

## Newstead Town Board Meeting- September 25, 2023

A public hearing was called to order by the Newstead Town Board on Monday, September 25, 2023, at 7:21pm at the Newstead Town Hall.

Present: Dawn Izydorczak-Supervisor  
John Jendrowski – Councilman  
Joe Dugan - Councilman  
Patricia Pope- Councilwoman  
Edmund Burke - 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 #5 to override the tax cap at 7:21pm.

The Clerk read proof of publication. The Supervisor spoke on how this is passed every year in case we were to go over the tax cap.

No one appeared to speak.

There being no further comments, a motion was made by Councilman Dugan, seconded by Councilwoman Pope to close the public hearing at 7:24pm. Carried Unanimously

The Supervisor called the second public hearing to order on CDBG funding projects for 2024 at 7:24pm.

The Clerk read proof of publication. The Supervisor explained that this grant money is earmarked for projects benefiting low/moderate income residents. We have been successful in the past with projects at the Senior Center and we always receive funding for the Rural Transit Van.

No one appeared to speak.

There being no further comments, a motion was made by Councilman Burke, seconded by Councilwoman Pope to close the public hearing at 7:27pm. Carried Unanimously

Councilman Jendrowski led the pledge to the flag.

The regular meeting of the Town Board was called to order at 7:27pm with the same members present as listed above.

Minutes from the regular meeting held on September 11, 2023 was 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 a deal was reached to renew its carriage agreement with the Walt Disney Company effective September 11, 2023.

A notice was received from Charter Communications notifying the Town of upcoming programming changes that will take effect October 16, 2023.

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

**Work Session:** the Supervisor reported that the following items were discussed at last weeks work session: a meeting with Akron Lions Club representatives on a potential project; water/sewer updates; planning updates; planning items: 2024 budget, EMO equipment, Solar Law amendments, employee training, joint meeting in November with the Village, October meeting date change; Building projects: library issues, senior center leak, town hall transformer, dog kennel purchase from Lancaster; Grant updates; and new BAR member. An executive session was held from 8:51pm – 9:02pm on potential or threatened litigation with no action taken and an executive session was held tonight from 7:05pm – 7:19pm on personnel and contracts with no action taken.

**Agenda Items Question Period:** none one appeared to speak.

**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 9/25/2023. Carried Unanimously

**Approval of Bills** – Councilman Burke reported that the Abstract(s) from Batch(es) #2381 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2386 was presented for payment. Vouchers on this abstract(s) numbered 1064-1112, totaling \$74,323.22. Councilwoman Pope seconded to approve payment as follows:

Abstract Batch(es) #2386:  
General Fund (A)-\$27,235.08, General Fund- Outside Village (B)-\$22.21, Highway (DA)- \$7,702.40, 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)-\$0, Fire Protection (SF)-\$0, Refuse (SR)-\$31,590.88, Sewer #1 Fund (SS)-\$31.27, Sewer District #2 (SS02)-\$82.21, Sewer District #3 (SS03)-\$0, Trust & Agency(TA)-\$0 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)- \$7,617.13; Total: \$74,323.22

Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – no report was given

**Assessor** – no report was given

**Building Office** – no report was given

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**Town Clerk** – nothing at this time

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

**COUNCILPERSONS:**

**Jendrowski** – nothing to report

**Dugan** – spoke to Mike Mutter regarding emergency equipment purchase

**Burke** – nothing to report

**Pope** – nothing to report

**Supervisor** – the August Supervisor’s report is on file with the Town Clerk. Attended the Senior Centers “dinner with your representatives” night and answered questions from members, Colleen & I met with Alex from 3+1 on our investments and continued to work on the budget presented tonight, and I met with Chuck Haist from the Akron Fire Company. Presented budget message for 2024.

**UNFINISHED BUSINESS:**

**Buildings** – nothing new. Waiting for Ferguson Electric to schedule the maintenance on the Town Hall transformer.

**Planning** – working on Solar Law updates, EMS contracts and dog kennel purchase.

**Water/Sewer** – nothing new

**Grants** – nothing new

**NEW BUSINESS:**

**Public Hearing-Home-Based Business at 7838 Fletcher Rd:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the calling of a public hearing on October 9, 2023 at 7:25pm to hear comments a proposed home-based business located in the RA zone to operate KM Land Clearing at 7838 Fletcher Rd. 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-2024 Budget:**

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the calling of a public hearing on October 23, 2023 at 7:25pm to hear comments on the proposed 2024 budget 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

**Adoption-Local Law #5 of 2023 - Tax Cap Override:**

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the adoption of the proposed Local Law #5 of 2023 allowing the override of the NYS Tax Cap as presented.

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

Carried

**Approval – Transformer Purchase from T&R Electric:**

A motion was made by Councilwoman Pope, seconded by Councilman Burke approving the purchase of a transformer for the Town Hall from T&R Electric for a cost of \$14,314.00 with a \$1,000 fee to ensure the earliest possible production date as recommended by the Town Engineer.

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

Carried Unanimously

**Approval – Change First October Meeting Date:**

A motion was made by Councilman Dugan, seconded by Councilwoman Pope approving the amendment of the Organization Meeting Minutes that was held on January 2, 2023. The meeting that was originally scheduled for Tuesday October 10, 2023, will be rescheduled to Monday October 9, 2023.

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

Carried Unanimously

**Approval – Bike Path Capital Project Final Close-Out:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the close-out of the bike path capital project with the \$490.04 surplus being transferred back to the A fund from which the Town’s share of the funding was originally allocated.

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

Carried Unanimously

**Motion – Appoint Steven Bedford to Board of Assessment Review:**

A motion was made by Councilman Dugan, seconded by Councilwoman Pope to appoint Steven Bedford to the Board of Assessment Review with his term expiring on September 30, 2028.

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

Carried Unanimously

**Approval- Lateral Restriction Hardship Application- 4865 Schutt Rd:**

A motion was made by Councilwoman Pope, seconded by Councilman Burke approving the application for a lateral restriction exception hardship at 4865 Schutt Road in water district 10 as submitted by owner(s) Stanley R Tatara, based on supporting documentation provided.

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 7:50pm.

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

Carried Unanimously

Respectfully Submitted,  
Jennifer DiChristina, Town Clerk