

Newstead Town Board Meeting- September 11, 2023

A regular meeting was called to order by the Newstead Town Board on Monday, September 11, 2023 at 7:28 pm at the Newstead Town Hall.

Present: Dawn Izydorzak-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.

Councilman Burke led the pledge to the flag.

Minutes from the regular meeting held on August 28, 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 that The Walt Disney Company removed its programming from Spectrum effective August 31, 2023.

A notice was received from the Department of Public Service notifying the town that a new area code of 624 will take effect for all or parts of Allegany, Cattaraugus, Chautauqua, Erie and Niagara Counties beginning September 11th.

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

Work Session: no work session was held last week due to the holiday, but the following was discussed prior to tonight's meeting: water/sewer updates, planning updates, Solar Law amendments, building project updates and grant updates. An executive session was held from 7:10pm to 7:26pm on potential or threatened litigation, personnel and contracts with no action taken.

Agenda Items Question Period: None

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 9/11/2023. Carried Unanimously

Approval of Bills – Councilman Burke reported that the Abstract(s) from Batch(es) #2373 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2381 was presented for payment. Vouchers on this abstract(s) numbered 1025-1063, totaling \$71,232.69. Councilwoman Pope seconded to approve payment as follows:

Abstract Batch(es) #2381:
General Fund (A)-\$38,597.45, General Fund- Outside Village (B)-\$0, Highway (DA)-\$0, Highway: Outside Village (DB)-\$7,386.99, 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)- \$5,266.27, CAP-Bike Path (HTG)-\$0, Drainage (SD)-\$5,099.50, Fire Protection (SF)-\$13,976.43, Refuse (SR)-\$0, Sewer #1 Fund (SS)-\$581.53, Sewer District #2 (SS02)-\$110.01, Sewer District #3 (SS03)-\$210.01, Trust & Agency(TA)-\$0

and Consolidated Water (SW00)-\$4.50, WD1(SW1)- \$0, WD2(SW2)- \$0, WD3(SW3)- \$0, WD4(SW4)- \$0, WD5(SW5)- \$0, WD6(SW6)- \$0, WD7(SW7)- \$0, WD7A(SW7A)- \$0, D8(SW8)- \$0, WD9(SW9)- \$0, WD10(SW10)- \$0; Total: \$71,232.69

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – a report was presented from the Highway Supt and read by the Supervisor that the crew has rolled and mowed the parks and fixed driveways, put benches together at ball fields, road ditch piping on Utley Road, mowed the bike path three times, did field ditching on O’Dells property on Bloomingdale Road and on Brandl’s property on Hake Road and Renn’s Lane, road mowing and field mowing on Crittenden Road, repairs to forced main on Lewis Road, installed 180’ of 12” pipe on Crego Road and road ditch piping 300’ on Draper Road, worked tire drop off and white goods pickup, replaced cross culvert 12” on Kelkenberg Road, fixed the toilet at Vets Park, trimmed around guard rails, repaired lights on #3 truck and rocke arms and #9 truck repaired tire and electrical problem, took Dig Safely class, hauled clean #2 stone to Vets Park, helped the Village cut trees, helped the Town’s of Pembroke, Clarence, Alabama, Lancaster, Alden and Elma, painted lines at Vets Park for Bicentennial, unloaded and delivered totes to residents, field ditching completed on Brucker Road, mill in place Dye Road and Draper Road, pushed up salt for 23-24 year, field ditching Crittenden Road on Geyer’s property, boom mowed for Village at water plant and field ditches, oil and stoned Knapp, Kirby and Bruning Roads, replaced 60’ driveway pipe on Crego Road and 120’ on Martin Road, ground stumps and Clifford Brucker is being removed from his 6 month probation term.

Assessor – a report was presented by Tina as follows: exemption notices have been mailed for the senior citizen exemptions. I am all caught up on new construction inspection and valuation including the month of July. I will revisit all open permits as it gets closer to taxable status day (March 1st). I have one small claims hearing on the 19th of September. Dave and I went over Katie’s review last week and she is doing very well.

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

Shawn Vandegenachte	12451 McNeeley Rd	SFH
Tiffanie Amerine	13819 Knapp Rd	Outdoor Boiler
Anne Marie Bodensteiner	5906 Crittenden Rd	Remodel/Renovation
Brian Miller	182 Quarry Hill Est	Carport
Antonia Lucciano	7824 Cedar St	Pole Barn
Jeffrey Karl	5379 Crittenden Rd	Remodel/Renovation
Michael Trybuskiewicz	292 Dogwood	Roof
Aaron Stoll	12143 Nice Rd	Deck Roof
Paul Reamsnyder	8 Sprucewood	Deck/Roof
Nicholas West	11830 Sheila Ln	Shed
Franklin Powell	13069 Stage Rd	Pole Barn
Michael Cross	22 Willow Ln	Floating Deck
Joseph Duermeyer	12459 Tonawanda Creek Rd	Roof
11450 Main LLC	11470 Main Rd	Roof
Helen Domske	11155 Hiller Rd	Zoning Comp Request
ADESA New York LLC	12200 Main Rd	Zoning Comp Request
Eric Pirson	11732 Rapids Rd	Hot Tub
Kelly Schultz	11167 Main Rd	Special Event Permit

Town Clerk – tax bills were received last Thursday and I am working on getting them mailed by September 15th and I will be attending a “meet your town officials” dinner at the Senior Center tomorrow night with the Supervisor.

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski – spoke to a Kathryn Drive resident regarding a Town ditch behind his house. Mike will be taking care of it in a week or 2. He spoke to Danny Kowalik regarding emergency services supplies and Sarah at the Senior Center regarding an AC issue. JBM Mechanical is ordering a part. He also spoke to Kristine at the library. She will be receiving an evaluation and an estimate from Catalano Roofing to be used for a construction grant application for 2024.

Dugan – nothing at this time

Burke – nothing at this time

Pope – nothing at this time

Supervisor – attended the Supervisor’s monthly meeting in East Aurora, met with Emily & Julie on Planning items, Colleen and I attended the Supervisor’s roundtable on budgets presented by Drescher & Malecki and I continue to work on the budget.

UNFINISHED BUSINESS:

Buildings – nothing new

Planning – still working on the Solar Law amendments, the budget and the dog kennel.

Water/Sewer – nothing new

Grants – the CDBG purchase for the Senior Center will be approved tonight.

NEW BUSINESS:

Approval – Determination of Non-Significance of Local Law #4

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the Notice of Determination of Non-Significance with regards to the Rezoning of property located at 13661 Main Road from R-A to C-2.

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

Approval – Local Law #4 of 2023 – Fancher Rezoning at 13661 Main Rd:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the proposed Local Law #4 of 2023 allowing the Rezoning of a 4.39 acre parcel of land at 13661 Main Road from RA to C-2.

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

Approval - CDBG Purchase at the Senior Center:

A motion was made by Councilwoman Pope, seconded by Councilman Jendrowski approving the CDBG funding purchase of tables and chairs for the Senior Center from WB Mason interiors under the OGS Contract Award Number 23109 in the amount of \$25,473.82.

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

Approval – JCAP Grant Application:

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the support of the Justice Court Assistance Program 2023 Grant Application for the Town of Newstead Justice Department

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

Public Hearing- Local Law #5 of 2023- Override Tax Cap:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the calling of a public hearing on the proposal Local Law #5 of 2023 to override the tax cap, with the

hearing to be held on September 25, 2023 at 7:20pm at the Town Hall and authorizing the Town Clerk to publish notice of the hearing in the Akron Bugle.

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

Carried Unanimously

Public Hearing- CDBG Funding for 2024:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the calling of a public hearing on September 25, 2023 at 7:25pm to hear comments on the use of potential funds received from the Erie County Community Development Block Grant Consortium at the Town Hall and authorizing the Town Clerk to publish notice of the hearing in the Akron Bugle.

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

Carried Unanimously

Privilege of the Floor/Question Period: Mark Wolfling, Center Street Aurora – appeared to speak to the board again asking them to sign a resolution supporting an audit of the New York State Board of Elections due to alleged voter fraud.

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 8:13pm.

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

Carried Unanimously

Respectfully Submitted,

Jennifer DiChristina, Town Clerk