

**Newstead Town Board Meeting- July 12, 2021**

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

The Board exited executive session on a motion by Councilman Burke, seconded by Councilwoman Pope at 6:59pm, having taken no action. Carried Unanimously

A regular meeting was called to order by the Newstead Town Board on Monday, July 12, 2021 at 7:45pm at the Newstead Town Hall.

Present: David Cummings- Supervisor  
Edmund Burke- Councilman  
John Jendrowski- Councilman  
Joseph Dugan- Councilman  
Patricia Pope- Councilwoman  
Brendan Neill- Town Attorney  
Emily Janicz- Assistant Town Attorney  
Scott Rybarczyk- Town Engineer  
Jennifer Herberger- Deputy Town Clerk

Roll Call was taken with all board members present.

Councilwoman Pope led the pledge to the flag.

Minutes from the regular meeting held on June 28, 2021 were presented for approval. A motion was made by Councilman Burke, seconded by Councilwoman Pope to approve as presented. Carried Unanimously

**Agenda Changes** – none

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

A notice was received from the NYSDOT regarding a major project for the 2022 construction season that will replace existing culverts all along Rt. 93/Maple Rd, resulting in road closures next year.

A thank you note was received from the VFW Post #3180, thanking Supervisor Cummings and the Town Board for their support of the Memorial Day events.

A notice of a webinar on “Financial Condition Analysis for Board Members” was received from NYS, with the seminar to be held on July 21<sup>st</sup> from 10:00-11:00am.

A letter was received from Pat Popielski expressing her concerns and opinion on the proposed sale of the Limerick Hall property.

The 2021 Annual Report was received from the Erie County Department of Real Property Tax Services.

A letter was received from Charter Communication regarding upcoming programing changes.

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 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 items and code change updates, building issue updates, grant updates, highway items, concerts in the town, the Bicentennial, plus any other items brought before the Board.

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

**Budget transfers:** a motion was made by Councilman Dugan, seconded by Councilwoman Pope to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 7/12/21. Carried Unanimously

**Approval of Bills** – Councilwoman Pope reported that the Abstract(s) from Batch(es) #2147 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2153 were presented for payment. Vouchers on this abstract(s) numbered 662 – 715, totaling \$2,484,173.93. Councilman Jendrowski seconded to approve payment as follows:

Abstract Batch(es) #2153:  
 General Fund (A)-\$117,011.59, General Fund- Outside Village (B)-\$4,497.45, Highway (DA) -\$0, Highway: Outside Village (DB)-\$34,687.27, CAP-Water-Scotland (HS)-\$230,000.00, CAP-Water-Koepsel (HW)-\$1,040,000.00, CAP-Water-Draper (HW01)-\$130,000.00, CAP-Water-Cedar (HW02)-\$125,000.00, CAP-Water-Knapp (HW03)- \$625,348.24, CAP-Bike Path (HTG)-\$75,000.00, Drainage (SD)-\$1,470.59, Fire Protection (SF)-\$24,321.00, Refuse (SR)-\$26,790.52, Sewer #1 Fund (SS)-\$7,534.63, Sewer District #2 (SS02)-\$162.50, Sewer District #3 (SS03)-\$530.50, Trust & Agency(TA)-\$9,496.11 and Consolidated Water (SW00)-\$32,323.53, 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:\$2,484,173.93 Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – a report was presented from the Highway Supt that was read by the Supervisor as follows: the crews worked on field ditch mowing, painted “Stop” on bike path intersection and repaired blacktop on a section of the bike path, put tow bars on trucks, cleaned up Vets Park after 4<sup>th</sup> of July, picked up brush at JMF, finished ditching on Berghorn Rd and road ditching and piping on Utley Rd.

**Assessor** – a report was presented from the Assessor and read by the Supervisor as follows: It is the slow season in the assessor’s office, I have been working on inspection and valuation of new construction based on the level of completion. Just a reminder that I will be out of the office from the 12<sup>th</sup> through the 16<sup>th</sup> for training.

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

|                      |                        |           |
|----------------------|------------------------|-----------|
| 5720 Cummings Rd Inc | 5720 Cummings Rd       | Deck      |
| Fowler, Thomas       | 6735 Cedar St          | Roof      |
| Frost, Cynthia       | 12251 McNeeley Rd      | Roof      |
| 5720 Cummings Rd Inc | 5720 Cummings Rd       | Roof      |
| Buckley, Nancy       | 5665 Crittenden Rd     | Roof      |
| Adams, Mark          | 11110 Keller Rd        | IG Pool   |
| Fix, Paul            | 4905 Ayers Rd          | Garage    |
| Wideman, Robert      | 11720 Hunts Corners Rd | Pole Barn |
| Ball, Tina           | 11365 Main Rd          | Demo      |

The Town Board accepted the building report as presented.

**Town Clerk-** Nothing at this time

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

**COUNCILPERSONS:**

**Jendrowski-** he has had conversations regarding the sprinkler inspection and gutter repair at the library and spoke with the CEO regarding code changes he will be reviewing.

**Dugan** – nothing to report

**Burke** – he thanked Kathy Capan and the entire Celebration Committee for all their work on the 4<sup>th</sup> of July. He also attended a meeting with the town and village regarding the JMF.

**Pope**- nothing to report

**Supervisor**- he spoke to several residents regarding water and ditching concerns, attended the JMF committee meeting and has had discussions regarding the bathroom grant project at the fire hall.

**UNFINISHED BUSINESS:**

**Buildings**- discussed in work session

**Planning**- discussed in work session

**Water/Sewer**- working with residents regarding the July 31<sup>st</sup> deadline for waterline forms and the highway crews are working on getting the culvert addresses.

**Grants**- nothing new. Working on bike path upgrade grant.

**NEW BUSINESS:**

**Approval- Newstead Recreational Trails Expansion Project:**

A motion was made by Councilman Jendrowski, seconded by Councilman Burke authorizing the Supervisor to file an electronic Consolidated Funding Application request to New York State Office of Parks, Recreation and Historic Preservation for a grant to upgrade the bike path.

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

Carried Unanimously

**Approval- SEQRA for Bike Path Repair:**

A motion was made by Councilwoman Pope, seconded by Councilman Jendrowski in accordance with SEQR to hereby determine that the proposed project involving repair and resurfacing of an existing bike path is a Type II Action under SEQR requiring no further SEQR evaluation.

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

Carried Unanimously

**Approval- Sale of Limerick Hall Property:**

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the sale of the property at 6074 Cummings Rd (Limerick Hall) to the lowest responsible bidder, Friends of the Limerick Hall, Inc. at a sale price of \$1000.00.

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

Carried Unanimously

**Approval- Award Bid for AV Equipment Upgrades:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope awarding the bid for upgrading the AV equipment at the Town Hall to Capstream, Technologies with the lowest responsible bid of \$9,993.88 and authorizing the Supervisor to execute a contract with Capstream Technologies on behalf of the Town.

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

Carried Unanimously

The Supervisor thanked Town Clerk Dawn Izydorczak for all of her work getting the quotes.

**Appointment of Marriage Officer:**

A motion was made by Councilman Dugan, seconded by Councilman Burke authorizing the appointment of Councilman John Jendrowski to be a marriage officer within the town's jurisdiction for the remainder of 2021.

Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Abstained, Pope-Aye

Carried

**Privilege of the Floor/Question Period:**

**Nancy Eckerson, Westgate Ave.** – thanked the board for selling the Limerick Hall to their organization.

**Steven Sementilli, 100 Ontario Court** – he commended the board for having the 4<sup>th</sup> of July celebrations when so many neighboring towns choose not to. He also thanked St. Teresa's church for not only allowing parking in their lot but for having people directing traffic in the lot.

The Supervisor wished Councilwoman Pope a very happy birthday.

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 with a moment of silence for the passing of past Conservation Advisory Committee member Richard Hegmann at 8:10pm. Carried Unanimously

Respectfully Submitted,  
Jennifer Herberger, Deputy Town Clerk