

Newstead Town Board Meeting – December 28, 2023

A public hearing was called to order by the Newstead Town Board on December 28, 2023, at 7:25pm at the Newstead Town Hall.

Present: Dawn Izydorczak – Supervisor
John Jendrowski – Councilman
Joe Dugan – Councilman
Patricia Pope – Councilwoman (Remotely)
Edmund Burke – Councilman
Emily Janicz – Town Attorney
Michael Coutu – Assistant Town Attorney
Jennifer DiChristina – Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing to order for the proposed Twin City Ambulance Contract at 7:26pm.

The Clerk read proof of publication. The Supervisor explained this was a 2-year contract with the built-in ability to extend for 2 more years.

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

Councilman Jendrowski led the pledge to the flag.

The regular meeting of the Town Board was called to order at 7:30pm with the same members present as listed above.

Minutes from the regular meeting held on December 11, 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:

Letters were received from David Freeman and Mark Hellenbach voicing their opposition to the rezoning at 13638 Bloomingdale Road.

The 2023 Historian's Report was received.

A notice from the Department of State was received notifying the Town that Local Law #6 & #7 were filed on December 6, 2023.

A notice was received from Charter Communications notifying the Town of upcoming price increases that will take effect on or after January 30, 2024.

A motion was made by Councilman Dugan, seconded by Councilman Burke 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: planning items: EMO bid opening, EMS contract, rezoning request for 13638 Bloomingdale, Leisurewood Dam update, fire inspections update, town committees/appointments for 2024, Rotary flagpole request; Building projects: library, town hall transformer, JMF HVAC; Grant updates; water/sewer updates and an executive session was held from 7:25pm to 9:30pm on contracts, personnel and potential/threatened litigation. An executive session was also held tonight from 7:15pm to 7:24pm on personnel.

Agenda Items Question Period: no one spoke

Budget Transfers: a motion was made by Councilman Jendrowski seconded by Councilman Dugan to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 12/28/2023. Carried Unanimously

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #2408 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2410 was presented for payment. Vouchers on this abstract(s) numbered 1432-1493, totaling \$74,123.72. Councilman Dugan seconded to approve payment as follows:

Abstract Batch(es) #2410:

General Fund (A)-\$33,776.56, General Fund- Outside Village (B)-\$0, Highway(DA)-\$0, Highway: Outside Village (DB)-\$8,406.32, 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)-\$31,741.58, Sewer #1 Fund (SS)-\$30.56, Sewer District #2 (SS02)-\$102.51, Sewer District #3 (SS03)-\$, Trust & Agency (TA)-\$0 and Consolidated Water (SW00)-\$66.19, 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: \$74,123.72 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – a report was presented by Mike Bassanello and read by the Supervisor as follows: The crews did road ditching on Stage Road, Moore Road and installed driveway pipes on both roads, cut a up a tree in a field ditch on Route 93, picked up wood and scrap metal at ball fields, checked roads for limbs and debris during high wind, delivered garbage and recycling totes to residents, repairs were made to EX. 313 CAT fitting and greased, took #9 to Safe Lite to fix window leak that is covered under warranty, took guide rails down on Bike Path, inspected water line on Nice Road and Tonawanda Creek Road, put front brakes on #5 truck, went out to salt roads twice, took #7 and trailer to Chafee landfill to get Village of Akron’s dump truck and washed and cleaned the trucks.

Assessor – a report was presented by Tina as follows: all exemption renewals have been mailed out; I am processing them as they come in. All the new construction has been inspected and valued based on level of completion from the last list I received. I have requested an updated list for the last couple of month to review.

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

Kelly Schultz	11080 Stage Road	Pole Barn
Thomas Watkins	131 Golden Pond Est	Generator

Town Clerk - nothing at this time

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski – attended a meeting at the JMF with Supervisor Izydorczak, Superintendent Bassenello and Darin Schultz from the Village, attended a library meeting and an emergency coordinator meeting. He also met with a plumber regarding an issue at the library and spoke with Dave Miller regarding a proposed kennel on Hunts Corners Road.

Dugan – attended the emergency coordinator meeting and spoke with the building department regarding an issue.

Burke – attended the Senior Center Christmas lunch.

Pope – nothing

Supervisor – attended the JMF committee meeting, had a meeting with Colleen and 3 + 1 on our investments, had a meeting with Wendel on a potential Community Center project, worked on year-end appointment items, 2024 contracts and the 2024 organizational meeting and went over auction results for highway equipment with Mike.

UNFINISHED BUSINESS:

Buildings – nothing new

Planning – working on the emergency management bid opening and the rotary flag request.

Water/Sewer – nothing new

Grants – nothing new

NEW BUSINESS:

Approval- EMS Contract with Twin City Ambulance:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the proposed contract with Twin City Ambulance for Pre-Hospital Emergency Medical Services for 2 years thru December 31, 2025 and authorizing the Supervisor to execute the contract on behalf of the town.

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

Carried Unanimously

Approval – Local Law #8 of 2023 – Rezoning request for 13638 Bloomingdale Rd:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the proposed Local Law #8 of 2023 allowing the Rezoning of a 2.03-acre parcel of land at 13638 Bloomingdale Road from RA to I-2.

During a discussion prior to the vote Supervisor Izydorczak commented that the case was made by the applicant that the current zoning of the surrounding properties are I-2 so it wouldn't be a stretch to rezone 13638 Bloomingdale to I-2. The surrounding properties were zoned prior to the zoning law in the 1960's. This area has never been a focus area for commercial purposes and there are 6 houses adjacent to this parcel that she believes would be adversely affected especially with the increase in traffic and tractor trailer traffic. The Town Boards job is to listen to the residents and do what is in the best interest of the community.

Councilman Burke agrees with the Supervisor. This does not fit in the masterplan and the current I-2 parcels in the area were done in the 1960s prior to the zoning law. RA is one of the principal areas of focus in the master plan.

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

Failed to Pass

Resolution - Town of Clarence Senior Van Contract Renewal 2024:

A motion was made by Councilwoman Pope, seconded by Councilman Burke approving the proposed contract renewal with the Town of Clarence for the Going Places Senior Van service for 2024, subject to the terms set forth in the resolution and authorizing the Supervisor to execute the agreements.

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

Carried Unanimously

Resolution – Wendel Engineering Contact Renewal 2024:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the proposed contract renewal with Wendel Engineering for 2024, subject to the terms set forth in the resolution and authorizing the Supervisor to execute the agreements.

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

Carried Unanimously

Resolution – Wendel GIS Contact Renewal 2024:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the proposed contract renewal with Wendel (and ESRI) for GIS services for 2024, subject to the terms set forth in the resolution and authorizing the Supervisor to execute the agreements.

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

Carried Unanimously

Approval - Lead Agency – Bedford Project – 5675 Buell Street:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the declaration of Lead Agency on a 22.55-acre parcel owned by Bedford’s Greenhouse for Phase II construction of a mixed-use facility. This is an Unlisted Action under SEQRA and a coordinated review is required.

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

Carried Unanimously

Public Hearing-Site-Plan Application – Bedford Project – 5675 Buell Street:

A motion was made by Councilwoman Pope, seconded by Councilman Dugan approving the calling of a public hearing on January 8, 2024, at 7:20pm to hear comments on a proposed site-plan application for construction of a mixed use facility with no public improvements at 5675 Buell Street in the C-2 district 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- Beer/Wine Permit:

A motion was made by Councilwoman Pope, seconded by Councilman Dugan approving the request for a beer/wine permit by Travis Adam for a birthday party at the Cultural Center on February 18, 2024.

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

Carried Unanimously

Approval- 2024 Organizational Meeting:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving scheduling the wearing in of new officials and organizational meeting 2024 for January 2nd at 7:00pm.

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

Carried Unanimously

Approval- Update of Employee Terms & Conditions and Fee Schedule 2024:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the modifications as proposed to the Fee Schedule and Terms & Conditions of Employment and policies for all non-union classifications of employees for 2024.

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

Carried Unanimously

Privilege of the Floor/Question Period:

Nate Witkowski, 8 Bloomingdale Rd. – asked about the Wendel representative and was that different from Joe Bartos, the Town Engineer. The Supervisor explained that Joe is our Wendel representative.

Jennifer Freeman, 13865 Bloomingdale Rd. – thanked the Board for their decision on 13865 Bloomingdale.

The Supervisor thanked Councilwoman Pope for her service to the Town Board on her last meeting.

There being no further business to come before the board for the regular meeting, a motion was made by Councilman Burke seconded by Councilman Jendrowski to adjourn the regular meeting at 7:59pm.

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

Carried Unanimously

Respectfully Submitted,
Jennifer DiChristina, Town Clerk