\$1,130,755.44, CAP-Bike Path (HTG)-\$50,000.00, Drainage (SD)-\$0, Fire Protection (SF)-\$0, Refuse (SR)-\$1,135.13, Sewer #1 Fund (SS)-\$600.75, Sewer District #2 (SS02)-\$197.50, Sewer District #3 (SS03)-\$670.50, Trust & Agency(TA)-\$0 and Consolidated Water (SW00)-\$7,040.94, 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: \$2,644,062.29 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – a report was presented by Mike as follows: the crew worked to get Vet's Park ready for July 4th events, mowed parks, roadsides, bike path and town properties, replaced cross culvert on Dye Rd, made repairs to TS90 Fail Mower, picked up garbage on Martin Rd and Brunning Rd, boom mowed guard rails and field ditches, replaced dead end sign on Kirby Rd and attended required safety training at the Town Hall

Assessor – no report presented

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

James Dolph	12298 Buckwheat	Generator
John Wood	11784 Rapids	Generator
Aaron Hucker	5141 Crittenden	AG Pool
5720 Cummings Rd Inc	222 Cottonwood	Deck
Steven Hill	12926 Carney	Shed
Crown Castle	4678 S Newstead	Cell tower modification
Robert Poehler	234 Golden Pond	Roof
Christopher Jagielo	7137 Draper	Roof
Tim Churchill	13262 Martin	Roof
Jeffrey Braunscheidel	4848 Schutt	One Family Home
Chad Fout	12850 Carney	AG Pool

The Town Board accepted the building report as presented.

Town Clerk- Dawn informed the board she will be in and out of the office over the next 2 weeks due to her husband's surgery this week.

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski – he spoke with the code Enforcement Officer and the Assessor on office issues, he spoke with Kristine at the Library about the outside faucet not working properly and watering the plants and he spoke with a 3rd landscaper to provide a quote for landscape work at the Town Hall and Library.

Dugan – he attended the online workplace training seminar, he attended a Lee Zelden event and set up a meeting for tomorrow at 7:00pm with the Newstead Fire Company President to discuss contract renewals.

Burke – he attended a meeting with representatives from Modern on the refuse contract renewal, he attended a meeting of the JMF committee, and addressed some board recommendations. He also thanked Steve Sementilli for his great representation of NextEra throughout their project. He has been a great communicator and produced a great project. He also congratulated Joe Dugan on his well-deserved honor this evening in being awarded the 2022 Veterans Hall of Fame inductee for the NYS Senate.

Pope – not present

Supervisor – he attended a meeting with Colleen and 3+1, he attended the NextEra project ribbon cutting today which was very well done. Steve has done a great job and is a positive asset to our meetings. He joked that Steve has a better attendance record at the Board meetings than the Board members do. He also worked on getting submissions together for the bicentennial book, attended a JMF meeting, a union contract meeting, and a refuse contract meeting. He also congratulated Joe Dugan on his award tonight by Senator Rath inducting him into the 2022 Class of the Veterans Hall of Fame.

UNFINISHED BUSINESS:

Buildings – nothing new

Planning – nothing new

Water/Sewer – we are waiting to hear back from the contractor as to when they can resume work on the project.

Grants – nothing new

NEW BUSINESS:

Approval-Videoconferencing Policy:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving and adopting the proposed Videoconferencing Policy for Town Board members as presented.

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

Adoption- Local Law #2 of 2022- Videoconferencing Law:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the adoption of Local Law #2 of 2022 regarding authorizing Town Board members to participate in meetings via videoconference, subject to terms set forth in the policy adopted.

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

Approval- Award Bid for HVAC at Senior Center:

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the quote submitted by Quackenbush Co, Inc in the amount of \$31,829.00 for upgrade of the HVAC control system at the Joint Municipal Facility, with the Town paying half of that cost \$15,914.50, and authorizing the Supervisor to execute the contract.

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

Approval- Clarence Central Tax Collection contract:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the 2022-23 school tax collection contract with Clarence Central School District and authorizing the Supervisor to execute the presented contract on behalf of the town.

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

Approval- Akron Central Tax Collection contract:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the 2022-23 school tax collection contract with Akron Central School District and authorizing the Supervisor to execute the presented contract on behalf of the town.

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

Approval- Purchase of new Copy Machine:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the purchase of a new Konica Minolta Bizhub C300i copy machine for the Building & Assessor's office from Copier Fax Inc. in the purchase amount of \$5,140.02 along with a per copy maintenance agreement, which represents the best value to the Town and authorizing the Town Clerk to enter into a purchase agreement for said new copy machine.

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

Approval- Standard Workday & Reporting:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the establishment of the standard workdays for elected and appointed officials as reported on RS2417-A to the NYS Local Retirement System and attached here with.

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

Approval- Authorize Bid for new Sign Display:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the proposal prepared by the Town Clerk to go out to bid on construction/purchase of a new sign display at the Town Hall and authorizing the Town Clerk to advertise for bids to be received on July 25, 2022 no later than 1:00pm.

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

Approval- Lateral Restriction Hardship Application- 4848 Schutt Rd:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the application for a lateral restriction exception hardship at 4848 Schutt Rd in water district 10 as submitted by owners Jeff Braunscheidel & Jessica Brawdy, based on supporting letter provided.
Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope- Absent Carried

Approval- Hire of new Part-time Clerk Typist:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the hire of Linda Kaczmarek for the part-time Clerk Typist position in the Building & Assessor's office at a rate of \$18.00/hour effective August 1, 2022.

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

Approval – Advertise for FT Highway position:

A motion was made by Councilman Burke, seconded by Councilman Dugan authorizing the Town Clerk to advertise for the open position of a full-time Highway laborer employee in the Akron Bugle.

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

Approval- Beer/Wine Permit:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the request for a beer/wine permit for the Tanya's Trot event at Veteran's Park on September 25th.

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

Privilege of the Floor/Question Period: Steve Sementilli of NextEra offered his congratulations to Joe Dugan on his induction into the Veterans Hall of Fame. It is a well-deserved honor, and he sets a great example for us all. He also thanked the Town Board members in helping the project run smoothly through the town. He thanked the Newstead Fire Company for providing an honor guard at the ribbon cutting today. He will continue to be around as restoration work continues throughout the fall.

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 8:14pm. Carried

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