

Newstead Town Board Meeting- March 11, 2019

The Board entered executive session at 6:52pm to discuss contractual issues with the Newstead Fire Co. contract on a motion from Councilman Burke, seconded by Councilman Dugan.

Carried Unanimously

The Board exited executive session on a motion by Councilwoman Morlacci, seconded by Councilman Jendrowski at 7:05pm, having taken no action.

Carried Unanimously

A regular meeting was called to order by the Newstead Town Board on Monday, March 11, 2019 at 7:05pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
John Jendrowski- Councilman
Joseph Dugan- Councilman
Edmund Burke- Councilman
Jeannine Morlacci- Councilwoman
Brendan Neill- Town Attorney
Emily Janicz- Assistant Town Attorney
Scott Rybarczyk- Town Engineer
Dawn Izydorczak- Town Clerk

Roll Call was taken with all board members present.

Councilman Dugan led the pledge to the flag.

Minutes from the regular meeting held on February 25, 2019 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilwoman Morlacci to approve as presented.

Carried Unanimously

Agenda Changes – a motion was made by Councilman Jendrowski, seconded by Councilwoman Morlacci to make the following agenda changes: add a motion to approve the parking agreement

Carried Unanimously

Communications – The Town Clerk presented the following correspondence:

A letter from Charter Communications notifying the town of the launch of 2 new channels as of March 29, 2019.

A request for a beer/wine permit was received from Stephanie Torrelli for a Class of 2009 reunion party at Skyline Park on July 27, 2019.

A notice of public hearing was received from the Town of Alden to create the position of Town Constable, which was held on March 4th.

A letter was received from Meals on Wheels Foundation announcing its partnership with the Food Bank of WNY.

A letter was received from National Fuel Gas requesting information on any public improvement projects planned for 2019 in the Town.

A notice of a seminar on “How are local communities becoming more resilient?” will be held on March 19th at the UB campus from 8am-12:30pm.

A notice of a seminar on Small Cell Wireless Network Technology & Planning which will be held at Clarence Town Hall March 22nd from 2pm-3:30pm.

A letter was received from the Village of Akron notifying the Town that the rate for police officers assigned to the Town Court will increase to \$33.25/hour effective June 1, 2019.

A certified resolution was received from the Erie County Legislature supporting the establishment of broadband internet access across Erie County.

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

Work Session: The Supervisor reported that at the work session held last week the following items were discussed: water & sewer project updates, planning items updates, building issues updates, grant updates, highway loader purchase, eagle scout project request, 3+1 update, government vehicle parking request for lot, meeting times, fire company issues, the Alabama water contract, Mattioli property, FEMA maps, reappointment of Lewis Tandy plus any other items brought before the Board. An executive session was held at 7:55pm regarding the lease agreement and Newstead Fire contracts. The board exited executive session at 8:24pm having taken no action.

Agenda Items Question Period: no one was present to speak

Budget transfers: none

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1912 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1917 for payment. Vouchers on this abstract(s) numbered from 191-249, totaling \$155,602.37. Councilwoman Morlacci seconded to approve payment as follows:

Abstract Batch(es) #1917:
General Fund (A) -\$41,439.05, General Fund- Outside Village (B) \$1,652.17, Highway (DA) -\$0, Highway: Outside Village (DB) \$73,083.67, CAP- Trail Grant (HTG)- \$0, CAP-Generator (HTI)- \$9,550.00, CAP-Water-Scotland (HS)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$0, CAP- Water- Cedar (HW02)- \$0, CAP- Water-Knapp- (HW03) \$0, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$24,740.64, Sewer #1 Fund (SS) \$1,081.13, Sewer District #2 (SS02)- \$414.50, Sewer District #3 (SS03)- \$549.50, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$3,091.71, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0; Total:\$155,602.37
Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – no report presented

Assessor – Tina presented a report read by the Supervisor stating exemption season has ended, with only 1 individual not returning their exemption renewal. She will be starting to work on new construction and going through inventory on new builds to prep for the reassessment project. She has requested the board to make an official resolution/motion supporting the reassessment project. She also provided the February sales to the Board.

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

Charles Kelkenberg	13445 Stage	One Family Home
David Morehouse	11326 Miland	Ditch fill
Steven Turowski	13098 Steiner	Shed
Brian Woodruff	5659 Crittenden	Permit renewal

The Town Board accepted the building report as presented.

Town Clerk- 2019 County-Town tax bill payments continue to come in at a steady pace. Due date is March 15th.

Town Attorney – nothing at this time

COUNCILPERSONS:

Jendrowski- he and Councilman Dugan met with Newstead Fire Co. representatives to discuss the pending contract items. He also met with Akron Fire Co. President Gary Baehr on contract issues.

He attended the Newstead Fire Co. pancake breakfast and met with Sarah Young to discuss the New Pipe contract and other Senior Center issues. He attended a meeting at the Library with Senator Mike Ranzenhofer where State Budget cuts to libraries was discussed. He also received an unsigned letter from a resident complaining about a specific topic. He stated that residents sending complaints must send them to the entire Board and must sign their name to the complaint if they want to have it looked at or addressed. The Board won't look into it if you are not willing to sign your name to it. He did happen to look into the issue contained in this letter he received and if the author of the letter wants to know the resolution, they need to personally reach out to him.

Supervisor Cummings agreed with this assessment...he does not respond to unsigned complaints either.

Dugan – he attended the Newstead Fire Co. meeting with Councilman Jendrowski. He attended the Akron Fire Co. installation dinner and at that event spoke with Gary Baehr about setting up a follow up meeting with him.

Burke – He attended the Newstead Fire Co. pancake breakfast, which was very well attended, and attended the Akron Fire Co. 96th installation dinner. He also discussed the brush drop off policy at the Joint Facility with the Highway Superintendent.

Morlacci- she congratulated Carl Klingenschmitt on being awarded the Volunteer of the Year by the Clarence Chamber of Commerce.

Supervisor- he addressed a residents complaint of hunting issues on her property and another complaint of the lack of Spectrum cable & internet services in portions of the town. He also attended the Akron Fire Co. 96th installation dinner, collected an article on the NextEra meeting minutes and congratulated Sue Fay Allen and Carl Klingenschmitt on their Volunteers of the Year awards in Clarence.

UNFINISHED BUSINESS:

Buildings- nothing new

Planning- several items to be discussed at work session next week

Water/Sewer- Scott spoke with Russ Stoll of the ECWA regarding the proposed pump station project on Main Rd and was told it is still on the list but no committed date and it is not a high priority for the Authority at this time. Scott is recommending that the town proceed with the local pump station at Cedar St as was discussed in the past. The Supervisor will reach out to ECWA reps and the property owners to get the ball rolling on this again.

Scott also reported no new information on the water grant. We are still waiting. He is working on getting the numbers for the sewer study quote pulled together.

Brendan reported he will be sending the written notice to the Town of Alabama this week as he has not heard a response back from them.

Grants- several of the current grants will be completed and closing out this year.

NEW BUSINESS:

Approval- Recreation Grant:

A motion was made by Councilwoman Morlacci, seconded by Councilman Burke authorizing the Supervisor and/or the Recreation Director to file an application with Dick's Sporting Goods requesting funding/equipment for the town Recreation Program for 2019 and authorizing the same to execute any necessary paperwork associated with the grant application.

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

Approval- ADA Compliance Agreement:

A motion was made by Councilman Dugan, seconded by Councilwoman Morlacci authorizing the Supervisor to execute the necessary application forms and papers required for the American Disabilities Act Compliance Agreement with the New York State Department of Transportation for Standard Title VI Non-Discrimination Assurances, as reviewed by the Town Attorney & Clerk. Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Morlacci-Aye Carried Unanimously

Approval- Assessment Revaluation Project for 2019:

A motion was made by Councilwoman Morlacci, seconded by Councilman Dugan approving & supporting the start of a town wide property revaluation project in 2019 for the 2020 assessment roll. Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Morlacci-Aye Carried Unanimously

Reappointment – Lewis Tandy to ECEMC:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the reappointment of Lewis Tandy to the Erie County Environmental Management Council (ECEMC) for a 2 year term beginning on June 1, 2019 and ending on May 31, 2021.

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

Approval- Beer/Wine Permit:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the request for a beer/wine permit at Skyline Park on July 27, 2019 by Stephanie Torrelli for a Class of 2009 reunion party.

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

Approval- Boy Scout Project- Gaga Ball at Veteran’s Park:

A motion was made by Councilwoman Morlacci, seconded by Councilman Jendrowski approving the proposed Eagle project for a Gaga Ball court to be constructed at Veteran’s Park by Boy Scout Devin Scotch, pending receiving his final written project proposal.

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

Approval- Parking Agreement for Staging Vehicles:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the proposed parking agreement with Gerry DiPaola, a project manager for the US Army Corp of Engineers, allowing him to stage a government vehicle and/or his personal vehicle at the Town Hall parking lot for the duration of the time he is working in the WNY area, subject to the terms set forth in the agreement.

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

Privilege of the Floor/Question Period: no one was present to speak

Councilman Burke asked if the topic of AirBNB/VRBO’s could be added to the work session agenda to discuss recommendations by the Planning Board. He also questioned not receiving a 4th quarter report for 2018 from the Dog Control Officer.

The Supervisor will add those items to the next agenda.

Dawn informed the Board that she has reached out to the DCO for the report and they should have it by next meeting.

There being no further business to come before the board for the regular meeting a motion was made by Councilman Dugan, seconded by Councilman Jendrowski to adjourn the regular meeting at 7:26pm. Carried Unanimously

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