

Newstead Town Board Meeting- November 14, 2022

A public hearing was called to order by the Newstead Town Board on Monday, November 14, 2022 at 7:26pm at the Newstead Town Hall.

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

Roll Call was taken with all board members present with the exception of Councilman Dugan who is sick.

The Supervisor called the hearing to order on the proposed 2023-2025 Fire and Emergency Services contract with Newstead Fire Company at 7:26pm.

The Deputy Clerk read proof of publication. The Supervisor explained the proposed contract includes 3 payments over 3 years as follows: 2023- \$448,000.00, 2024-\$461,440.00, 2025-\$475,283.20 and encompasses the entire area of the town.

Comments: The Supervisor stated that the town and the fire company has been working on this for several months.

No one spoke.

There being no further comments, a motion was made by Councilman Burke, seconded by Councilwoman Pope to close the public hearing at 7:29pm. Carried

The regular meeting of the Town Board was called to order at 7:30pm with the same members present as listed above.

Supervisor Cummings led the pledge to the flag.

Minutes from the regular meeting held on October 24th were presented for approval. A motion was made by Councilwoman Pope, seconded by Councilman Burke to approve as presented. Carried

Agenda Changes – None. The agenda was revised.

Communications – The Deputy Town Clerk presented the following correspondence:

A letter was received from Charter Communications notifying the town of upcoming programming changes taking place on November 29, 2022.

A letter was received from the NYS Department of State notifying the town that local law #4 of 2022 was received and filed on October 17, 2022.

A notice of public hearing was received from the Erie County Legislature regarding the proposed consolidation and modification to the agricultural districts. The hearing took place on November 3rd at 2:30pm at the Legislature Chambers and included the removal of one 50.69 acre parcel in Clarence, 2 parcels in Amherst totaling 29.1 acres, removal of one 1.7 acre parcel in Alden and consolidation of all the agricultural districts into the North Consolidated Agricultural District #1.

The annual packet of information regarding the Association of Towns annual training in New York City on February 19th -22nd was received.

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

Work Session: The Supervisor reported that at the work session held last week the following items were discussed: water/sewer updates, planning items, building issues updates, grant updates, highway issues, 2023 budget, gas well, refuse contract, EMS contract extension, joint town-village meeting, personnel items, plus any other items brought before the Board. Executive session was held on highway and personnel issues from 7:27pm-8:04pm with no action being taken.

Agenda Items Question Period: No one spoke.

Budget Transfers: a motion was made by Councilman Burke, seconded by Councilwoman Pope to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 11/14/22. Carried

Approval of Bills – Councilwoman Pope reported that the Abstract(s) from Batch(es) #2287 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2292 were presented for payment. Vouchers on this abstract(s) numbered 1165-1241, totaling \$96,281.73. Councilman Jendrowski seconded to approve payment as follows:

Abstract Batch(es) #2292:

General Fund (A)-\$55,279.70, General Fund- Outside Village (B)-\$81.69, Highway (DA) - \$8,676.39, Highway: Outside Village (DB)-\$0, 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)- \$0, CAP-Bike Path (HTG)-\$0, Drainage (SD)-\$1,483.21, Fire Protection (SF)-\$2,200.00, Refuse (SR)-\$26,628.32, Sewer #1 Fund (SS)-\$606.77, Sewer District #2 (SS02)-\$84.78, Sewer District #3 (SS03)-\$486.37, Trust & Agency(TA)-\$750.00 and Consolidated Water (SW00)-\$4.50, 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: \$96,281.73

Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – a report was presented by Mike as follows: the crews mowed parks, road mowing, trimmed guard rails, etc., they micro paved N Ayers & Pohl Road, one truck helped Erie County Highway in the town/village of Alden, did ditch work on Martin Road and bike path, did repairs to TS90 fail mower, did field ditch mowing & boom mowing, they removed a downed tree on Draper Road, ground a stump on Billo Road, removed obstruction in a field ditch ledge creek, did dirt work at town hall and removed plexiglass, did repairs to a toilet in Vets Park and winterized bathrooms at the parks, paved parts of bike path with binder, trucks were treated by Rust Kote, patched gas line at JMF, did shoulder work on Kathryn Drive, picked up leaves at town hall and cemeteries, they hauled brush and prepared trucks for winter.

Assessor – a report was presented from Tina and read by the Supervisor as follows: She is still working on the residential portion of the reassessment, which is very time consuming and will take months to complete. She attached a list of recent sales from 9/14-10/7/22. The agricultural exemption renewals and other supporting letters have been mailed and the senior exemptions are slowly being returned.

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

Christopher Kreuzer	4384 Billo	2-story Addition
Treg Lewis	12337 Clarence Ctr	Remove wall/new header
Daniel Blachaniec	5028 S Newstead	Roof
Raymond Braun	11891 Main	Special Event-concert
Tammy Mages	6910 Cedar	Windows
Jonathan Vilagy	4984 Schutt	Pole Barn

Tina Ball	11365 Main	Roof
ADESA New York	12200 Main	Renovations
ADESA New York	12200 Main	Building B renovations
St. Teresa's RC Church	5771 Buell	Renovations/power supply to new sign

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 at the library regarding the HVAC quotes and received contractor information from Dawn to have the brick work sealed at the library and town hall.

Dugan – absent

Burke – he attended the JMF meeting where they discussed the gas line and panic button security and getting quotes for repairing the gutters. The new HVAC system is working well and there was a \$9,000 savings by doing the work in-house. Also thanked the Rotary Club for painting over the graffiti on bike path building.

Pope – nothing at this time

Supervisor – He attended the Supervisors meeting in East Aurora, attended the interviews with the cleaners and assistant bookkeeper, met with the County Executive at the Senior Center, met with the grant writers and the Alden Supervisor regarding dog control services.

UNFINISHED BUSINESS:

Buildings – nothing new on the Denio. Will wait until Spring. Working on the HVAC quote for the library and the brick sealing for the library and the town hall.

Planning – draft noise ordinance being worked on.

Water/Sewer – all main water lines have been completed. Pressure and chlorination testing are in process and will be completed weather depending. Once the inspections are completed the connections will be done hopefully by early December. Driveways have not been done yet and yard restoration will be done in the Spring.

Grants – we are still waiting for NYS to distribute the money for the culvert grant and now it sounds like that may be done at the county level.

NEW BUSINESS:

Adoption- 2023 Budget:

A motion was made by Councilman Burke, seconded by Supervisor Cummings adopting the 2023 Budget as presented in its final form for the Town and issuing a letter of authorization to enforce collection of unpaid accounts. This budget remains under the 2% tax cap.

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

Approval- Fire Contract 2023-2025:

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the proposed contract for fire protection, rescue, and EMS services with the Newstead Fire Company for the period January 1, 2023 to December 31, 2025 and authorizing the Supervisor to execute the contract on behalf of the Town and the Newstead Fire Protection District.

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

Public Hearing- Local Law #5 of 2022- Repeal LL#4 of 2022:

A motion was made by Councilwoman Pope, seconded by Councilman Jendrowski approving the calling of a public hearing on the proposed Local Law #5 of 2022 that will repeal Local Law #4 of 2022, with the hearing to be held on November 28, 2022 at 7:20pm at the town hall and authorizing the Town Clerk to publish the notice in the Akron Bugle.

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

Public Hearing- Extension of Contract with Twin City Ambulance:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the calling of a public hearing on the proposed extension of the contract with Twin City Ambulance for Pre-Hospital Emergency Medical Services for 1 year thru December 31, 2023, with the hearing to be held on November 28, 2022 at 7:25pm at the town hall and authorizing the Town Clerk to publish the notice in the Akron Bugle.

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

Approval- Appointment of New Cleaners:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the hire of Dale Gooch and Roxanne Gabbey effective October 31, 2022 at \$18.00/hour as cleaners for the town buildings.

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

Approval- Appointment of PT Building & Assessor Clerk:

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the hire of Christine Falkowski part-time as a clerk in the Building & Assessor's office effective December 1, 2022 at \$18.00/hour.

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

Approval- Appointment of PT Bookkeeper Assistant:

A motion was made by Councilwoman Pope, seconded by Councilman Jendrowski approving the hire of Emily McCoy part-time as an Assistant to the Bookkeeper effective November 14, 2022 at \$18.00/hour.

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

Privilege of the Floor/Question Period: Alvin Dahn, 87 Quarry Hill Est. – has been dealing with the concerts for some time and is pleased the town is working to make changes to the noise ordinance. Very interested in knowing what the changes will be.

The Town Attorney explained the procedure to Mr. Dahn and told him there would be a public hearing when the ordinance was completed.

There being no further business to come before the board for the regular meeting, a motion was made by Councilman Burke, seconded by Councilwoman Pope to adjourn the regular meeting at 7:57pm.
Carried

Respectfully Submitted,
Jennifer DiChristina
Deputy Town Clerk