

## Newstead Town Board Meeting- March 27, 2017

A regular meeting was called to order by the Newstead Town Board on Monday, March 27, 2017 at 8:13pm 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  
Jennifer Heberling- Deputy Town Clerk

Roll Call was taken with all board members present.

Councilman Dugan led the pledge to the flag.

Minutes from the previous regular meeting held on March 13, 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: remove item E. – this has already been done Carried

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

A letter was received from Charter Communications notifying the town of the recent programming changes that will go into effect as of April 25, 2017.

A notice was received on the upcoming Watershed Management Plan Municipal Workshop at the Wales Community Center at 12345 Big Tree Rd in Wales Center on Thursday March 30<sup>th</sup> at 6pm.

A notice was received on the Eco-Ride and Drive event at Niagara Falls State Park on Goat Island Parking Lot #3 on Thursday April 20<sup>th</sup> from 10:00am-3:00pm, where attendees can test drive tomorrows green-fleet vehicles.

The February Operations Report was received from Amherst Central Alarm office reporting 36 calls for Akron Fire Co and 28 calls for Newstead Fire Co.

A thank you note was received from Jean York for the flowers sent.

A copy of the 2017 Erie County Farm Bureau Agricultural Directory was received.

A letter was received from Erie County Department of Health approving the engineering report and plans for the construction of the sanitary sewer forcemain and pump station for Niagara Label.

A letter and a resolution were received from President Mary Jo Hultquist of the Erie County Town Clerks and Tax Collectors Association that requests the tax collection cycle for Towns of the Second Class in Erie County be changed through the Erie County Tax Act to coincide with the January to February collection cycle of Towns of the First Class, thereby saving taxpayers from the higher penalty phases.

A report on office activities for the 2<sup>nd</sup> half of 2016 was received from Town Historian Don Holmes.

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 no work session was held last week but the following items were discussed prior to tonight's meeting: resolutions and motions, planning items, highway items, water/sewer projects, grants, services, court audit, Leisurewood, Dee Wright Center request, joint town/village items, fire company items, open job positions, and any other matters brought before the Board.

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

**Budget Transfers:** none

**Approval of Bills** – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1699 has been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1707 for payment. Vouchers on this abstract(s) numbered from 255-315 plus wire for Bond payment, totaling \$769,777.09. Councilman Burke seconded to approve payment as follows:

Abstract Batch(es) #1707:  
General Fund (A) -\$162,881.61, General Fund- Outside Village (B) \$300.00, Highway (DA) -\$0.53, Highway: Outside Village (DB) \$3,715.10, CAP- Murder Creek- (HM) \$0, CAP-Sewer Dist 3(HNL) \$0, CAP- Trail Grant (HTG)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$0, CAP- Water- Cedar (HW02)- \$0, Drainage (SD)- \$9.27, Fire Protection (SF) \$420,215.35, Refuse (SR) \$332.84, Sewer #1 Fund (SS) \$29.09, Sewer District #2 (SS02)- \$79.47, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$83,573.02, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$90,994.48, (SW6) \$0, (SW7) \$0, (SW7A) \$2,080.00, (SW8) \$0, (SW9) \$5,512.00, (SW10) \$54.33  
Total: \$769,777.09 Carried

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – Mike reported that 1340’ of road ditching was completed on Howe Road, they serviced the CAB tractor and changed oils on the boom tractor, they scraped the shoulder on Miland & Crego Roads, took the sander off 550\* and oiled the chain on the sander, cleaned up trees on S Ayers, Knapp & Martin Roads, plowed & salted several times, took the open CAB tractor apart for repairs, attended a meeting with Highway Superintendent Pat Lucey (Amherst), Jamie Dussing (Clarence), Assemblyman Ray Walter, Assemblyman Mike Norris and State Senator Mike Ranzenhofer on highway issues and signed a 4 year shared services agreement with the NYSDOT.

**Assessor** – no report presented.

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

Smith Auto Sales & Service	11372 Main	Temp Special Use Permit renew
Kelly Schultz	11167 Main	3 lean-to sheds
Bonnie Dee	7722 Moore	Remodel
Justin Brackett	12294 Swift Mills	Demolition
Jason Koons	8372 Greenbush	Pole barn enlargement
Kyle & Kelly Savage	13334 Steiner	Solar roof-mount array
Jason Koons	8372 Greenbush	Porch
Brenda Schlager	11428 Main	In-ground pool
Al Osborne	13227 Stage	Driveway
Joe & Lori Baumler	12891 Steiner	Remodel

The Town Board accepted the report as presented.

**Town Clerk**- nothing at this time

**Attorney for the Town** – nothing at this time

**COUNCILPERSONS:**

**Jendrowski**- he met with a representative from Towleson at the library regarding the heated sidewalks, met with Mike Bassanello to discuss road salting, met with the Lions and Akron Sports regarding the parks, attended the Akron/Newstead Coalition meeting and interviewed potential CEO candidates.

**Dugan** – he attended the CEO interviews.

**Burke** – he attended the comprehensive master plan meeting on March 27<sup>th</sup>.

**Supervisor-** the February Supervisors Report is on file with the Town Clerk. He attended the Association of Erie County Supervisors meeting in Hamburg, volunteered for Meal on Wheels making deliveries in the town, met with Mayor Patterson regarding the refuse contract, attended the comprehensive master plan meeting today and stated that the first public meeting will be held on May 16<sup>th</sup> and he spoke to representatives in the state senate and assembly to redirect a potential grant for a generator at the town hall.

**UNFINISHED BUSINESS:**

**Buildings-** nothing new

**Planning-** several local laws regarding planning will be taken care of tonight and there are several more that will be coming up in work session and then public hearings over the next several weeks.

**Water/Sewer-** the pipe & materials for Cedar Street will be delivered shortly and we are still waiting for Sergi to order the pump for the sewer project at Niagara Label.

**Grants-** the parks grant is still open, the CDBG grant requirements have been taken care of and the trail grant will be going out to bid.

**NEW BUSINESS:**

**Approval- Court Clerk Title:**

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the title change for the Court Clerk position to full-time non-competitive class.

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

**Public Hearing- Local Law #1 of 2017- Radon Control Law:**

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the calling of a public hearing on the proposed Local Law #1 of 2017 entitled Radon Control Law, to be held April 10, 2017 at 7:30pm at the Town Hall and authorizing the Town Clerk to publish the notice.

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

**Public Hearing- Local Law #2 of 2017- Avoidable Alarm and Knox Box Law:**

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the calling of a public hearing on the proposed Local Law #2 of 2017 entitled Avoidable Alarm and Knox Box Law, to be held April 10, 2017 at 7:40pm at the Town Hall and authorizing the Town Clerk to publish the notice.

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

**Public Hearing- Site Plan- Storage Buildings at 11079 Main Rd:**

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the calling of a public hearing on the proposed site plan for 2 storage buildings at 11079 Main Rd owned by Kelly Schultz totaling 9,000 sq ft, to be held April 10, 2017 at 7:50pm at the Town Hall and authorizing the Town Clerk to publish the notice.

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

**Privilege of the Floor/Question Period:** no one spoke

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 8:40pm.

Carried

Respectfully Submitted,

Jennifer L. Heberling – Deputy Town Clerk