

Newstead Town Board Meeting- June 22, 2020

A regular meeting was called to order by the Newstead Town Board on Monday, June 22, 2020 at 7:26pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
Edmund Burke- Councilman
John Jendrowski- Councilman
Joseph Dugan- Councilman
Brendan Neill- Town Attorney
Emily Janicz- Assistant Town Attorney
Michael Bassanello- Highway Supt.
Scott Rybarczyk- Town Engineer
Jennifer Herberger – Deputy Town Clerk

Roll Call was taken with all board members present.

Scott Rybarczyk led the pledge to the flag.

Minutes from the regular meeting held on June 8, 2020 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilman Burke to approve as presented.

Carried

Agenda Changes – a motion was made by Councilman Jendrowski, seconded by Councilman Burke to make the following agenda changes: remove the Solar Legal Notice Request and financial statement motions and add a lateral restriction request on Hunts Corners Road and a motion to cancel the June 29th work session.

Carried

Communications – The Clerk presented the following correspondence:

Notices were received from Charter Communications announcing programming changes coming in July.

A notice from NYS Department of Taxation & Finance notifying the Town that it's final equalization rate for 2020 will be 100%.

A notice from Erie County Department of Public Works notifying the town that South Newstead Rd will be closed daily from June 22-June 26th from 8am-4pm to replace 4 cross culverts.

A Notice of Intent to Construct a Solar Energy System on Hunts Corners Rd was received from DG New York CS, LLC

A letter was received from resident Allan Kidder concerning an issue that has come up regarding the St. Teresa's Quilting Ministry at the Wright Center, along with other supporting materials.

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

Carried

Work Session: The Supervisor reported no work session was held last week but the following items were discussed prior to tonight's meeting: water & sewer project updates, planning item updates, building issue updates, grant updates, 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 Councilman Jendrowski to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 6/22/20.

Carried

Approval of Bills – Councilman Burke reported that the Abstract(s) from Batch(es) #2044 have been reviewed with the previously un-audited vouchers and everything was found in order. He

presented Abstract Batch(es) #2045 for payment. Vouchers on this abstract(s) numbered 604-660, totaling \$118,681.78. Councilman Jendrowski seconded to approve payment as follows:

Abstract Batch(es) #2045:

General Fund (A)-\$27,425.53, General Fund- Outside Village (B)-\$7,444.12, Highway (DA) -\$0, Highway: Outside Village (DB)-\$43,217.89, CAP-SEW 1 Rehab (HAR)-\$0, CAP- Bike Path (HTG)-\$0, CAP- Water Improvement (HW)-\$0, CAP Water-Downey (HW01)-\$0, CAP- Water-Cedar (HW02)-\$0, CAP- Water-Knapp- (HW03)-\$0, Drainage (SD)-\$708.60, Fire Protection (SF)-\$29,436.00, Refuse (SR)-\$392.32, Sewer #1 Fund (SS)-\$27.88, Sewer District #2 (SS02)-\$100.25, Sewer District #3 (SS03)-\$0, Trust & Agency(TA)-\$0 and Water Districts: Consolidated (SW00)-\$158.38, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$8,175.81, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$1,595.00; Total:\$118,681.78 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – a report was presented from the Highway Supt as follows: the crews installed plexiglass at the Town Hall, mowed Town parks, did field ditching and road piping on Stage Road (1870’ & 825’), helped the Towns of Lancaster and Clarence with projects, screened millings for shoulders, repaired the tractor and #3 break, milled the shoulder on McNeeley Road and did field ditching on Lesswing Road.

Assessor – a report was presented from Tina and read by the Supervisor stating the final roll legal notice will be posted in the paper this week and the roll has been sent to the county for processing. Also she will be on vacation from 6/29 – 7/6 but available by phone or email.

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

Dennis Hudomint	12473 Swift Mills	Floodplain Development
Brian Braunscheidel	11152 Clarence Ctr	Addition, patio & garage
Donald Lavocat	12534 Meahl	IG Pool
Eric Odachowski	4578 Ayers	IG pool
Alan Herdzik	12130 Stage	One Family Home
James Sowinski	6000 Crittenden	3 season room
Douglas Decker	12294 Swift Mills	One Family Home
Christopher Perkins	6233 Utley	Addition & alterations
Kirk Kubiak	11205 Hiller	Decks
Ginny Brown	11651 Rapids	AG pool
John Daniel	7570 Cedar	Roof
Elizabeth Palfi	8042 Kathryn	Roof
Cynthia Wegrzyn	12153 Rapids	Addition
Jerome Kostanciak	12722 Stage	Roof
CMK Builders of Alden	11623 Howe	One Family Home
Daniel Roland	12767 Dorsch	Shed
Marion Surman	5985 Crittenden	Windows
James Styn	12887 Dorsch	Siding
5720 Cummings Rd Inc	5720 Cummings-#164	Shed

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 spoke with Kristine regarding the reopening of the library and everything is going well. The water fountains are being worked on and will be repaired soon and the sprinkler testing is coming up shortly.

Dugan – he spoke to a dispatcher at Amherst Fire Control regarding a situation where the wrong fire departments are being dispatched. It is being looked into and will be corrected.

Burke – nothing to report

Supervisor – the Supervisor attended a virtual Erie County Supervisor meeting and an Association of Erie County Government meeting last week and he visited the bike path with Mike and Brad Buyer. There will be a fence put up around the towers to keep people out. They also witnessed bikers going around the speed bumps at the Cummings Road crossing so new fencing was put up today to force the bikers to come to a stop first. The Supervisor has talked to a State Trooper who would like to see the hill on Cummings be a double solid yellow line and the speed limit reduced. Brad Buyer is also going to reach out to Erie County regarding milling the hill on Cummings Road to give a better line of sight. The Supervisor met with a resident on Wahl Road and toured his property. The junk cars on the property are on the Alden side and the Newstead portion is in compliance. He also asked about someone taking fill from his property to repair the road and was advised that is a civil matter. The Supervisor spoke to several people on South Newstead Road regarding the need for a speed study and he and Colleen met with 3+1 and received updated reports. The town is starting to see positive results from moves that were made last year. Things are encouraging now, but the next three months will be telling.

UNFINISHED BUSINESS:

Buildings – nothing new

Planning – 4 public hearings will be held on July 13th and the Supervisor is meeting with the Karchers in the morning regarding an unsafe building.

Water/Sewer – final construction plans for water improvements were sent to the Department of Health on June 18th.

Grants – nothing new.

NEW BUSINESS:

Public Hearing- 6-lot Subdivision Havens Rd:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the calling of a public hearing on the proposed 6-lot subdivision to be located on Havens Rd with said hearing to be held on July 13, 2020 at 7:20pm. The Clerk is authorized to publish legal notice in the Akron Bugle.

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

Approval- Standard Workday & Reporting:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the standard workday and reporting schedule submitted to NYS Retirement System for employees, with said notice to be posted per required.

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

Approval- ADESA Sewer Rehab project closeout:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan authorizing the closeout of the ADESA Sewer District 1 rehab project.

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

Approval- Use of Greenspace Funds- Bike Path:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the use of greenspace funds in the amount of \$25,000 to complete necessary work on the bike path. (Resolution) Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye Carried

Public Hearing- Site Plan- 11167 Main Rd:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the calling of a public hearing on the proposed site plan for the construction of 4 new storage buildings to be located at 11167 Main Rd with said hearing to be held on July 13, 2020 at 7:10pm. The Clerk is authorized to publish legal notice in the Akron Bugle. (Resolution) Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye Carried

Approval- Lateral Restriction Exception- 11811 Hunts Corners Rd:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the application for a lateral restriction exception hardship for construction of a new build home in water district #5 at 11811 Hunts Corners Rd as submitted by Robert & Linda Wideman, based on supporting documentation provided. Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye Carried

Approval- Cancel Work Sessions:

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the cancellation of the work session on June 29th due to the COVID-19 emergency requirements. Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye Carried

Privilege of the Floor/Question Period: Mark Overall from Buffalo Solar Solutions spoke to the board regarding grant money available to municipalities to have solar panels installed on their buildings.

There being no further business to come before the board for the regular meeting a motion was made by Councilman Burke, seconded by Councilman Jendrowski to adjourn the regular meeting at 8:03pm. Carried

Respectfully Submitted,
Jennifer L. Herberger, Deputy Town Clerk