

Newstead Town Board Meeting- August 28, 2023

A public hearing was called to order by the Newstead Town Board on Monday, August 28, 2023 at 7:28pm 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
Michael Coutu – Assistant 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 Local Law #4 – Rezoning Request at 13661 Main Road at 7:28pm.

The Clerk read proof of publication.

Randy Fancher spoke on behalf of a neighbor that was present. (Mark Carubba, 5451 Crittenden Road) The neighbor is concerned about seeing the warehouses that will be constructed in his back yard. Mr. Fancher will be planting a row of pine trees to separate the properties and to screen the new buildings.

There being no further comments, a motion was made by Councilman Dugan, seconded by Councilwoman Pope to close the public hearing at 7:31pm. Carried Unanimously

Councilman Jendrowski led the pledge to the flag.

The regular meeting of the Town Board was called to order at 7:31pm with the same members present as listed above.

Minutes from the regular meeting held on August 14, 2023 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilman Jendrowski to approve as presented. Carried Unanimously

Agenda Changes – None

Communications – The Town Clerk presented the following correspondence:

A public notice for the 30-day period for inclusion of predominantly viable agricultural lands was received from The Erie County Department of Environment and Planning to run from September 1st – September 30th.

An application for waiver of the 30-day advance notification for a liquor license was received from Akron Conlon Enterprises Inc. DBA Georgies Pizzeria for the establishment located at 11891 Main Road.

A letter from Erie County Clerk Michael Kearns was received regarding the deficit that his office is facing and the negative impact it will have on municipalities and their budgets.

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

Work Session: at the work session held last week the following was discussed: meetings with Norbut Solar and department heads on budget requests, Joint Highway Facility projects & purchases; water/sewer updates, planning updates- Fancher rezoning, Terms & Conditions updates/Budget for 2024, EMO purchases, Solar Law amendments, Leisurewood dam; Building projects updates; Grant updates; new assistant historian candidates and Maple Lawn cemetery

work. An executive session was held from 7:44pm-8:52pm on contractual items and potential or threatened litigation, with no action taken. An executive session was held this evening from 7:08pm-7:25pm on contractual items and potential or threatened litigation 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 8/28/2023. Carried Unanimously

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #2361 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2377 was presented for payment. Vouchers on this abstract(s) numbered 950 - 996, totaling \$106,483.39. Councilman Dugan seconded to approve payment as follows:

Abstract Batch(es) #2377:

General Fund (A)-\$16,606.11, General Fund- Outside Village (B)-\$1,784.91, Highway (DA)-\$74,696.34, Highway: Outside Village (DB)-\$0, CAP-Multicultural Ctr (HMCC)- \$0, CAP-Water-Scotland (HS)-\$534.90, CAP-Water-Koepsel (HW)-\$2,421.12, CAP-Water-Draper (HW01)-\$259.00, CAP-Water-Cedar (HW02)-\$275.89, CAP-Water-Knapp (HW03)- \$4,754.19, CAP-Bike Path (HTG)-\$0, Drainage (SD)-\$3,504.11, Fire Protection (SF)-\$0, Refuse (SR)-\$0, Sewer #1 Fund (SS)-\$30.71, Sewer District #2 (SS02)-\$74.07, Sewer District #3 (SS03)-\$0, Trust & Agency(TA)-\$1,500.00 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: \$106,483.39 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – no report was given

Assessor – a report was presented by Tina as follows: she has just completed the inspection and valuation of new construction in the town and village from permits dated March through July. We will be mailing out the exemption renewals this week and the foot traffic will increase starting in September for both exemptions and school tax bill payments. The next six months will be processing exemption and sales transfers. She will continue on with the new construction toward the middle of February, weather permitting. She has no concerns currently.

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

Anne Perrault	11570 Clarence Ctr Rd	AG Pool
Mark Milhollen	7350 Cedar St	Siding
Cynthia Wegrzyn	12153 Rapids Rd	Siding
Christian DiPasquale	7709 Scotland Rd	Siding
Sam Lanasa	11080 Stage Rd	SFH
Christopher Whitmarsh	12420 Clarence Ctr Rd	Generator
Matthew Priebe	6032 Crittenden Rd	Res Addition
5720 Cummings Rd Inc	Leisurewood Lane	Accessory Structure
Martha Dember	143 Cedarwood	Accessory Structure
Adam Nuwer	12180 Nice Rd	Accessory Structure
Sandra Morgan-Bassanello	12255 Buckwheat Rd	Accessory Structure
Gary Roth	6505 Draper Rd	Accessory Structure
Keith Rosenberg	7970 Greenbush Rd	Accessory Structure
John Smith	11267 Clarence Ctr Rd	Accessory Structure
Robert Lucia	12766 Carney Rd	Accessory Structure

ICP Realty Corp	Cedar St	Roof
Barbara/Richard Wurl	19 Golden Pond Est	Remodel/Renovation
Larry Merkle	11175 Keller Rd	SFH
Joseph Sigismondi	6090 Utley Rd	IG Pool
James Schneider	11568 Meahl Rd	Windows
Dana Copland	12135-37 Nice Rd	Roof
Richard Rambach	10 Golden Pond Est	Roof
Thomas George	11494 Meahl Rd	Roof
Brian Chadsey	5951 Cummings Rd	Roof
Philip Hegedusich	11158 Main Rd	Roof
5720 Cummings Rd	95 Ashwood	Roof
David DeYoung	13033 Carney Rd	Remodel
Arrowhead Timberlodge	12292 Clarence Ctr Rd	Special Event
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Kenneth Benson	7200 Sandhill Rd	SFH

Town Clerk – nothing at this time

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski – spoke to Kristine at the library and she doesn't think she will have quotes for the roof in time to apply for the construction grant. He worked with Brian Gaddes at Maple Lawn to move a headstone, spoke to a member of the Lions Club about the September meeting, talked to Dave Miller about old permits and received a phone call today from Mr. Wagner on Kathryn Drive. He wants to know when something will be done with his drainage issue.

Dugan – had a meeting with the Supervisor, Village Mayor and Village Trustee on Friday and also spoke to a member of the Lions Club who will be attending the September 18th work session.

Burke – he spoke to the CEO regarding a drainage issue on Utley Road. He also spoke to the Town Clerk regarding the PESH report we received and thanked her for mitigating the issues in the report so quickly.

Pope – nothing at this time.

Supervisor – met with Scott & Dan on the Leisurewood Dam issue, working on training for employees, met with Senator Pat Gullivan on pending grant funds and local issues, had a meeting with Village Mayor Perry and Trustee Forrestel and Councilman Dugan to discuss local issues and continue to work on the budget.

UNFINISHED BUSINESS:

Buildings – nothing new

Planning – working on the Fancher rezoning, the solar law and the 2024 budget

Water/Sewer – nothing new

Grants – getting close to the CDBG purchases for the Senior Center in the coming weeks.

NEW BUSINESS:

Approval- Appoint Town Historian:

A motion was made by Supervisor Izydorzak, seconded by Councilwoman Pope approving the appointment of Bob Andrycha as Deputy Town Historian effective immediately.

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

Approval – 30-day waiver for Liquor License:

A motion was made by Councilwoman Pope, seconded by Councilman Dugan approving the request by Kelly Schultz for the establishment located at 11891 Main Road known as Georgie’s Pizzeria for waiver of the 30-day advance notification for a liquor license.

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

Carried Unanimously

Privilege of the Floor/Question Period: no one spoke

A motion was made by Councilman Dugan, seconded by Councilman Burke to enter into executive session at 7:50pm.

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

Carried Unanimously

A motion was made by Councilman Burke, seconded by Councilman Jendrowski to exit executive session at 8:15pm with no action taken.

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

Carried Unanimously

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 8:15pm.

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

Carried Unanimously

Respectfully Submitted,
Jennifer DiChristina, Town Clerk