

Newstead Town Board Meeting- February 20, 2023

The Board entered executive session at 7:20pm to discuss personnel and contractual issues on a motion from Councilman Jendrowski, seconded by Councilman Dugan. Carried

The Board exited executive session on a motion by Councilman Dugan, seconded by Councilman Jendrowski at 7:46pm, having taken no action. Carried

A regular meeting was called to order by the Newstead Town Board on Monday, February 20, 2023 at 7:50pm at the Newstead Town Hall.

Present: Edmund Burke- Councilman/ Deputy Supervisor
Joseph Dugan- Councilman
John Jendrowski – Councilman
Patricia Pope- Councilwoman (remotely)
Michael Coutu – Assistant Town Attorney
Scott Rybarczyk- Town Engineer
Michael Bassanello- Highway Supt.
Dawn Izydorzak – Town Clerk

Roll Call was taken with all board members present except Supervisor Cummings.

Councilman Jendrowski led the pledge to the flag.

Minutes from the regular meeting held on January 23, 2023 were presented for approval. A motion was made by Councilman Jendrowski, seconded by Councilman Dugan to approve as presented. Carried

Agenda Changes – a motion was made by Councilman Dugan, seconded by Councilwoman Pope to add the following item to the agenda: resolution to call public hearing on home-based business Carried

Communications – The Town Clerk presented the following correspondence:

A letter from Charter Communications announcing program changes as of March 1st.

A letter from the Erie County Environmental Management Council stating the Lewis Tandy's term on the board will expire on May 31, 2023 and asking for his re-appointment or a new appointment from the Town. They also included their 2022 annual recommendations report.

A letter from the Buffalo Niagara Partnership with an enclosure of their 2023 Advocacy Agenda.

A letter was received from NYS Ag & Markets notifying the town of grant opportunities for animal capital projects.

A request for a beer/wine permit was received from Peggy Kidder for Skyline Park on July 23, 2023 for a family reunion.

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

Work Session: The Deputy Supervisor reported that at the work sessions held, the following the items were discussed: water/sewer updates, planning items, building issues updates, grant updates, plus any other items brought before the Board.

At the January 30th work session an executive session was held from 8:09pm until 8:27pm on personnel matters on a motion from Councilman Dugan, seconded by Councilman Jendrowski. No action was taken.

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) for 2022 year-end and 2023 as presented in a memo from Bookkeeper Colleen Salmon dated 2/20/2023. Carried

Approval of Bills – Councilman Dugan reported that the Abstract(s) from Batch(es) #2310, 2311 & 2312 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2319 prepay & 2321 were presented for payment. Vouchers on this abstract(s) numbered 76-164, totaling \$217,117.35. Councilman Jendrowski seconded to approve payment as follows:

Abstract Batch(es) #2319 & 2321:
 General Fund (A)-\$142,840.12, General Fund- Outside Village (B)-\$44.40, Highway (DA) -\$0, Highway: Outside Village (DB)-\$39,851.18, 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)- \$110.00, CAP-Bike Path (HTG)-\$0, Drainage (SD)-\$0, Fire Protection (SF)-\$1,596.00, Refuse (SR)-\$30,882.81, Sewer #1 Fund (SS)- \$1,049.68, Sewer District #2 (SS02)-\$159.15, Sewer District #3 (SS03)-\$536.83, Trust & Agency(TA)-\$0 and Consolidated Water (SW00)-\$47.18, 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: \$217,117.35
Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – a report was presented by the Highway Supt. as follows: the crew replaced ceiling tiles in the shop from the blizzard, plowed & salted parking lots, pushed up salt and fixed mail boxes, the Rexroth tech came out to do a presentation for the crew, they took #8 to be undercoated, they cold patched and painted new side boards, took guard rails down on the bike path, put new benches and bleachers together for the parks, repaired the hydraulic line on old #8 and new reverse lights on #10, fixed the fence on the bike path. John asked about our salt use so far this year. Mike explained we have to take 1,276 ton under the contract by the end of August.

Assessor – a report was presented by Tina as follows: she is still working on the residential portion of the reassessment. Due to a law change from New York State regarding the senior exemption second notices the office has had additional foot traffic, which has delayed her progress some. She still plans to have the entire project wrapped up by the last week of March and hopes to send out notices either that week or the first week of April. She and Dawn made a presentation to the Seniors at the Senior Center regarding understanding tax bills, exemptions and your assessment. It was received very well. After March 1st office foot traffic should slow down giving her more time to focus on finishing the reassessment project.

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

Nicholas Rizzo	5687 Barnum Rd	Pole barn
Washington Street Akron LLC	13399 Main	Compliance Certificate
Michael Coppola	5393 Barnum	Railing for deck
Nicholas Leibring	5030 Havens	Basement remodel
Donald Kreher	13212 Main	Lean-to on existing bldg.
Lakeshore New York LLC	11789 Main	Addition to cold storage bldg.
Mark Szczgielski	11850 Hunts Corners	Pole Barn
St Theresa’s RC Church	5771 Buell	Ground sign
Richard Schie	6554 Draper	Interior Renovations
County Line Stone Co	4515 Crittenden	Solar array roof mounted
Andrew Black	6935 Cedar	Generator
Czeslawa McDonald	13607 Steiner	Generator
Jacob Krier	11223 Hiller	Addition/Garage

The Town Board accepted the building report as presented.

Town Clerk- Dawn reported she and Tina made a presentation at the Senior Center on Friday, which went well. The Bicentennial birthday cake kick-off on March 27th will begin at 7:00pm. She asked the Board to set an earlier start time for their board meeting on that date.

Town Attorney(s) – Mike reported Emily is attending the Association of Towns conference in New York on behalf of the Town.

COUNCILPERSONS:

Jendrowski – he spoke with CEO Dave Miller on the noise law changes, he attended a library board meeting, he worked with Dale Gooch to take care of a sewer issue at the library bathrooms and Roto-router came out today. The ceiling tiles at the Senior Center have been fixed and he will meet with Don Hobbs on doing a roof assessment of the Library in the spring.

Dugan – nothing at this time

Burke – the December 2022 Supervisor’s Report is on file with the Town Clerk. He attended the February 4th celebration committee meeting regarding the July 4th parade & fireworks. They are looking at making the staging area and route maps available online this year and they are financially sound.

Pope – she took a call from a resident regarding the new refuse calendar. Dawn told her they are available either on the town website or at the Clerk’s office.

Supervisor – not present

UNFINISHED BUSINESS:

Buildings – a sewer line issue at the library was resolved this weekend and the tiles at the senior center have been painted and reinstalled.

Planning – drainage issues, dog kennel agreements and gas well information are being discussed

Water/Sewer – the sanitary lateral at Knapp and Indian Falls Rd has been repaired and the contractor is waiting until weather improves for the restoration process.

Grants – nothing new on existing grants. We are looking at some possible new grants.

NEW BUSINESS:

Public Hearing- Local Law 1- Amendments to the Special Event Permit:

A motion was made by Councilman Dugan, seconded by Councilwoman Pope approving the calling of a public hearing on the proposed Local Law #1 of 2023 regarding proposed amendments to the Special Event Permit, with the hearing to be held on March 13, 2023 at 7:20pm at the Town Hall and authorizing the Town Clerk to publish notice of the hearing in the Akron Bugle. A determination of non-significance of local law was issued under SEQRA. (Resolution) Cummings-Absent, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope- Aye Carried

Public Hearing- Local Law 2- Amendments to the Noise Law:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the calling of a public hearing on the proposed Local Law #2 of 2023 regarding proposed amendments to the Noise Law, with the hearing to be held on March 13, 2023 at 7:25pm at the Town Hall and authorizing the Town Clerk to publish notice of the hearing in the Akron Bugle. A determination of non-significance of local law was issued under SEQRA. (Resolution) Cummings-Absent, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope- Aye Carried

Approval- Speed Study Request- Main Rd:

A motion was made by Councilwoman Pope, seconded by Councilman Dugan approving sending a request for a speed study to be conducted by the Erie County DPW & NYS DOT to reduce the speed on Main Rd between the Newstead-Clarence town line to Barnum Rd. (Resolution) Cummings-Absent, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope- Aye Carried

Approval- Insurance Policy for 2023:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the annual insurance proposal as presented by Trident and authorizing the Deputy Supervisor to execute any necessary documents for the policy renewal.

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

Approval- Award Bid for 3 new Hydraulic Auger Spreaders/Sanders:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan award of bid for the purchase of 3 new hydraulic auger spreaders/sanders to Chemung Supply Corp., with the lowest responsible bid of \$80,805.00 total, subject to the terms set forth in the resolution and authorizing the Highway Superintendent to execute the agreement for the purchase.

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

Approval- Hire Highway MEO:

A motion was made by Councilwoman Pope, seconded by Councilman Jendrowski approving the hiring of Clifford Brucker as Highway MEO per the recommendation from Highway Supt. Mike Bassanello at Step 3, \$28.08 per hour effective February 27, 2023.

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

Approval- Hire Court Clerk FT:

A motion was made by Deputy Supervisor Burke, seconded by Councilman Dugan approving the hiring of Laura Consiglio as Court Clerk FT per the recommendation from the Town Justices at a rate of pay of \$22.25 per hour effective February 21, 2023.

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

Approval- Appoint Town Historian:

A motion was made by Deputy Supervisor Burke, seconded by Councilman Dugan approving the appointment of Beverly Summe as Town Historian effective immediately.

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

Approval- Use of Beer/Wine Permits & Park Use:

A motion was made by Deputy Supervisor Burke, seconded by Councilwoman Pope approving the requests for beer/wine permit and Park Use as follows: Skyline Park by Peggy Kidder for a family reunion on July 23, 2023.

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

Public Hearing- Home-based Business- 12438 Swift Mills Rd:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the calling of a public hearing on the proposed home-based business application located at 12438 Swift Mills Rd operated by Kevin Paquin for a wood working shop known as KP Woodworking, LLC in the RA zone, with the hearing to be held on March 13, 2023 at 7:15pm at the Town Hall.

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

Privilege of the Floor/Question Period: no one spoke

There being no further business to come before the board for the regular meeting, a motion was made by Councilwoman Pope, seconded by Councilman Jendrowski to adjourn the regular meeting at 8:25pm.

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

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