

## Newstead Town Board Meeting- August 14, 2023

A public hearing was called to order by the Newstead Town Board on Monday, August 14, 2023 at 7:31pm at the Newstead Town Hall.

Present: Dawn Izydorczak-Supervisor  
John Jendrowski – Councilman  
Joe Dugan – Councilman  
Edmund Burke - Councilman  
Patricia Pope- Councilwoman  
Emily Janicz- Town Attorney  
Scott Rybarczyk- Town Engineer  
Jennifer DiChristina – Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing to order on the proposed 5-lot major subdivision with no public improvement at 13830 Indian Falls Rd. at 7:31pm.

The Clerk read proof of publication. The planning board has recommended approval. Comments were received comments this afternoon from Erie County Department of Environment and Planning which were read during the public hearing.

David Stanley, 6762 Maple Road – was under the impression this was 5 lots all at once instead of the 5<sup>th</sup> lot in 5 years..

There being no further comments, a motion was made by Councilman Jendrowski, seconded by Councilman Burke to close the public hearing at 7:35pm. Carried Unanimously

Councilman Burke led the pledge to the flag.

The regular meeting of the Town Board was called to order at 7:36pm with the same members present as listed above.

Minutes from the regular meeting held on July 24, 2023 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilwoman Pope to approve as presented. Carried Unanimously

**Agenda Changes** – None

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

A notice was received from Charter Communications notifying the Town of upcoming programming changes that will take effect August 15, 2023.

A notice was received from Spectrum Enterprise notifying the Town of upcoming programming changes that will take effect September 4, 2023.

An application for waiver of the 30-day advance notification for a liquor license was received from The Haunted Forests LLC for the establishment located at 11199 Main Road.

A letter was received from the Department of State notifying the Town that Local Law #3 of the 2023 has been filed effective July 14, 2023.

The 2022 annual report was received from the Newstead Public Library

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

**Work Session:** the Supervisor reported that at work held last week, the following items were discussed: Joint Highway Facility projects, purchases and issues, planning updates- Fancher rezoning, Terms & Conditions updates, budget for 2024, Senate/Assembly judicial bill, EMO

purchases, Solar Law amendments, Leisurewood dam, election audit resolution request, building needs, grant updates, AOT training for 2024 and the new Town website transformation. An executive session was held from 7:00pm – 8:35pm on contractual items and potential or threatened litigation with no action taken. There was an executive session held tonight from 7:00pm – 7:23pm on a contractual item with no action taken.

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

**Budget Transfers:** a motion was made by Councilman Dugan, seconded by Councilwoman Pope to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 8/14/2023. Carried Unanimously

**Approval of Bills** – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #2366 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2373 was presented for payment. Vouchers on this abstract(s) numbered 874-947, totaling \$473,376.40. Councilman Dugan seconded to approve payment as follows:

Abstract Batch(es) #2373:

General Fund (A)-\$25,423.44, General Fund- Outside Village (B)-\$246.47, Highway (DA)-\$290,172.29, Highway: Outside Village (DB)-\$0, CAP-Multicultural Ctr (HMCC)- \$0, CAP-Water-Scotland (HS)-\$396.98, CAP-Water-Koepsel (HW)-\$1,796.88, CAP-Water-Draper (HW01)-\$192.22, CAP-Water-Cedar (HW02)-\$204.76, CAP-Water-Knapp (HW03)- \$3,894.17, CAP-Bike Path (HTG)-\$0, Drainage (SD)-\$2,153.78, Fire Protection (SF)-\$116,707.06, Refuse (SR)-\$31,288.08, Sewer #1 Fund (SS)-\$543.67, Sewer District #2 (SS02)-\$136.64, Sewer District #3 (SS03)-\$193.19, Trust & Agency(TA)-\$0 and Consolidated Water (SW00)-\$26.77, 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: \$474,376.40 Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – no report was given

**Assessor** – a report was presented by Tina as follows: I am all caught up on the completed new construction inspection and valuation. I have also completed all processed splits and merges. I will begin to prep for exemptions at the end of the month. We had one article 7 which has already been settled and 5 small claims filings. The hearing dates are TBD.

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

Gary Roth	6505 Draper Rd	Demolition
Daniel Frank	7191 Sandhill Rd	Roof
Mark Sivecz	8040 Cedar St	SFH

**Town Clerk** – met with Sarah Young from the Senior Center regarding the Going Places Van.

**Town Attorney(s)** – nothing at this time

**COUNCILPERSONS:**

**Jendrowski** – he received a second quote for the columns at the Denio and had a discussion with Kristine at the library regarding a construction grant.

**Dugan** – has had conversations with Danny Kowalik regarding pending equipment purchases and spoke to David Miller regarding the solar farm moratorium and the Backlot. He also attended the Republican Breakfast on 8/5.

**Burke** – he attended the Republican Breakfast and thanked the librarian and her board for the wonderful things they do for our residents.

**Pope** – she attended the recreation board meeting and had a conversation with Dave Miller.

**Supervisor** – met with Sheri Mooney on employee training, spoke with the CEO regarding permit issues and has been working on the 2024 budget with Colleen.

**UNFINISHED BUSINESS:**

**Buildings** – Councilman Jendrowski spoke to Kristine and Dawn about getting a quote for the ceiling and block work at the library. Has received 2 quotes for the columns at the Denio.

**Planning** – Continuing to work on rezoning request and the solar law.

**Water/Sewer** – Nothing new

**Grants** – Nothing new

**NEW BUSINESS:**

**Approval – 5-lot Major Subdivision with No Public Improvement at 13830 Indian Falls Rd:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the 5-lot major subdivision with no public improvement owned by Richard Raykowski at 13830 Indian Falls Road.

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

Carried Unanimously

**Public Hearing – Local Law #4 of 2023 – Fancher Rezoning at 13661 Main Rd:**

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the calling of a public hearing on the proposed Local Law #4 of 2023 that will allow the rezoning of a 4.39 acre parcel of land at 13661 Main Road from RA to C-2, with the hearing to be held on August 28, 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-Aye, Burke-Aye, Jendrowski-Aye, Pope-Aye

Carried Unanimously

Discussion on the vestibule project took place and Councilwoman Pope voiced her opinion against as it doesn't benefit the taxpayers and she feels other options were not explored.

**Approval- Vestibule Project at the JMF:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the modification of the vestibule at the Joint Municipal Facility with the cost to be shared with the Village 50/50. Hogan Glass was the low bidder at a total cost of \$6,995 with the Town's portion to be \$3,497.50.

(Resolution)Izydorczak-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope- No

Carried

**Approval – Gutter Project at the JMF:**

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the repair of the gutters, panels and trim on the cold storage building at the JMF with the cost to be shared with the Village 50/50. EBS Solutions was the low bidder at a total cost of \$3,919.00 for materials only with the work being done in house.

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

Carried Unanimously

**Approval – Purchase Lifts for the JMF:**

A motion was made by Councilwoman Pope, seconded by Councilman Jendrowski approving the purchase of lifts, jack stands, and related items for use at the JMF. Liftnow under Sourcewell Contract 013020 was the low bidder at \$83,929.09.

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

Carried Unanimously

**Approval – 30-day waiver for Liquor License:**

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the request by Kelly Schultz for the establishment located at 11199 Main Road known as “The Haunted Forests LLC” for waiver of the 30-day advance notification for a liquor license.

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

Carried Unanimously

**Approval – Annual Snow Removal Contract:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the proposed contract for snow removal services for town properties as presented by Golden Dome Property Services for the 2023-24 winter season.

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

Carried Unanimously

**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 Councilman Burke, seconded by Councilwoman Pope to adjourn the regular meeting at 8:02pm.

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

Carried Unanimously

Respectfully Submitted,  
Jennifer DiChristina, Town Clerk