

Newstead Town Board Meeting- May 8, 2023

A regular meeting was called to order by the Newstead Town Board on Monday, May 8, 2023 at 7:32pm at the Newstead Town Hall.

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

Roll call was taken with all board members present except for Councilman Dugan who is out of town.

Councilman Burke led the pledge to the flag.

Minutes from the regular meeting held on April 24, 2023 were presented for approval. A motion was made by Councilman Burke, 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 Mindy Cogovan for a party at Veterans Park on June 10, 2023.

A letter of resignation was received from Senior Van Driver Gerald Szmania effective Friday May 12, 2023.

A letter of resignation was received from cleaner Roxanne Gabbey effective Friday May 5, 2023.

A letter was received from ECIDA outlining a revised, updated Uniform Tax Exemption Policy and a Comprehensive Economic Development Strategy.

Information was received from the Alzheimer's Association to help raise awareness and money during Alzheimer's and Brain Awareness month.

A letter was received from NYS Ag and Markets informing the Town the dog shelter passed its inspection held on 4/24/2023.

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

The Supervisor acknowledged Jerry Szmania's many years of service as Van Driver and Roxanne's service to the town the last several months and they will both be missed.

Work Session: The Supervisor reported that at the previous work session held the following items were discussed: water and sewer updates, planning items and pending projects, building needs and grant updates. An executive session was held from 8:30pm to 10:13pm for personnel, contracts & possible pending litigation with no action taken. An executive session was held tonight from 7:11pm to 7:28pm for contracts with no action taken.

Agenda Items Question Period: none

Approval of Bills – Councilman Burke reported that the Abstract(s) from Batch(es) #2341 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2348 was presented for payment. Vouchers on this abstract(s) numbered 452 - 511, totaling \$158,209.36. Councilman Jendrowski seconded to approve payment as follows:

Abstract Batch(es) #2348:

General Fund (A)-\$38,471.64, General Fund- Outside Village (B)-\$0, Highway (DA) - \$84,693.04, Highway: Outside Village (DB)-\$0, 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)-\$2,700.00, Fire Protection (SF)-\$0, Refuse (SR)-\$31,275.56, Sewer #1 Fund (SS)-\$430.09, Sewer District #2 (SS02)-\$177.29, Sewer District #3 (SS03)-\$235.24, Trust & Agency(TA)-\$0 and Consolidated Water (SW00)-\$226.50, 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: \$158,209.36

Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – no report was given

Assessor – a report was presented by Tina as follows: she is still meeting with individuals for informal hearings and have multiple days of grievance hearings scheduled. She will be available to hold interviews for the clerk’s position after the second week of June and this will give her time to review and schedule the interviews and discuss the needs of the department.

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

Arrowhead Timberlodge	12292 Clarence Ctr Rd	Fireworks
Norbert Schroeder	13502 Bloomingdale Rd	Roof
Joseph Rizzo	5670 Cummings Rd	EV Charger Install
Jeffrey Schieder	7978 Maple Rd	Demo
Ronald Snyder	12178 Hunts Corners Rd	Storage Building
Kenneth Kieper	12434 Swift Mills Rd	AG Swimming Pool
Edward Krier	11226 Hiller Rd	IG Swimming Pool
Jack Wagner	7178 Sandhill Rd	Shed
Powell Paving & Maintenance	5720 Cummings Rd	Resurface Parking Lot
Nancy Beebe	5720 Cummings Rd	Deck
Amanda Stewart	11433 Tonawanda Creek Rd	Generator

Town Clerk- announced the appointment of Lisa Kaminski as full-time Deputy Town Clerk effective May 15, 2023.

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski – spoke with 2 local farmers concerned with losing land to solar farms, he attended a meeting with Supervisor Izydorczak and representatives from the Newstead Fire Hall regarding the Senior Center and spoke with Dave Miller about solar farms and the music at The Backlot.

Dugan – absent

Burke – he attended a Recreation meeting.

Pope – nothing to report

Supervisor – The March Supervisor’s Report is on file with the Town Clerk.

She acknowledged Municipal Clerk's week that was last week May 1st – May 6th and said our town wouldn't function daily without our Clerk's. She attended the Association of Erie Co. Governments meeting in Amherst, met with Highway personnel, met with Newstead Fire Co reps on Senior Center shared expenses, received quotes for septic services for Vet's Park for the season, met with Scott on transition issues, met with the cleaners, spoke to several residents on drainage issues and noise issues, addressed a boy scout request and a private cemetery information request.

UNFINISHED BUSINESS:

Buildings – Library meeting on Wednesday and they are still not sure which way to go with the grant. Still need someone to come out and inspect our other 2 flat roofs.

Planning – no updates

Water/Sewer – did walk through on May 2nd and found several minor punch list items and ECWA has approved the water lines. Since the sewer line project involves a state highway there is a permitting process that has to happen. We need to know how detailed the information the DOT needs. There are 2 companies that are interested in bidding and we will need a third.

Grants – no updates

NEW BUSINESS:

Approval – OGS Authorization for Town Officials:

A motion was made by Councilwoman Pope, seconded by Councilman Burke approving the Town Clerk to apply for authorization to participate in the NYS Contract Extension Program for the newly appointed purchasing agents.

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

Approval- Speed & Traffic Study Request-Cedar St & Carney Rd:

A motion was made by Councilman Burke, seconded by Councilwoman Pope authorizing the Town Clerk to submit a TE-9 request to Erie County Highway and NYSDOT to perform a speed and traffic study at the intersection of Cedar St & Carney Rd.

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

Approval- Hire of FT Deputy Town Clerk:

A motion was made by Councilman Jendrowski, seconded by Councilwoman Pope approving the hire of Lisa Kaminski as the FT Deputy Town Clerk at a rate of \$22.38/hour plus stipends effective immediately.

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

Approval- Hire of Seasonal Worker Highway:

A motion was made by Councilman Jendrowski, seconded by Councilwoman Pope approving the hire of David Faron as a Seasonal Highway worker at a rate of \$18.25/hour effective immediately.

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 June 10, 2023 by Mindy Cogovan for a party.

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

Privilege of the Floor/Question Period:

Ralph Campbell Jr., 89 Quarry Hill Estates – had multiple concerns regarding the music during the week and the concert itself on 5/6. He doesn't understand why there was 6 days of music being played. Dave Miller spoke to Tom Northem and was told people were working, setting up for the concert and they were playing music. Mr. Campbell was also concerned that people were

camping there, shooting off fireworks and having a campfire especially since there is a burn ban in effect until 5/15. Also concerned with garbage thrown in his yard and parking in Quarry Hill Estates private parking lots.

Councilman Jendrowski doesn't agree with the music being played during the week but doesn't think it was illegal. He also doesn't understand why they would want to make things more difficult for themselves.

Mr. Campbell stated the concert on Saturday was kept below the decibel limit for most of the night. There was a 20-minute stretch that was at 83 decibels but everything else was within the correct range.

Lorraine Baron, 84 Quarry Hill Estates – also agreed that Saturday was much better but when the bass is turned up it makes their homes vibrate. She expects her home to be a place she can relax.

Dave Miller spoke regarding the noise ordinance and he was at the concert venue twice during the show and everything was in compliance. He will be forwarding his office phone to his cellphone on certain weekends so the residents have an easier time getting a hold of him. The Backlot will be notifying properties within a 1-mile radius of the concert schedule.

Alvin Dahn, 87 Quarry Hill Estates – he believes the vibration is caused because they are on bedrock and sound travels through the bedrock. Also said this weekend was not as bad but he feels they need better security to keep people from parking in their parking lots.

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.

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

Respectfully Submitted,
Jennifer DiChristina, Town Clerk