

## Newstead Town Board Meeting- September 26, 2016

A public hearing was called to order by the Newstead Town Board on Monday, September 26, 2016 at 7:50pm at the Newstead Town Hall.

Present: Dr. Edmund Burke- Councilman/Deputy Supervisor  
Don York- Councilman  
John Jendrowski- Councilman  
Joseph Dugan- Councilman  
Nathan Neill- Attorney for the Town  
Mike Bassanello- Highway Supt  
Ted Donner- Wendel/Town Engineer  
Dawn Izydorczak- Town Clerk

Roll Call was taken with all board members present except Supervisor Cummings, who is out of town.

The Deputy Supervisor called the **public hearing** to order on the proposed uses for Community Development Block Grant funding for 2017.

The Clerk read the proof of publication. The Deputy Supervisor stated the Rural Transit Van Service will continue to be one of our funding projects but the Board is looking for ideas for other uses for 2017.

Comments: no one spoke

There being no further comments, a motion was made by Councilman Jendrowski, seconded by Councilman York to close the public hearing at 7:55pm. Carried

The Deputy Supervisor called the **public hearing** to order on the proposed local Law #3 of 2016, which would allow the Town to override the 2% tax cap at 7:55pm.

The Clerk read the proof of publication. The Deputy Supervisor stated this is a law the Board passes each year just in case but it is not anticipated we will be going over the tax cap for 2017.

Comments: no one spoke

There being no further comments, a motion was made by Councilman York, seconded by Councilman Dugan to close the public hearing at 7:59pm. Carried

The **regular meeting** of the Town Board was called to order at 8:00pm with the same members present as listed above.

Deputy Supervisor Burke led the pledge to the flag.

Minutes from the previous regular meeting held on September 12, 2016 and the special meeting held on September 19, 2016 were presented for approval. A motion was made by Councilman Jendrowski, seconded by Councilman Dugan to approve as presented. Carried

**Agenda Changes** – none

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

A letter was received from Charter Communications notifying the town of the programmers and service providers they are currently in negotiations with for service.

A notification from UB One Region Forward announcing a Municipal Solar Ordinances: Guidance and Considerations seminar on October 13<sup>th</sup> with a morning session from 10:00am – 12:00pm and an afternoon session from 5:00pm – 7:00pm at the Orchard Park Municipal Building.

A letter was received from resident Ron Blackmore inquiring about open burial plots owned by the town at Pioneer cemetery.

A letter was received from resident Martin Dugan complaining about the part time CEO's property on Stage Rd, which he feels has several code violations itself.

A motion was made by Councilman York, seconded by Councilman Jendrowski to accept and file the presented correspondence. Carried

**Work Session:** The Deputy Supervisor reported that at the last work session held the following items were discussed: appointment of new Councilman position, buildings projects at town buildings, planning items- solar, radon, EAB, electric; water/sewer projects-Lewis Rd & Cedar St; grant items; IT & AM services, LOSAP & contract issues and any other matters brought before the Board.

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

**Budget transfers:** a motion was made by Councilman York, seconded by Councilman Dugan to approve the budget transfers as presented in a memo from Bookkeeper Colleen Salmon dated 9/26/16. Carried

**Approval of Bills** – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1650 & 1652 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1653 with wire for bond payment for payment. Vouchers on this abstract(s) numbered from 1025- 1073, totaling \$135,158.86. Councilman York seconded to approve payment as follows:

Abstract Batch(es) #1653 with wire for bond payment:  
General Fund (A) -\$16,683.87, General Fund- Outside Village (B) \$1,800.00, Highway (DA) -\$0, Highway: Outside Village (DB) \$62,716.01, CAP- Scotland Rd (HS)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$0, CAP- Water- Cedar (HW02)- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$1,975.00, Refuse (SR) \$25,169.29, Sewer Fund (SS) \$29.09, Sewer District #2 (SS02)- \$79.45, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$82.47, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$80.00, (SW8) \$0, (SW9) \$212.00, (SW10) \$26,331.68  
Total: \$135,158.86 Carried

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – Mike reported crews have been working on road mowing and boom mowing, mowing the parks and cemeteries, milled and patched holes on Stage Rd, swept roads and bike paths, cleaned up a tree that fell in the road on Dye, finished oil and stone on Dye, Martin and Knapp shoulders, helped Clarence and Darien with projects, top soiled yards where stumps were ground out, completed 508' of ditching and 100' of pipe on Utley Rd and cleaned 207' of ditch at the Town Hall. He attended the Memorial Wall dedication service at the Newstead Fire Co. They did a great job on the wall.

**Assessor** – no report presented

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

Ronald Brady	12815 Carney	In-ground pool
Michael Newton	13019 Dorsch	Pole barn
The Great Pumpkin Farm	11199 Main	Special event
Ron Wanamaker	12090 Rapids	Roof
Jason Reville	8246 Maple	Roof
James Styn	12887 Dorsch	Porch repair
Michael Bassanello	12255 Buckwheat	Solar panels
Fred Bedford	11527 Rapids	Windows

James Tinklepaugh	12557 Stage	Roof
Michael Cheman	12383 Stage	Pole barn
Richard Felber	11851 Nice	Pole barn
Paul Stephen	13399 Main	Sign
Ron Gabbey	4085 S Newstead	Roof
Connie Dirschberger	113 Quarry Hill	Roof
Rich Reinhold	5911 Crittenden	Siding
Charles Guenther	6534 Dye	Pole barn
Orcutt	11918 Meahl	Roof
Doria	8245 Maple	Fire repair

The Town Board accepted the report as presented.

**Town Clerk-** nothing at this time

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

**COUNCILPERSONS:**

**Burke** – he attended the special meeting on September 19<sup>th</sup> where he was appointed as new Councilman and sworn into office on Wednesday by the Town Clerk.

**York** – nothing at this time

**Jendrowski-** he attended the Coalition meeting but could not attend the presentation at the Town Hall on underage drinking, which had a full house in attendance. He attended a library board meeting: the new sidewalk has been started and they will be hosting a Human Resource Fair in November at the Cultural Center room. He attended the Newstead Fire Co Memorial Wall dedication which was very nice and well attended.

**Dugan** – he met with organizers at the Tribal Office for the Indigenous Peoples Day celebration planning meeting. It will be October 10<sup>th</sup> this year in Russell Park from 10am-2pm with some new festivities this year including the ceremonial planting of a white pine tree. He also attended the Newstead Fire Co Memorial Wall dedication which was very nicely done.

**Supervisor-** the August Supervisor’s Report is on file with the Town Clerk.

**UNFINISHED BUSINESS:**

**Buildings-** the library sidewalk is underway, the pump has been fixed and the wall plans are being reviewed to determine the next steps necessary. The materials will be delivered tomorrow for the town hall overhang project and the work will begin. Joint Facility cameras have been installed and they are continuing to link them to work stations.

**Planning-** solar law is awaiting Planning Board recommendations, EAB- 25 trees have been treated and are finished for the year, Radon information has been received and it will be linked to the website and pamphlets provided at the town hall.

**Water/Sewer-** Lewis Rd- request for approval has been sent to the Village board on 8/24/16 and 9/15/16 with no reply yet. Cedar St N- Army Corp permit is still waiting for approval, Cedar St S- ECWA pressure testing is still waiting on results from them.

**Grants-** nothing new

**NEW BUSINESS:**

**Adoption- Local Law #3 of 2016- 2% Tax Cap:**

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the adoption of Local Law #3 of 2016 which allows the town to override the 2% tax cap for the 2017 budget if necessary.

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

**Public Hearing- Budget 2017:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the calling of a public hearing on the proposed Budget for 2017, with the hearing to be held on October 24, 2016 at 7:45 pm and authorizing the Clerk to publish the legal notice in the Akron Bugle.

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

**Public Hearing- Special Use Permit- 8228 Cedar St:**

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the calling of a public hearing on the proposed special use permit for a wind turbine at 8228 Cedar St, with the hearing to be held on October 11, 2016 at 7:55 pm and authorizing the Clerk to publish the legal notice in the Akron Bugle.

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

**Approval- Site Plan- 12474 Main Rd:**

A motion was made by Councilman York, seconded by Councilman Jendrowski approving the site plan dated August 10, 2016 for the retail sale of sheds at 12474 Main Rd, subject to the five (5) terms set forth in the resolution.

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

**Appointment- B.A.R.- Fred Pask:**

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the reappointment of Fred Pask to the Board of Assessment Review for a new term ending 9/30/2021.

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

**Privilege of the Floor/Question Period:**

John Ross of 12168 Nice Rd read a statement objecting to the appointment of the new Councilman seat and how it was handled by the Board.

Linda Chaffee of 13091 Steiner Rd questioned the location of the CEO truck over the weekend as it was not in the Town Hall parking lot.

Councilman Jendrowski explained that it was at the Joint Facility for repairs to the rear hatch door.

There being no further business to come before the board for the regular meeting a motion was made by Councilman York, seconded by Councilman Jendrowski to adjourn the regular meeting at 8:27pm.  
Carried

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