

## Newstead Town Board Meeting- October 24, 2022

A public hearing was called to order by the Newstead Town Board on Monday, October 24, 2022 at 7:35pm 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.

The Supervisor called the hearing to order on the proposed 2023 Budget at 7:35pm.

The Clerk read proof of publication. The Supervisor explained the budget to those present and stated this budget stays under the 2% tax cap. Some final changes will be made based on the assessment changes and he is increasing the Bookkeeper line for training a backup employee for Colleen. Even with those changes we will not be going over the 2% cap.

Councilman Burke spoke and stated it is prudent to add a backup for the Bookkeeper and he fully supports it.

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 7:40pm. Carried Unanimously

The regular meeting of the Town Board was called to order at 7:40pm with the same members present as listed above.

Town Engineer Scott Rybarczyk led the pledge to the flag.

Minutes from the regular meeting held on October 11th were presented for approval. A motion was made by Councilman Dugan, seconded by Councilwoman Pope to approve as presented. Carried Unanimously

**Agenda Changes** – none

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

A letter was received from Charter Communications notifying the town of upcoming programming changes taking place on November 22, 2022.

A letter was received from the NYS Department of State notifying the town that local law #3 of 2022 was received and filed on September 30, 2022.

A thank you letter was received from Don & Mary Jane Shonn thanking the Highway Department for their service to the bike path and the recent resurfacing being done.

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, bicentennial updates, fire contract, Wahl Rd

request from Bruce Pacyon, plus any other items brought before the Board. Executive session was held on contracts and personnel issues from 7:49pm-8:14pm with no action being taken.

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

**Budget Transfers:** a motion was made by Councilman Dugan, seconded by Councilman Burke to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 10/24/22. Carried Unanimously

**Approval of Bills** – Councilman Burke reported that the Abstract(s) from Batch(es) #2285 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2287 were presented for payment. Vouchers on this abstract(s) numbered 1106-1143, totaling \$26,575.39. Councilwoman Pope seconded to approve payment as follows:

Abstract Batch(es) #2287:

General Fund (A)-\$15,567.04, General Fund- Outside Village (B)-\$689.13, Highway (DA) -\$0, Highway: Outside Village (DB)-\$4,515.06, 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)- \$3,752.00, CAP-Bike Path (HTG)-\$0, Drainage (SD)-\$419.69, Fire Protection (SF)-\$1,466.00, Refuse (SR)-\$0, Sewer #1 Fund (SS)-\$34.47, Sewer District #2 (SS02)-\$89.96, 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: \$26,575.39 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 completed the inspection and valuation of vacant land and agricultural properties. She has also printed all the parcel review forms for the residential properties and will start to inspect and value residential properties next week. The commercial portion will be last. She is still on track to complete all inspection and valuation by mid-February.

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

Mark Wolf	12250 Meahl	Addition
Dale Siminski	11150 Main	Roof
Buffalo Drilling Co	12264 Main	Siding
Vaughn Calvo	4998 Schutt	One Family Home
Ryan O’Neill	12477 Main	Pole Barn
Carney Woodlands LLC	Scotland Rd	Pole Barn
Richard Hodge	6500 Draper	Carport on Pole Barn

The Town Board accepted the building report as presented.

**Town Clerk-** the main portion of school tax collection is completed and the schools have been transferred their monies.

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

**COUNCILPERSONS:**

**Jendrowski** – he has looked t the 2 pillars at the Denio and they are not structural so we will address their repair in the spring. He sought out and received quotes on the library island work. He reported the HVAC grant for the library has been received so Kristine is working on updating the quotes. He spoke with Dave Miller on the noise law updates progress and spoke with the Newstead Fire Police regarding July 4<sup>th</sup> fireworks traffic concerns.

**Dugan** – nothing at his time

**Burke** – he attended the refuse bid opening where only 1 bid was submitted and then spoke with Dawn afterwards about the choices in tote sizes. He also spoke with Mike Bassanello about the auction items and results.

**Pope** – nothing at this time

**Supervisor** – He attended the refuse bid opening, worked on the senior van grant with Sarah, and had several conversations with the Alden Supervisor to help them out with some issues.

**UNFINISHED BUSINESS:**

**Buildings** – Denio pillars to be addressed in spring. Library & Cultural Center are battling box elder bugs due to heat. The JMF heat exchanger is moving forward.

**Planning** – noise law updates are being worked on

**Water/Sewer** – all waterline on Kirby Rd is installed and testing of the line is pending. Only 1,900 LF of waterline still needs to be installed on Knapp Rd. Indian Falls waterline will be filled in and pressure tested this week. 7 Knapp Rd services are ready to go and 1 on Indian Falls per ECWA. They are over halfway done on Knapp Rd and working very late hours. Scott thanked the residents in the construction zone for their patience. The driveways and road blacktop restoration will be completed by November, but landscape restoration will be addressed in the spring.

**Grants** – nothing new

**NEW BUSINESS:**

**Approval- Opposition to the Penal Law amendment:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan declaring the Town Boards opposition to the recently passed amendments to the Penal Law by the State, known as S.51001 & A.41001. The Supervisor is authorized to send certified copies of the resolution to relevant officials and representatives.

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

**Approval- Amendment to Wendel Contract for Waterline Project:**

A motion was made by Councilwoman Pope, seconded by Councilman Burke approving the proposed amendment to the contract with Wendel for services to be rendered on the waterline project as per the proposal dated September 12, 2022 and authorizing the Supervisor to execute the amended contract on behalf of the town.

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

**Approval- Sale of Auctions International items:**

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the sale of items the town placed on Auctions International for the high bids received and authorizing the Highway Superintendent to execute the transactions on behalf of the town.

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

**Approval- Annual Appointments Ad:**

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the advertisement in the Akron Bugle for the annual town positions appointments ad for 2023.

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

**Approval- Lateral Restriction Hardship Application- 4998 Schutt Rd:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the application for a lateral restriction exception hardship at 4998 Schutt Rd in water district 10 as submitted by owner Vaughn Calvo, based on supporting documentation provided.

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

**Approval- Library Island Rehab work:**

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the proposed quote by Lavocat's Nursery for rehab work to the island at the rear of the Library, at a cost of \$950.00.

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

**Approval- Cancel optional Work Session for October 31st:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the cancellation of the optional work session scheduled for October 31, 2022 due to Halloween.

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

**Approval- Annual Snow Removal Contract:**

A motion was made by Councilman Jendrowski, seconded by Councilwoman Pope approving the proposed contract for snow removal services for town properties as presented by Golden Dome Property Services for the 2022-23 winter season.

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

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

The Supervisor recognized two Participation in Government students from the school that were in attendance and thanked them for coming to the meeting and work session.

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 8:02pm. Carried Unanimously

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