

## Newstead Town Board Meeting- October 11, 2022

The Board entered executive session at 7:14pm to discuss personnel and contracts on a motion from Councilman Dugan, seconded by Councilwoman Pope. Carried Unanimously

The Board exited executive session on a motion by Councilman Jendrowski, seconded by Councilman Dugan at 7:43pm, having taken no action. Carried Unanimously

A public hearing was called to order by the Newstead Town Board on Tuesday, October 11, 2022 at 7:45pm 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  
Dawn Izydorczak – Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the hearing to order on the proposed Local Law #4 of 2022 that would allow the town to override the tax cap if necessary at 7:45pm.

The Clerk read proof of publication. The Supervisor explained that every year the town passes this local law just in case we go over the tax cap but we have only ever had to use it once and we do not anticipate having to use it this year.

Comments: no one spoke

There being no further comments, a motion was made by Councilman Dugan, seconded by Councilwoman Pope to close the public hearing at 7:50pm. Carried Unanimously

The regular meeting of the Town Board was called to order at 7:50pm with the same members present as listed above.

Councilman Burke led the pledge to the flag.

Minutes from the regular meeting held on September 26th and the special meeting on October 3rd, 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 Jendrowski, seconded by Councilman Burke to approve the following changes: add a resolution to purchase radios for EMO Carried Unanimously

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

Two letters were received from Charter Communications notifying the town of upcoming programming changes taking place in October and a price increase on November 1, 2022.

A request for a beer/wine permit was submitted by Lisa Mazur for the Cultural Center for a first communion party on October 23<sup>rd</sup>.

A thank you letter was received from Mercy Flight for the \$1,651.00 donation received from the Newstead Recreation Departments annual fun run.

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

**Work Session:** The Supervisor reported that at work session held last week, the following items were discussed: highway issues, water/sewer updates, planning items, building issue updates, grant updates, 2023 budget, refuse bid/contract amendments, bicentennial updates, fire contract, union contract, plus any other items brought before the Board. The Board held an executive session from 7:55pm – 8:40pm to discuss contract negotiations and exited executive session having taken no action.

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

**Budget Transfers:** a motion was made by Councilman Dugan, seconded by Councilwoman Pope to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 10/11/22. Carried Unanimously

**Approval of Bills** – Councilman Burke reported that the Abstract(s) from Batch(es) #2280 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2285 were presented for payment. Vouchers on this abstract(s) numbered 1051-1105, totaling \$100,586.45. Councilwoman Pope seconded to approve payment as follows:

Abstract Batch(es) #2285:  
 General Fund (A)-\$41,204.00, General Fund- Outside Village (B)-\$70.47, Highway (DA) -\$0, Highway: Outside Village (DB)-\$30,101.88, 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)-\$0, Fire Protection (SF)-\$0, Refuse (SR)-\$27,817.54, Sewer #1 Fund (SS)-\$644.63, Sewer District #2 (SS02)-\$76.37, Sewer District #3 (SS03)-\$469.55, Trust & Agency(TA)-\$0 and Consolidated Water (SW00)-\$202.01, 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: \$100,586.45 Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – no report presented

**Assessor** – a report was presented from Tina and read by the Supervisor as follows: She has just about completed the cost/land valuation portion of the reassessment. Next week she will start valuing the residential properties. This will be very time consuming and will span several months to complete. Exemption renewals are being returned by residents and follow up notices will be sent when it gets closer to March 1<sup>st</sup> deadline. Sales data from August 15<sup>th</sup> thru September 7<sup>th</sup> was shared with the Board.

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

Brian Fitzgerald	4889 S Newstead	Generator
Tanya Lords-Quinn	11953 Buckwheat	Roof
Dawn Christopher	260 Golden Pond Est	Roof
Kelly Schultz	11167 Main	Special Event permit
Kelly Schultz	11167 Main	Special Event Permit
Arrowhead Timberlodge	12292 Clarence Ctr	Fireworks
Arrowhead Timberlodge	12292 Clarence Ctr	Fireworks
Country Meadows of Alden	11922 Buckwheat	Zoning Compliance
Nicholas, Perot, Smith etal	12364 Main	Roof
Kenneth Sikora	12049 Rapids	Siding
Robert Kipler	12275 Stage	Pole Barn
ADESA New York	12200 Main	Replace Spray Booth

The Town Board accepted the building report as presented.

**Town Clerk-** School tax collection continues at a good pace and hunting license sales are busy. The sign and landscaping projects are both done.

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

**COUNCILPERSONS:**

**Jendrowski** – he spoke with Louis Henley on the fire contract and Emily on the contract resolution. He spoke with Kristine on the roof issue, the open spot on the library board and the landscaping at the library. He talked with Lavocat’s on the island work and spoke with Dawn and Scott on the Denio pillars. He spoke with Dan Kowalik who suggested a storm debris class at the JMF for all applicable employees as well as getting an update on his office activities.

**Dugan** – he spoke with Louis Henley on the contract renewal and reported the fire company membership voted to approve the new contract.

**Burke** – he attended the Recreation Board meeting where they discussed the staff hirings, schedule and programs. He commended Dan Roland for running a good meeting.

**Pope** – nothing at this time

**Supervisor** – the September Supervisor’s Report is on file with the Town Clerk. He attended the Supervisor’s meeting in East Aurora, met the new highway employee, worked on the van grant with the County and Sarah, addressed a complaint about a low flying plane with the airport. According to Allen Kidder the plane was seeding and flew within all legal requirements for what he was doing. He attended a pre-bid meeting on the refuse contract and addressed the radio purchases by the Emergency Manager. He also had several conversations with Sheriff Garcia about the Greenbush Rd incident this week. He thanked Chris Bower and Joe Hawes for their handling of the incident and keeping him informed throughout the process.

**UNFINISHED BUSINESS:**

**Buildings** – looking at potential issues with the brick work for the leak at the library. Looking at the supports at the side door of the Denio and how best to temporarily address the issue for winter. The landscaping project is complete and the sign project is complete except for some landscaping at the base for winter.

**Planning** – the board is working with the Code Enforcement Officer on updates to the noise law and special event permit process. Investigation will continue into the electric vehicles charging stations.

**Water/Sewer** – DJM is out on site at Knapp Rd and Kirby Rd working on the lines.

**Grants** – nothing new

**NEW BUSINESS:**

**Approval of Projects- Community Development Block Grants:**

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the following proposed uses for 2023 CDBG funding opportunities: 1. Funding of a senior van 2. Rural Transit Van Service.

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

Carried Unanimously

**Adoption- Local Law #4 of 2022- Override tax cap:**

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the adoption of Local Law #4 of 2022 overriding the tax cap, if necessary.

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

**Approval- Teamsters Local Union #264 Contract:**

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the adoption of the proposed contract with Teamsters Local Union #264 on behalf of the full-time employees of the town Highway Department and authorizing the Supervisor to execute the contract on behalf of the town.

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

**Public Hearing- Fire Contract:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan authorizing the calling of a public hearing on the proposed 3-year fire and emergency services contract with the Newstead Fire Company, with the hearing to be held on November 14, 2022 at 7:20pm and authorizing the Town Clerk to advertise the hearing in the Akron Bugle.

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

**Approval- Beer/Wine Permit:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the request for a beer/wine permit for the Cultural Center by Lisa Mazur on October 23rd.

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

**Appointment- Library Board Member:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the appointment of Michelle Cositore as a member of the Library Board, effective immediately for a term ending on 12/31/2026.

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

**Appointment- Board of Assessment Review Member:**

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the reappointment of Neal Kreher as a member of the Board of Assessment Review for a term ending on 9/30/2027.

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

**Approval- Fall/Winter Recreation Hire Employees:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the hiring of employees to work the Fall 2022 thru Winter 2023 Recreation program as per the attached listing as presented and recommended for approval by Recreation Director Dan Roland.

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

**Approval- Emergency Communications Equipment:**

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the purchase by the Emergency Services Coordinator for new communications equipment from Saia Communications at a cost of \$4,768.32.

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

**Privilege of the Floor/Question Period:** Bruce Paycon, owner of property on Wahl Rd, requested that the town revoke their easement on his property since they did a qualified abandonment of the road several years ago. The easement is part of his deed and he wants it removed.

Supervisor Cummings asked him to have his attorney reach out to Town Attorney Emily Janicz with this request so they can see if this is something prudent to do.

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 8:20pm.  
Carried Unanimously

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