

Newstead Town Board Meeting- June 26, 2023

A regular meeting was called to order by the Newstead Town Board on Monday, June 26, 2023 at 7:32pm at the Newstead Town Hall.

Present: Dawn Izydorczak-Supervisor
Edmund Burke- Councilman
John Jendrowski - Councilman
Patricia Pope- Councilwoman
Emily Janicz- Town Attorney
Michael Coutu – Assistant Town Attorney
Scott Rybarczyk- Town Engineer
Jennifer DiChristina – Town Clerk
Lisa Kaminski – Deputy Town Clerk

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

Councilman Burke led the pledge to the flag.

Minutes from the regular meeting held on June 12, 2023 were presented for approval. A motion was made by Councilman Jendrowski, seconded by Councilwoman Pope to approve as presented. Carried

Agenda Changes – None

Communications – The Town Clerk presented the following correspondence:

A request for a beer/wine permit was received from Shannon Ribbeck for a graduation party at Skyline Park on August 5, 2023.

A request for a beer/wine permit was received from Jamie Doherty for a graduation party at Veterans Park on July 22, 2023.

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

Work Session: The Supervisor reported that at the previous work session the following items were discussed: water updates, a rezoning application, highway needs and a ditching issue, project updates, building needs, grant updates and an executive session was held from 7:02pm to 7:56pm for personnel items and possible pending litigation. No action was taken. An executive session was held tonight from 7:07pm to 7:30pm regarding personnel items and possible pending litigation with no action taken.

Agenda Items Question Period: None

Budget Transfers: None

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #2357 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2359 was presented for payment. Vouchers on this abstract(s) numbered 682 - 728, totaling \$39,295.15. Councilman Burke seconded to approve payment as follows:

Abstract Batch(es) #2359:

General Fund (A)-\$20,700.49, General Fund- Outside Village (B)-\$61.15, Highway (DA)-\$0, Highway: Outside Village (DB)-\$3,545.44, 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)-\$1,552.00, Fire Protection (SF)-\$0, Refuse (SR)-\$13,290.97, Sewer #1 Fund (SS)-\$29.12, Sewer District #2 (SS02)-\$73.94, 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,

D8(SW8)- \$0, WD9(SW9)- \$0, WD10(SW10)- \$0; Total: \$39,295.15

Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – no report was given

Assessor – a report was presented by Tina as follows: the last grievance day was Saturday June 10th and the Board of Assessment Review will meet a couple more times to make their decisions. The final determinations will be mailed prior to July 1st. The office will be quiet from now until September when exemption renewals are mailed and she has no concerns currently.

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

Patrick Duffy	6051 Barnum Rd	IG Pool
Robert Kipler	12275 Stage Rd	Roof
Charles Tripi	5251 Crittenden Rd	Roof
Bonnie Dee	7722 Moore Rd	Roof
Kreher Brothers LP	13226 Main Rd	Roof
Jason Sucharski	12679 Brucker Rd	Roof
Frederick Drahms	12604 Clair Dr	Roof
David Marquart	4917 Schutt Rd	Roof
Dorothy Massinger	4313 Billo Rd	Roof
Robert Lorenz	11149 Hiller Rd	Remodel/Renovate Res
Justin McNaughton	11513 Stage Rd	Generator
Tom & Cathy Matthews	5720 Cummings Rd	Accessory Structure
Diane Cox	5720 Cummings Rd	Accessory Structure
Gary Bailey	4959 S Newstead Rd	Accessory Structure
5720 Cummings Rd	5720 Cummings Rd	Accessory Structure

Town Clerk - nothing at this time

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski – attended the library board meeting and discussed issues with the AC unit there. Also checked on a problem in the court office with ants. We will probably need to call in an exterminator.

Dugan – not present

Burke – spoke with the CEO regarding the status of any solar farm applications and asked the difference between a variance and re-zoning.

Pope – nothing at this time

Supervisor – she attended several bicentennial meetings, had a meeting with Colleen & 3+1 on our investments, conducted 2nd interviews for the clerk position, attended the Highway Superintendents meeting here at the Legion with Mike, met with Mike and Chris on highway needs and spoke with residents on drainage and highway issues.

UNFINISHED BUSINESS:

Buildings – working on AC issues at the library and gutters at the JMF cold storage building.

Planning – working on comments from Drescher Malecki regarding the fund balance. Hope to have a policy in place by July 5th. There has been no reply from Clarence regarding the memorandum of understanding with the Sno-Seekers and the grant for the 10-15 passenger carrier was denied.

Water/Sewer – water with regards to DJM has been completed. Working now on finishing the Town portion of the paperwork and funding and have been talking to the DOT regarding the requirements for Lewis Road.

Grants – spoke to Pat Gallivan’s office and they are working on getting an update on the park grant. We were also informed by his office there would be no Emergency Management grants this year.

NEW BUSINESS:

Approval - Lead Agency – Rezoning at 13661 Main Rd Project:

A motion was made by Councilwoman Pope, seconded by Councilman Burke approving the declaration of Lead Agency on a 7.14-acre parcel rezoning request received from Fancher Properties LLC. Approximately 4.39 acres is currently zoned R-A to a C-2 zoning classification. This is an Unlisted Action under SEQRA and a coordinated review is required.

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

Approval- Kelly Schultz 8-lot Major Subdivision:

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the final subdivision plat dated April 15, 2022 for the 8-lot subdivision project with no public improvement at 11080 Stage Road and listing the project as an Unlisted/Uncoordinated project under SEQR with the Town Board concluding the project will not have a significant effect on the environment.

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

Approval- Niagara Specialty Metals Site Plan & SEQR:

A motion was made by Councilman Jendrowski, seconded by Councilwoman Pope approving the site plan dated March 10, 2023, for the 13,255 sq. ft addition at 12600 Clarence Center Road for Niagara Specialty Metals and listing the project as an Unlisted project under SEQR with the Town Board concluding the project will not have a significant effect on the environment.

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

Public Hearing- Local Law #3 of 2023- Moratorium on Solar Farms:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the calling of a public hearing on the proposed Local Law #3 of 2023 that will impose a six month moratorium on solar farms, with the hearing to be held on July 10, 2023 at 7:25pm at the Town Hall and authorizing the Town Clerk to publish the notice in the Akron Bugle.

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

Approval – Purchase of Highway Dept Mower:

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the purchase of a new tractor and flail mower at a cost of \$125,335.62 from Tiger Mowers in accordance with the attached price list and purchased under the Sourcewell Contract Number 070821-TGR.

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

Approval – Contract with Town of Alden for Dog Kennel Services:

A motion was made by Councilwoman Pope, seconded by Councilman Burke approving the proposed contract with the Town of Alden to provide pound or shelter services for dogs seized by the Alden Dog Control Officer in Alden effective July 1, 2023.

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

Approval – Financial Policy Updates:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the recommendation from Drescher Malecki to adopt a Journal Entry Policy and Bank Reconciliation Policy to ensure clarity and continuity in its processes.

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

Resolution – Roadside Ditching Policy Update:

A motion was made by Councilwoman Pope, seconded by Councilman Burke to amend the Roadside Ditching Policy to clarify the Town’s process and the landowner’s responsibility related to roadside ditches.

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

Approval- Appointment of PT Clerk:

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the hire of Katie Bird effective immediately at \$20.00/hour as PT Clerk for the Building/Assessor office.

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

Approval- Beer/Wine Permit:

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the request for a beer/wine permit at Skyline Park on August 5, 2023 by Shannon Ribbeck for a graduation party.

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

Approval- Beer/Wine Permit:

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the request for a beer/wine permit at Veterans Park on July 22, 2023 by Jamie Doherty for a graduation party.

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

Approval- Appointment of Recreation Subs:

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the hiring of Nick Roland & Iva Meyers as substitutes for summer recreation.

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

Privilege of the Floor/Question Period:

Mark Wolfling, Center Street, East Aurora – appeared to speak to the Board about the need for an external audit of the NYS Board of Elections. He passed out a summary sheet which shows the findings the NY Citizens Audit group have discovered during their own investigation. Mr. Wolfling is asking the Town Board to sign a resolution showing their support of the request for an audit.

Kim Hermance, 9190 Via Cimato Dr., Clarence NY – also a member of the New York Citizens Audit group and helped explain the reasons they feel this audit is necessary.

Nolan Jackson, Boncraft Drive, Alden NY and Mike Zekas, 7727 Moore Road, Akron NY both appeared to speak regarding a retail store on Main Road they are trying to open. The board advised them that they would need to start with the Planning Board first.

The Supervisor asked for a moment of silence to honor the passing of former Town Supervisor David Cummings who has served the community and the town for so many years.

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 8:43pm.

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

Respectfully Submitted,
Jennifer DiChristina, Town Clerk