

## Newstead Town Board Meeting- May 23, 2022

A regular meeting was called to order by the Newstead Town Board on Monday, May 23, 2022 at 7:30pm at the Newstead Town Hall.

Present: David Cummings- Supervisor  
John Jendrowski- Councilman  
Joseph Dugan- Councilman  
Edmund Burke- Councilman  
Patricia Pope- Councilwoman (remotely)  
Emily Janicz - Town Attorney  
Michael Coutu- Assistant Town Attorney  
Scott Rybarczyk- Town Engineer  
Dawn Izydorczak – Town Clerk

Roll Call was taken with all board members present.

Councilman Jendrowski led the pledge to the flag.

Minutes from the regular meeting held on May 9, 2022 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilman Jendrowski to approve as presented.  
Carried Unanimously

**Agenda Changes** – A motion was made by Councilman Dugan, seconded by Councilwoman Pope to approve the following changes: add a motion to approve advertising for a part time Clerk position  
Carried Unanimously

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

A notice was received from Charter Communications notifying the town of upcoming programming changes taking place on June 1<sup>st</sup>.

A copy of the Erie County Clerk's Office's 2021 Annual Report was received.

A letter was received from the NYS Department of Taxation & Finance notifying the Town that our equalization rate has dropped to 86% for the 2022 roll.

An application for waiver of the 30-day advance notification for a liquor license was received from Thomas Northem for the establishment located at 11891 Main Rd, known as the "Back Lot".

A notice of public hearing was received from the Erie County Legislature regarding a local law to increase the threshold of property tax exemptions for veterans. With the hearing scheduled for May 26<sup>th</sup> at 6:00pm at the Legislature Chambers, Buffalo, NY

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski 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 updates, planning items, building issue updates, grant updates, plus any other items brought before the Board. An executive session was held from 7:52pm-8:28pm on contractual negotiations.

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

**Budget Transfers:** a motion was made by Councilman Jendrowski, seconded by Councilman Dugan to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 5/23/22.  
Carried Unanimously

**Approval of Bills** – Councilwoman Pope reported that the Abstract(s) from Batch(es) #2243 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2244 was presented for payment. Vouchers on this abstract(s) numbered 487-527, totaling \$36,795.39. Councilman Burke seconded to approve payment as follows:

Abstract Batch(es) #2244:

General Fund (A)-\$22,218.46, General Fund- Outside Village (B)-\$224.76, Highway (DA) -\$0, Highway: Outside Village (DB)-\$5,284.42, CAP-Multicultural Ctr (HMCC)- \$0, CAP-Water-Scotland (HS)-\$0, CAP-Water-Koepsel (HW)-\$0, CAP-Water-Draper (HW01)-\$0, CAP-Water-Cedar (HW02)-\$0, CAP-Water-Knapp (HW03)- \$597.50, CAP-Bike Path (HTG)-\$0, Drainage (SD)-\$2,850.00, Fire Protection (SF)-\$5,468.11, Refuse (SR)-\$0, Sewer #1 Fund (SS)-\$30.22, Sewer District #2 (SS02)-\$79.88, Sewer District #3 (SS03)-\$0, Trust & Agency(TA)-\$0 and Consolidated Water (SW00)-\$42.04, 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: \$36,795.39 Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – no report presented

**Assessor** – no report presented

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

Kelly Schultz	11167 Main	Special Event-Fair
Arrowhead Timberlodge LLC	12292 Clarence Ctr	Fireworks
Arrowhead Timberlodge LLC	12292 Clarence Ctr	Fireworks
Town of Newstead	5929 Buell St	Fireworks
Peter Gruenthaner	5825 Barnum	Single Family Home
Dean Hyder	7010 Scotland	Sign
Dominic Torrelli	7220 Sandhill	Roof
Louis Post	12220 Buckwheat	Roof
David Grisanti	13571 Stage	Roof
Bryan Ferry	4548 Ayers	EV charger receptacle
Robert Henkel	7955 Scotland	Addition & Pole Barn
Clifford Albrecht	7882 Brackett	Steel Pole Barn
Leisurewood Campground	Cummings Rd	Deck
Justin Jeziorski	4725 Ayers	Generator

The Town Board accepted the building report as presented.

**Town Clerk**- the annual dog control and shelter inspection reports were received from the NYS DOH and everything was acceptable/passed.

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

**COUNCILPERSONS:**

**Jendrowski** – he attended a library board meeting where they discussed the HVAC grant and after this past week’s rain the roof still looks good. He spoke with Tina regarding the reval project and will be going to the Denio tomorrow to investigate an odor detected by the cleaners.

**Dugan** – nothing at this time

**Burke** – he attended the celebration committee meeting on May 14<sup>th</sup> and was happy to report donations to the committee are up and so is help on the committee. July 4<sup>th</sup> events are being planned.

**Pope** – nothing at this time

**Supervisor** – He addressed phone calls regarding the concerts, met with the Alden Supervisor Brett Sitzman, met with Mr. Schultz regarding his drainage problem, addressed gas well issues and water district issues.

**UNFINISHED BUSINESS:**

**Buildings** – we are waiting to proceed on a construction grant for the library and the expansion tank and backflow preventers will be looked at soon. The roof looks good after the recent rain.

**Planning** – Steve from NextEra reported the transmission line has been energized and will remain powered up most of the time except for when new connections are being made. Restoration and cleanup is being done thru July and other project final measures will continue thru the fall.

**Water/Sewer** – the Supervisor and Scott still continue to work with the state officials to get the project moving again for this summer.

**Grants** – the CDBG sidewalk project is waiting on approvals from several agencies, the Senior Center HVAC is moving forward, and we are looking at new different avenues of funding for the generator at the Denio.

**NEW BUSINESS:**

**Approval – Resurface of Bike Path project:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the project for resurfacing 6 miles of areas of the bike path in need of repairs with a 1” overlay of asphalt and 10’ wide tack coat, with the work to be done by the highway crew and authorizing the Highway Supt. to purchase the necessary materials.

Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope-No Carried

**Approval – Certification of Referendum Results for Special Election:**

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski authorizing the Town Clerk to accept and file the certificate of referendum dated May 23, 2022 stating the results of the special election of qualified voters of the district held on May 17, 2022 to amend the districts LOSAP program for volunteer firefighters effective January 1, 2023 from \$480 to \$840 and to \$1,200 effective January 1, 2024.

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

**Approval –Purchase of bleachers & benches for Skyline Park:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the request by the Highway Superintendent to purchase new bleachers and benches for the baseball fields at Skyline Park based on submitted quotes as follows: Pioneer Athletics-\$16,964.56, MRC-\$19,211.70, CW Site Furnishings-\$21,082.24. the bid is awarded to Pioneer Athletics for \$16,964.56 and the Supervisor is authorized to execute the necessary paperwork.

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

**Approval- Annexation Request for Lewis Rd property:**

A motion was made by Councilwoman Pope, seconded by Councilman Burke approving the request by the Vet’s Club of Akron to annex parcel #33.00-2-26 located on Lewis Rd into the Village boundaries to allow the petitioner to merge it with parcel #47.06-1-3 and then sell the 2 parcels together under one SBL number.

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

**Approval- Lateral Restriction Hardship Application- 5825 Barnum Rd:**

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the application for a lateral restriction exception hardship at 5825 Barnum Rd in water district 5 as submitted by owner Peter Gruenthaner, based on supporting letter provided.

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

**Approval – 30-day waiver for Liquor License:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the request by Thomas Northem for the establishment located at 11891 Main Rd, known as the “Back Lot” for waiver of the 30-day advance notification for a liquor license.

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

**Approval – Advertise for PT Clerk-Typist position:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope authorizing the Town Clerk to advertise for the open position of a part-time Clerk-Typist in the Akron Bugle, the Alden Advertiser and the Clarence Bee.

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

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

The Board entered executive session at 7:59pm to discuss contractual and personnel matters on a motion from Councilman Jendrowski, seconded by Councilman Burke. Carried Unanimously

The Board exited executive session on a motion by Councilman Dugan, seconded by Councilwoman Pope at 8:16pm, having taken no action. Carried Unanimously

There being no further business to come before the board for the regular meeting, a motion was made by Councilwoman Pope, seconded by Councilman Burke to adjourn the regular meeting at 8:17pm. Carried Unanimously

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