

Newstead Town Board Meeting- March 13, 2017

A regular meeting was called to order by the Newstead Town Board on Monday, March 13, 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.

Supervisor Cummings led the pledge to the flag.

Erie County Legislator Ed Rath was present and addressed the Board regarding several topics. He informed everyone that new laws were passed in 2016 regarding **zombie properties** thanks to Mickey Kearns who led the charge on this issue. This now puts pressure on the banks to foreclose properties within 90 days and have them reoccupied within 180 days or they face \$500 per day fines past those dates. The Town Code Enforcement Officers play an important role in getting action taken by reporting zombie properties to the Department of Financial Services to start the process. The **Cultural Funding** process for mid-level cultural programs from the County had been temporarily changed by the County Executive this year but the Legislature challenged those changes and the process has been put back to its original state. **ECMC** needs a new emergency room and the challenge has been to decide the best avenue to provide funding for the project. It has been decided that the Erie County Control Board will seek the funding for the hospital due to its better bond rating. The Legislature is trying to decide the best pathway to achieve the project and the County Executive wants to keep the difference in the bond funding cost savings but the Legislature is against that and feels it should stay with the hospital. Legislator Rath addressed the **opioid epidemic** stating that over 320 deaths occurred in Erie County last year due to this crisis. The use of narcan is helping to an extent but they are now finding new drugs that are being used that are resistant to the narcan. Linda Chaffee, a member of the Akron-Newstead Coalition on drug issues locally stated the narcan is not enough. It just makes the users think they can continue to do the drugs and they will live. What is really needed is more rehab beds. There are not nearly enough in Erie County and she asked about the potential for the old Erie County Home property in Alden to be revitalized and used as a rehab facility. Legislator Rath has heard that mentioned before and will look into the feasibility of that further and get back to Linda. Legislator Rath also spoke about the **County roads and bridges** in the Town that are in need of repair. He spoke of the success with the Swift Mills Rd bridge and Brooklyn bridge projects last year. He thanked Highway Supt Mike Bassanello for the great flow of communication on roads and ditching conditions in our area. He asked the board members to get him a list of the County owned roads in the town that they feel need the most attention. He will also be asking for the same information from the Village Mayor, including a resolution from the Village regarding East Avenue and Bloomingdale Avenue. If the town also supports those projects it could help pushing them through the process at the County. The Supervisor stated that Tonawanda Creek Rd and Burdick Rd would be priority projects for the town. Ed stated he has had talks with Congressman Chris Collins regarding obtaining federal funds for Tonawanda Creek Rd from Clarence into Newstead. Ed promised to report back to the board on any updates on these topics. He stated he is always available to the Town Board either by phone or via email.

Minutes from the previous regular meeting held on February 27, 2017 were presented for approval. A motion was made by Councilman Burke, seconded by Councilman Dugan to approve as presented. Carried

Agenda Changes – a motion was made by Councilman Jendrowski, seconded by Councilman Burke to make the following agenda changes: add a motion for decals on town vehicles Carried

Communications – The Town Clerk presented the following correspondence:

An information packet was received on the 2017 Local Government Conference at Houghton College on Wednesday May 10th.

An amended liquor license application was received from Rizzo's at Rothland for the Boards approval.

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

Work Session: The Supervisor reported that at work session held last week the following items were discussed: Chief Mutter of Newstead Fire Co was in to meet with the board, highway items, water/sewer projects, planning items, grants, open job positions, decals for town vehicles, Leisurewood, joint town/village items, senior center computers and any other matters brought before the Board.

Agenda Items Question Period: no one spoke

Budget transfers: a motion was made by Councilman Burke, seconded by Councilman Jendrowski to approve the budget transfers as presented in a memo from Bookkeeper Colleen Salmon dated 3/13/17. Carried

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1697 has been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1699 for payment. Vouchers on this abstract(s) numbered from 201-254, totaling \$190,638.89. Councilman Burke seconded to approve payment as follows:

Abstract Batch(es) #1699:

General Fund (A) -\$44,364.18, General Fund- Outside Village (B) \$50.67, Highway (DA) -\$0, Highway: Outside Village (DB) \$27,496.54, CAP- Murder Creek- (HM) \$0, CAP-Sewer Dist 3(HNL) \$2,750.00, 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) \$25,396.31, Sewer #1 Fund (SS) \$3,279.01, Sewer District #2 (SS02)- \$966.00, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$4.50, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$86,331.68
Total: \$190,638.89 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – not present. No report.

Assessor – no report presented.

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

Dande Farms Golf	13278 Carney	Fuel tank removal
Jeff Szafranec	11890 Meahl	Generator
Carol Lords	4059 N Millgrove	Roof
Kelly Schultz/Jack Willert	13123 Main	Siding

The Town Board accepted the report as presented.

Town Clerk- the Town has received all of its tax money for this tax cycle. Last day to pay taxes without penalty is Wednesday, March 15th.

Attorney for the Town – nothing at this time

COUNCILPERSONS:

Jendrowski- he met with Dave, Brian & Keith on the CEO position and set interviews with 4 candidates for this Saturday. He attended the celebration committee meeting, toured Leisurewood

with Dave, Mike & Brian Murray, spoke with Brad regarding the Senior Center roof repairs, and attended the Newstead Fire Co pancake breakfast which was well attended and very good.

Dugan – he spoke with Disaster Coordinator Dan Kowalik regarding the wind storm and power outages. He will be sitting in on the CEO interviews this Saturday.

Burke – he attended the Joint Facility committee meeting, installed officers at the Akron Fire Co installation dinner, he spoke with Senator Mike Ranzenhofer on a grant application issue and attended the Newstead Fire Co pancake breakfast.

Supervisor- the January Supervisor’s Report is on file with the Town Clerk. He attended a press conference on tax cap issues, attended meetings on the CEO position, attended a meeting with the grant writers on the parks grant and other issues, attended a Joint Facility committee meeting, met with the Mayor, attended the Leisurewood tour, attended storm meetings & conferences with National Grid and helped with the warming center at the Newstead Fire Hall. He thanked Dan Kowalik and Debb Sabbatis for all their hard work and dedication to our residents throughout the wind storm and power outages.

UNFINISHED BUSINESS:

Buildings- Senior Center roof work done, Jim Akin will be purchasing 10 hard maples and 10 oak trees for planting by town.

Planning- code changes from the planning board are pending as well as solar law and radon law. The first meeting of the Comprehensive Master Plan committee will be on March 27th.

Water/Sewer- Niagara Label and their contractor are working on the materials purchases for the sewer project. Nothing new on water projects.

Grants- several grants are in progress and pending

NEW BUSINESS:

Approval- 5-lot Major Subdivision:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the proposed 5-lot subdivision located at South Newstead Rd owned by CMK Builders of Alden subject to the conditions set forth in the resolution.

(Resolution Attached) Cummings-No, Dugan -Aye, Burke-Aye, Jendrowski- Aye Carried

Approval- Special Use Permit- M. Shields Enterprises, Main Rd:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the temporary Special Use Permit for M. Shields Enterprises, LLC upon the condition that no more than 10 vehicles be displayed for sale or the permit will be subject to revocation and authorizing the Planning Board to issue the permit, subject to the revocation clause of no more than 10 vehicles displayed on the property at one time.

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

Approval- Clothing Contract for Highway:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the award of uniform and mat contract to UniFirst Corp. with the lowest base bid of \$58.86/week and authorizing the Supervisor to execute the contract, subject to review and approval of the Attorney for the Town.

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

Approval- Declaring Surplus Computer Equipment:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the declaration of old computers from the Senior Center as surplus property and authorizing the Town Supervisor and/or Town Clerk to offer them for sale or dispose of them if no purchaser can be found.

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

