

Newstead Town Board Meeting – November 13, 2023

A public hearing was called to order by the Newstead Town Board on Monday, November 13, 2023, at 7:24pm at the Newstead Town Hall.

Present: Dawn Izydorczak-Supervisor
John Jendrowski - Councilman
Joe Dugan - Councilman
Patricia Pope- Councilwoman
Edmund Burke - Councilman
Emily Janicz- Town Attorney
Michael Coutu – Assistant Town Attorney
Joseph Bartos - Town Engineer
Jennifer DiChristina – Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing to order for the 12474 Main Road U-Gate Project at 7:24pm.

The Clerk read proof of publication. There have been three site plan reviews and the Planning Board voted to recommend approval. Still waiting for comments from outside agencies so there will not be a vote to approve tonight.

Douglas Klotzbach, 164 Lafayette Ave., Buffalo – he has been working with Joe on this project and they have finally gotten to a point where everyone is happy with it.

There being no further comments, a motion was made by Councilman Dugan, seconded by Councilman Jendrowski to close the public hearing at 7:29pm. Carried Unanimously

The Supervisor called the second public hearing to order for the 13661 Main Road Fancher Project at 7:29pm.

The Clerk read proof of publication. This project has been reviewed by Wendel Engineering three times and the Planning Board has recommended its approval.

Jeff Fancher, 13661 Main Rd., Akron – spoke about already having a building of the same size constructed, this project will allow them to build 2 more.

Mark Carrubba, 5451 Crittenden Rd., Akron – he is concerned about drainage from the new buildings impacting his property. He wants all the water to go towards the retention pond Mr. Fancher will be putting in.

Mike Shilling – there representing Mark Carrubba and just wants to make sure the drainage doesn't affect Mr. Carrabba's property.

There being no further comments, a motion was made by Councilman Dugan, seconded by Councilman Burke to close the public hearing at 7:33pm. Carried Unanimously

Councilman Jendrowski led the pledge to the flag.

The regular meeting of the Town Board was called to order at 7:33pm with the same members present as listed above.

Minutes from the regular meeting held on October 23, 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 the upcoming programming changes effective November 27, 2023.

A request for a beer/wine permit was received from Julie Brady for a birthday party at the Cultural Center on November 26, 2023.

An information packet was received from The Office of the State Comptroller regarding the 2024 Newly Elected Town Officials School that will be held in both Rochester and Albany New York.

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 the following items were discussed at last week's work session: a meeting with Highway Superintendent on highway items; water/sewer updates; planning items: 2024 budget, EMO equipment, Solar Law amendments, EMS contract, joint meeting with Village, rezoning application for 13638 Bloomingdale, Leisurewood Dam update; Building projects; library issues, town hall transformer, transport of dog kennel, baseball diamond fences, JMF HVAC & gas well; Grant updates; town committees & appointments for 2024 and the County Line Stone tour.

Agenda Items Question Period: no one spoke

Budget Transfers: a motion was made by Councilwoman Pope, seconded by Councilman Dugan to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 11/13/2023. Carried Unanimously

Approval of Bills – Councilwoman Pope reported that the Abstract(s) from Batch(es) #2396 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2400 was presented for payment. Vouchers on this abstract(s) numbered 1253-1313, totaling \$44,146.47. Councilman Jendrowski seconded to approve payment as follows:

Abstract Batch(es) #2400

General Fund (A)-\$31,552.11, General Fund- Outside Village (B)-\$173.88, Highway(DA)-\$8,665.28, 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)-\$2,250.00, Refuse (SR)-\$578.38, Sewer #1 Fund (SS)-\$682.49, Sewer District #2 (SS02)-\$59.55, Sewer District #3 (SS03)-\$184.78, Trust & Agency (TA)-\$0 and Consolidated Water (SW00)-\$, 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: \$44,146.47

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – a report was presented by Mike Bassanello and read by the Supervisor as follows: the crews boom mowed the Bike Path, picked up leaves on Town properties, ditched Bike Path and Field Ditching completed on Burdick Road, road ditching done on S Ayers, Moore and Dye Roads, repairs and servicing completed on truck #7, calibrated new slide in sanders, cremation preparation was completed at Ledge Lawn Cemetery, filled holes in the shoulders of various roads, ditching done on Bike Path/Barnum Road west and took truck #3 to Frey the Wheelman for walking beam and spring repair.

Assessor – a report was presented by Tina as follows: we have mailed letters to our seniors letting them know they may qualify for the low-income senior exemption, if the gross household income is below \$37,400. There has been an increase in phone calls from that mailing. We are still processing the renewal applications as they come in and I continue to work through the new construction list. Also, we received the Erie County list of equalization rates with the latest trends. The trend for this year was 3% for the residential class for Newstead, which indicates the market is starting to level out, but not decreasing. There were only two municipalities that are at 100% equalization, the Town of Newstead and the Town of Tonawanda.

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

Lakeshore	174 Quarry Hill Est	Ramp
Ross Marranca	4433 Billo Rd	Special Event
Town of Newstead	5929 Buell St	Special Event
Raymond Braun	11891 Main Rd	Special Event
Raymond Braun	11891 Main Rd	Special Event
Raymond Braun	11891 Main Rd	Special Event
Raymond Braun	11891 Main Rd	Special Event
Charles Mullins	12381 Main Rd	Roof
Douglas Geiger	13382 Steiner Rd	Bathroom Remodel
Karen Pits	174 Golden Pond Est	Carport
Matthew Ziemendorf	12800 Carney Rd	Pole Barn
Steven Bedford	6820 Cedar St	CO
Glenn Buckley	7429 Sandhill Rd	EV Circuit in Garage
Linda Ryniec	216 Quarry Hill Est	Roof
People Inc	120221 Buckwheat Rd	Bathroom Remodel
Jennifer MacNichols	12957 Dorsch Rd	Wrap Around Deck
Philip Whiting	12865 Carney Rd	Pole Barn Addition

Town Clerk -attended a meeting with Dawn and Colleen with representatives from Bank on Buffalo and went on a tour of County Line Stone.

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski – attended the Library Board meeting last week and the new HVAC unit was installed on Thursday. He spoke with residents involved in accidents at Carney Road & Cedar Street and is hoping the new 4-way stop will help. He spoke with the Assessor regarding the Town/County tax rate and spoke with a representative from Arrowhead Golf Course regarding pending plans. John advised them to talk to the Town Board.

Dugan – had a conversation with Lucas James of Arrowhead regarding an email sent that outlines a pending project they would like to do.

Burke – attended the tour of County Line Stone.

Pope – nothing at this time

Supervisor – attended the Association of Erie County Governments meeting, had a meeting with Colleen & Jennifer with Bank on Buffalo representatives, finalized work on the budget with Colleen, attended a tour at County Line Stone quarry, coordinated dog kennel move with Lancaster & vendor, worked on joint meeting agenda with Jayne, and worked with Legislator Chris Greene on the Cedar St/Carney Rd intersection and started work on year-end items. The Supervisor also announced that effective Friday November 17th there will be a 4-way stop at the intersection of Cedar Street and Carney Road.

UNFINISHED BUSINESS:

Buildings – nothing new

Planning – still working on EMO purchases, the EMS contract and the Bloomingdale rezoning request.

Water/Sewer – as of November 1 the NYS Department of Health approved the new water lines that were installed.

Grants – nothing new

NEW BUSINESS:

Adoption- 2024 Budget:

A motion was made by Councilwoman Pope, seconded by Councilman Burke adopting the 2024 Budget as presented in its final form for the Town and issuing a letter of authorization to enforce collection of unpaid accounts. This budget remains under the 2% tax cap.

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

Carried Unanimously

Public Hearing-Site-Plan Application – Leisurewood Campground – 5720 Cummings Rd:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the calling of a public hearing on November 27, 2023, at 7:15pm to hear comments on a proposed site-plan alteration to construct a 1,728 square feet pole barn style maintenance building at 5720 Cummings Road 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-Local Law #6 – Repeal Local Law #5:

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the calling of a public hearing on November 27, 2023, at 7:20pm to hear comments on Local law No. 6 of the Year 2023 entitled “Local Law to Repeal Local Law No. 5 of the Year 2023 with regards to overriding the 2% tax cap 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-Local Law No. 7-2023 Amendment No. 1 to the Solar Law:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the calling of a public hearing on November 27, 2023, at 7:25pm to hear comments on the adoption of a proposed Local Law No. 7 entitled “2023 Amendment No. 1 to the Solar Law” 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

Approval – Baseball Diamond Backstops:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the quote from Iroquois Fence, Inc. in the amount of \$10,300 to replace the fences on the backstops at baseball diamonds 1-4 in Skyline Park

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

Carried Unanimously

Approval – Authorize Surplus Highway Equipment for Auction:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the auction of surplus highway equipment through Auctions International.

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

Carried Unanimously

Approval-Northern Erie Sno-Seekers Request:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the request by the Northern Erie Sno-seekers snowmobile club to use portions of the west shore bike path, which it has used for over 20 years, for the 2023-24 season subject to required insurance being provided naming the town as additional insured.

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

Approval- Beer/Wine Permit:

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the request for a beer/wine permit by Julie Brady for a birthday party at the Cultural Center on November 26, 2023.

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

Approval- Fall/Winter Recreation Hire Employees:

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the updated list of employees to work the Fall 2023 thru Winter 2024 Recreation program as per the attached listing as presented and recommended for approval by Recreation Director Dan Roland. 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 8:01pm.

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

Respectfully Submitted,
Jennifer DiChristina, Town Clerk