

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN _____, WHO MOVED ITS
ADOPTION, SECONDED BY _____

WHEREAS, the Town of Newstead has previously contracted with Rotella Grant Management to provide grant writing services to the Town of Newstead; and

WHEREAS, the Town Board has determined that they have been very satisfied with the services that they have received from Rotella Grant Management; and

WHEREAS, the Town of Newstead has received a written proposal from Rotella Grant Management to provide such services for next year.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

1. The Town Board does hereby approve the entering into of an agreement for Grant Writing Services with Rotella Grant Management as contained in their proposal commencing on January 1, 2022 in form attached hereto and made a part hereof, which agreement is substantially the same as the agreement which was entered into with Rotella Grant Management commencing on January 1, 2022, and allows for termination on 30 days prior notice.
2. The Town Supervisor is hereby authorized to execute such agreement on behalf of the Town of Newstead.
3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board held on December 13, 2021, the results of which were as follows:

Councilman Dugan	_____
Councilman Burke	_____
Councilman Jendrowski	_____
Councilwoman Pope	_____
Supervisor Cummings	_____

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN WHO MOVED ITS ADOPTION,
SECONDED BY _____

WHEREAS, the Town has agreed to retain the firm of Hawkins Delafield & Wood LLP as bond counsel for the Town of Newstead for the year 2022; and

WHEREAS, the Town has been advised by the Department of Audit & Control that there should be a formal contract between the parties.

NOW, THEREFORE, be it resolved as follows:

1. The Town does hereby agree to retain Hawkins Delafield & Wood LLP as bond counsel for the Town for the year 2022 in accordance with the Bond Counsel Services Agreement for the Year 2022 attached hereto and made a part hereof.
2. The Supervisor of the Town is hereby authorized to execute the contract on behalf of the Town of Newstead.
3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Newstead on December 13, 2021, the results of which were as follows:

Councilman Dugan	_____
Councilman Burke	_____
Councilman Jendrowski	_____
Councilwoman Pope	_____
Supervisor Cummings	_____

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN WHO MOVED ITS ADOPTION,
SECONDED BY _____

WHEREAS, the Town has agreed to retain the services of Emily F. Janicz as Town Attorney for the Town of Newstead for the year 2022. The Town has also agreed to retain Michael T. Coutu as Assistant Town Attorney and Brendan Neill Assistant Town attorney ; and

WHEREAS, the Town has been advised by the Department of Audit & Control that there should be a formal employment contract between the parties.

NOW, THEREFORE, be it resolved as follows:

1. The Town does hereby agree to retain Emily F. Janicz as Town Attorney for the Year 2022 in accordance with the Legal Services Contract attached hereto and made a part hereof.
2. The Town does hereby agree to retain Michael T. Coutu as Assistant Town Attorney for the Year 2022 in accordance with the Legal Services Contract attached hereto and made a part hereof.
3. The town does hereby agree to retain Brendan Neill as Assistant Town Attorney for the year 2022
4. The Supervisor of the Town is hereby authorized to execute the contract on behalf of the Town of Newstead.
5. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Newstead on December 13, 2021, the results of which were as follows:

Councilman Dugan	_____
Councilman Burke	_____
Councilman Jendrowski	_____
Councilwoman Pope	_____
Supervisor Cummings	_____

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN WHO MOVED ITS ADOPTION,
SECONDED BY _____

WHEREAS, Drescher & Malecki LLP have performed auditing services for the Town of Newstead for many years and the Town has been very satisfied with the services provided; and

WHEREAS, it is necessary for the Town to enter into a contract with Drescher & Malecki LLP to audit the financial statements as of December 31, 2021 for the year ending December 31, 2021 and to audit the financial statements for the year ending December 31, 2022; and

WHEREAS, Drescher & Malecki LLP has submitted a proposal for such services.

NOW, THEREFORE, be it resolved as follows:

1. The Town does hereby agree to retain the firm of Drescher & Malecki LLP to perform auditing services for the Town of Newstead for the Year ending December 31, 2021 and for the year ending December 31, 2022 in accordance with the terms of the proposal submitted by Drescher & Malecki LLP, which proposal is incorporated hereto and made a part hereof.
2. The Supervisor of the Town is hereby authorized to execute the contract on behalf of the Town of Newstead.
3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Newstead on December 13, 2021, the results of which were as follows:

Councilman Dugan	_____
Councilman Burke	_____
Councilman Jendrowski	_____
Councilwoman Pope	_____
Supervisor Cummings	_____

THE FOLLOWING RESOLUION WAS OFFERED BY
COUNCILMAN _____, WHO MOVED ITS ADOPTION,
SECONDED BY COUNCILMAN _____

WHEREAS, the Town of Newstead has been advised by Audit & Control that it should have a contract with the Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., hereinafter referred to as Wendel; and

WHEREAS, the Town of Newstead desires to have annual engineering services performed for it to meet its day to day requirements; and

WHEREAS, the Wendel is a engineering firm duly licensed in New York State and has offered to perform the services hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board does hereby agree to retain Wendel as the Town Engineer for the Year 2022 in accordance with the engineering proposal submitted by Wendel with the payment for included services set at the rate of \$1433 per month, initial review of site plans and minor subdivisions set at \$225 and \$500 per major subdivisions (greater than 5 lots) and large site plans (buildings or additions greater than 10,000 square feet or impervious areas of greater than 10,000 square feet or those including a drainage pond) with additional services to be provided only with prior authorization and approval. This will include attendance of two meetings per month and a fixed fee of \$325 per additional meeting as requested.
2. The Supervisor is hereby authorized to execute the contract.
3. This resolution shall be effective immediately.

The above resolution was duly put to a roll call vote at regular meeting of the Town Board held on December , 2021, the results of which were as follows:

Councilman Dugan	_____
Councilman Burke	_____
Councilman Jendrowski	_____
Councilwoman Pope	_____
Supervisor Cummings	_____

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

YEAR: 2022
TOWN OF: NEWSTEAD
COUNTY OF: ERIE

Pursuant to the provision of Section 284 of the Highway Law, we agree that monies levied and collected for the repair and improvement of highways, and received from the state for repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS

The sum of \$250,000.00 may be expended for general repairs upon 29.76 miles of town highways, including sluices, culverts, and bridges having a span of less than five feet and boardwalks or the renewal thereof.

2. IMPROVEMENTS - The following sum shall be set aside to expended for the improvement of Town highways:

(a) On various town roads starting at _____ and ending at _____ a distance of _____ miles, there shall be expended not over the sum of _____
Type Top: _____ Width of traveled surface: _____ feet
Thickness Top: _____ inches Thickness binder: _____ inches
Other: chip and seal where needed and shoulder rehabilitation

(b) On Utley Road starting at Clarence Ctr Rd and ending at Keller Road a distance of 1.13 miles, there shall be expended not over the sum of _____
Type Top: _____ Width of traveled surface: _____ feet
Thickness Top: _____ inches Thickness binder: _____ inches
Other: Mill in place and then oil and stone

(c) On Pohl Road starting at Buckwheat Road and ending at Lesswing Road a distance of 0.15 miles, there shall be expended not over the sum of _____
Type Top: 9.5mm top/7F Top Width of traveled surface: 20 feet
Thickness Top: 2 inches Thickness binder: _____ inches
Other: _____

_____ Supervisor	_____ Date	_____ Councilmember	_____ Date
_____ Supervisor	_____ Date	_____ Councilmember	_____ Date
_____ Supervisor	_____ Date	_____ Councilmember	_____ Date
_____ Supervisor	_____ Date	_____ Councilmember	_____ Date

NOTE: *This Agreement must be signed by a majority of the members of the Town Board and by the Town Superintendent. One Copy must be filed in the Town Clerk's Office.*

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

YEAR: 2022
TOWN OF: NEWSTEAD
COUNTY OF: ERIE

Pursuant to the provision of Section 284 of the Highway Law, we agree that monies levied and collected for the repair and improvement of highways, and received from the state for repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS

The sum of _____ may be expended for general repairs upon _____ miles of town highways, including sluices, culverts, and bridges having a span of less than five feet and boardwalks or the renewal thereof.

2. IMPROVEMENTS - The following sum shall be set aside to expended for the improvement of Town highways:

(a) On N. Ayers, starting at Stage Road and ending at Dead End, a distance of 0.28 miles, there shall be expended not over the sum of _____.
Type Top: 9.5 mm Top/7F Top Width of traveled surface: 20 feet
Thickness Top: 2 inches Thickness binder: _____ inches
Other: _____.

(b) On _____, starting at _____ and ending at _____, a distance of _____ miles, there shall be expended not over the sum of _____.
Type Top: _____ Width of traveled surface: _____ feet
Thickness Top: _____ inches Thickness binder: _____ inches
Other: _____.

(c) On _____, starting at _____ and ending at _____, a distance of _____ miles, there shall be expended not over the sum of _____.
Type Top: _____ Width of traveled surface: _____ feet
Thickness Top: _____ inches Thickness binder: _____ inches
Other: _____.

_____ Supervisor	_____ Date	_____ Councilmember	_____ Date
_____ Supervisor	_____ Date	_____ Councilmember	_____ Date
_____ Supervisor	_____ Date	_____ Councilmember	_____ Date
_____ Supervisor	_____ Date	_____ Councilmember	_____ Date

NOTE: This Agreement must be signed by a majority of the members of the Town Board and by the Town Superintendent. One Copy must be filed in the Town Clerk's Office.

THE FOLLOWING RESOLUTION OPPOSING ERIE COUNTY AND NEW YORK STATE'S
COVID-19 EMERGENCY RESPONSE WAS OFFERED BY
COUNCILMAN _____, WHO MOVED ITS ADOPTION
SECONDED BY COUNCILMAN _____

WHEREAS, the Town Board of the Town of Newstead, New York (the Town Board) recognizes that the Covid-19 Pandemic virus has become a widespread global endemic disease that will likely never be eradicated due to its mutations and that managing it by declaring a State of Emergency and declaring mandates every time a new variant and/or spike in cases arises must not continue, due to negative impacts on mental and societal health, residents' rights and freedoms, and negative impacts on businesses and schools ability to cope with and manage through what will likely be regular occurrences in the coming months and years; and

WHEREAS, the Town Board recognizes that this virus will continue to be part of our everyday life and must no longer be used to infringe on individual and business owner rights and freedoms as a result of declaring a State of Emergency, vaccine mandates, mask mandates and lockdowns; and

WHEREAS, the Town Board recognizes that actions associated with vaccine mandates in the healthcare field has resulted in decreased capacity, due to job terminations, and severely limits the ability to hire and fill positions due to unvaccinated hiring restrictions, increasing, rather than mitigating, the virus's risk to our community; and

WHEREAS, the Town Board recognizes that a long-term management plan is required to manage the Covid-19 virus and that Erie County and New York State should be proactively addressing hospital capacity issues that impact the health and well-being of our residents instead of suspending certain procedures; and

WHEREAS, the Town Board questions why Erie County is one of the only counties in NY that renewed, every thirty days, the Covid-19 State of Emergency since March 15, 2020. It is our belief that further extensions are not justified; and

WHEREAS, the Town Board supports proposed legislation in the New York State Senate that would require approval by Town, Village and City Governing Boards any County Executive's or County Health Board's extension of a State of Emergency beyond 30 days within their Town, Village or City; and

WHEREAS, the Town Board recognizes that the Covid-19 virus has become a long-term widespread global endemic disease and requests that our town residents, businesses and schools have the right to determine for themselves their unique requirements for mitigating risks and the Town Board respectfully requests that Erie County not enter the Town of Newstead for the purpose of enforcement of their Covid mandates or associated restrictions; and

WHEREAS, the Town Board supports similar concerns from other town and village leaders, such as those serving in Williamsville, Marilla, West Seneca and Grand Island, whom

are also respectfully requesting Erie County refrain from entering their Towns for the purpose of enforcement of Covid Mandates and/or associated restrictions.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board goes on record opposing any further Erie County vaccine mandates, mask mandates and other Covid-19 restrictions and the Town Board opposes their associated enforcement by outside agencies within the Town of Newstead; and

BE, IT FURTHER RESOLVED, that the Newstead Town Clerk shall forward certified copies of this resolution to the Governor of the State of New York Kathy Hochul, Senator Edward A. Rath III, Assemblyman Michael J. Norris, County Executive Mark Poloncarz, the Clerk of the Erie County Legislature (for distribution), Legislator Christopher D. Greene and others as deemed necessary and proper.

Councilwoman	Pope	Voted
Councilman	Burke	Voted
Councilman	Dugan	Voted
Councilman	Jendrowski	Voted
Supervisor	Cummings	Voted

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN _____, WHO MOVED ITS
ADOPTION, SECONDED BY _____

WHEREAS, Wendel has submitted a proposed agreement for GIS Support Services related to the linking of design drawings documents through ESRI ArcMap software; and

WHEREAS, the Town Board has reviewed the proposed agreement and found it to be satisfactory.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board does hereby approve the proposed agreement with Wendel for GIS support services of annual GIS Web Map Application hosting of \$2,000 (lump Sum), GIS/GPS Support and Training of \$ 2000 (Time and Expense) and ArcGis Online (Annual Subscription paid to Esri) \$ 831.
2. This agreement shall, unless otherwise terminated as provided in Section 13 of this agreement, be automatically renewed for successive periods of 12 months (Each a renewal period), or otherwise terminated in accordance with the provisions of this agreement.
3. The Supervisor of the Town is authorized to sign the agreement.
4. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board held on December 13, 2021, the results of which were as follows:

Councilman Jendrowski	_____
Councilman Dugan	_____
Councilman Burke	_____
Councilwoman Pope	_____
Supervisor Cummings	_____

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL _____, WHO MOVED ITS ADOPTION,
SECONDED BY COUNCIL _____

WHEREAS, the Town Board of the Town of Newstead has duly called and held a public hearing on the proposed purchase of electronic equipment, software, and ancillary internet service for use by the Newstead Fire Company; and

WHEREAS, following such public hearing and the comments received therefrom, the Town Board has determined that it is in the public interest to approve the proposed purchase.

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. The Town Board hereby authorizes the purchase of the following for use by the Newstead Fire Company: ECO Software for Electronic Patient Care Reports at a cost of \$7,038.63; mobile 4G internet capability at an estimated annual cost of \$455.88 for each unit for one year; and two Microsoft Surface Pro 7 12.3” Tablets at \$1,956.04 each for a total cost of \$11,862.47.

2. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a meeting of the Town Board on December 13, 2021, the results of which were as follows:

Councilman Dugan	_____
Councilman Burke	_____
Councilman Jendrowski	_____
Councilwoman Pope	_____
Supervisor Cummings	_____

RESOLUTION

Motioned by Councilman _____, seconded by Councilman _____

To approve the adoption of Local Law #14 for 2021 entitled "A local law to opt out of allowing on-site consumption sites as authorized under Cannabis Law Article 4"

Councilwoman	Pope	Voted
Councilman	Burke	Voted
Councilman	Dugan	Voted
Councilman	Jendrowski	Voted
Supervisor	Cummings	Voted