

Newstead Town Board Meeting – February 12, 2024

A public hearing was called to order by the Newstead Town Board on February 12, 2024, at 7:24pm at the Newstead Town Hall.

Present: Dawn Izydorczak – Supervisor
John Jendrowski – Councilman
Joe Dugan – Councilman
Mike Mutter - Councilman
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 2,800 square foot addition at 6263 Scotland Road and owned by Child’s Creative Development Center at 7:20pm.

The Clerk read proof of publication. The Supervisor explained the addition would be a classroom, computer room, and gym; and the planning board unanimously approved this project on January 8th.

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

The Supervisor called the second public hearing to order for the proposed 6,000 square foot addition at 11167 Main Road and owned by Kelly Schultz at 7:27pm.

The Clerk read proof of publication. The Supervisor stated the planning board unanimously approved this project on January 8th

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

Councilman Mutter 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 January 22, 2024 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilman Burke to approve as presented. Carried Unanimously

Agenda Changes – none

Communications – The Town Clerk presented the following correspondence:

A notice was received from Erie County Department of Public Works notifying the Town that a portion of North Millgrove Rd from Hiller to Buckwheat will be down to a single lane starting February 19th – February 23rd or until finished from the hours of 7am – 4pm.

A notice was received from Erie County Department of Environment and Planning notifying the Town of the newly released Erie County Community Climate Action Plan (CCAP) which can be found at www.erie.gov/ccap.

A notice was received from Erie County Water Authority notifying the Town about revisions to the Lead and Copper Rule which is aimed to increase transparency and reduce exposure to lead and copper in drinking water.

A notice was received from Charter Communications notifying the Town about revisions to its channel lineup on or about February 28, 2024.

A notice was received from Erie County Soil and Water with information regarding the 2024 tree & shrub seedling program.

A notice was received from the Akron Coalition regarding their meeting that was held January 23, 2024.

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

Work Session: at the work sessions held the last 2 weeks the Supervisor announced the following items were discussed: meeting with ACS Board on annexation issues, meeting with Rotary Club members on the flag pole project, planning items: Community Center project, road accident reports, concert venue reports, park and bike path requests; water/sewer updates; equipment purchases; building projects: library, town hall transformer; grant updates; an executive session was held from 7:01pm-7:34pm on personnel matters and potential/threatened litigation. The board entered into executive session this evening from 7:14pm-7:22pm on personal matters and potential/threatened litigation.

Agenda Items Question Period: no one spoke

Budget Transfers: a motion was made by Councilman Jendrowski seconded by Councilman Mutter to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 2/12/2024. Carried Unanimously

Approval of Bills – Councilman Burke reported that the Abstract(s) from Batch(es) #2418 (2023) and 2420 (2024) have been reviewed with the previously un-audited vouchers and everything was found in order.

Abstract Batch(es) #2423 and #2428 were presented for payment. Vouchers on this abstract(s) numbered 48-54 and 88-156, totaling \$274,548.34. Councilman Jendrowski seconded to approve payment as follows:

Abstract Batch(es) #2423 & #2428:

General Fund (A)-\$144,866.05, General Fund- Outside Village (B)-\$1,026.80, Highway(DA)-\$64,910.58, 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)- \$110.00, CAP-Bike Path (HTG)-\$0, Drainage (SD)-\$0, Fire Protection (SF)-\$1,803.08, Refuse (SR)-\$61,201.80, Sewer #1 Fund (SS)-\$341.75, Sewer District #2 (SS02)-\$67.96, Sewer District #3 (SS03)-\$218.42, Trust & Agency (TA)-\$0 and Consolidated Water (SW00)-\$1.90, 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: \$274,548.34

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – no report

Assessor – a report was presented by the Assessor and read by the Supervisor as follows: we have mailed reminder notices for exemptions that have not been returned yet. The deadline to file is March 1st. We have received several calls regarding the volunteer fire fighter’s exemption. The exemption, which was recently passed by the county, would allow for a 10% exemption off the assessed value for the county tax bill. The downside to claiming this exemption, is that you would lose the \$200 income tax credit. To receive the same \$200 benefit off the real property tax bill, you would have to have an assessment of \$550,000 or higher. I have included a spreadsheet to demonstrate this. I have also included an updated spreadsheet to show the impact of the reassessment project on the tax rates for this year. If anyone has any questions please call.

Building Office – no report

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Town Clerk – the Town/County tax bills are set to be mailed out on Wednesday February 14th.

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski – met with a contractor at the library regarding the roof leak. Received a quote but wants to get a second. He spoke to a Stage Road resident regarding flooding on his property, attended the interviews for the EMC with Councilman Dugan, spoke to Dave Miller regarding The Backlot and the dog kennel on Hunts Corners and met with the chief and president of the Newstead Fire Company with Councilman Dugan.

Dugan – attended the interviews for the Emergency Management position and was very impressed with all three of the candidates and attended a meeting with Councilman Jendrowski and the chief and president of Newstead Fire Company. Had a great meeting and are trying to maintain open communication.

Burke – spoke to Colleen and Dawn regarding several vouchers.

Mutter – attended a recreation meeting and an emergency management meeting.

Supervisor – had a good planning meeting with our grant writers, met with Adam on insurance details, met with employees on issues, discussed the results of the EMO interviews, attended the Supervisor’s meeting in East Aurora, addressing residents’ concerns regarding Spectrum and Verizon service in Barnum/Howe Road area as well as drainage and water pressure issues, still addressing a residents concern about a dog killing deer on Rapids Road.

UNFINISHED BUSINESS:

Buildings – still working on the Town Hall transformer project and there will be a library meeting this week.

Planning – working on the rotary flag project and the street sweeper purchase.

Water/Sewer – working on pressure issues in the Town and finalizing the DOT permit for the Niagara Label project.

Grants – nothing new with the current grants. Mike Bassanello will be applying for a grant to do shoulder work.

NEW BUSINESS:

Public Hearing-Construction of Community Center:

A motion was made by Councilman Dugan, seconded by Councilman Mutter approving the calling of a public hearing on February 26, 2024, at 7:20pm to hear comments on a proposal for the design and future construction of a Community Center for the Town of Newstead residents and orders the Town Clerk to publish notice of the hearing in the Akron Bugle.

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

Carried Unanimously

Approval- Bedford’s Greenhouse Retail Development:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the site plan for a multi-use retail development located at 5675 Buell Street and owned by Steven Bedford subject to terms set forth in resolution.

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

Carried Unanimously

Approval- Child’s Creative Development Center Addition at 6263 Scotland Road:

A motion was made by Councilman Mutter, seconded by Councilman Burke approving the site plan for a 2,800 square foot addition located at 6263 Scotland Road and owned by Child’s Creative Development Center subject to terms set forth in resolution.

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

Carried Unanimously

Approval- Kelly Schultz Addition at 11167 Main Road:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the site plan for a 6,000 square foot addition to the auction building located at 11167 Main Road and owned by Kelly Schultz subject to the terms set forth in the resolution.

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

Carried Unanimously

Approval-Annual Insurance Proposal:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the written proposal for insurance from Fred E. Thomas Agency, Inc. for the period running from February 1, 2024 – February 1, 2025.

Izydorczak-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Mutter- Aye

Carried Unanimously

Approval- Authorize USDA Pest Monitoring at Town Properties:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the request from the USDA to obtain permission to trap for invasive pests, the European Cherry Fruit Fly and the Box Tree Moth, on lands owned by the Town of Newstead.

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

Motion- Request for Facilities- Soccer Season & Tournament:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the request of the Akron Soccer League for use of the town park facilities for their 2024 season as well as their annual Kick-it First Soccer Tournament on the weekend of May 11th-12th, pending attorney approval with signed agreement and proper insurance.

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

Motion – Request for Veterans Park – Cub Scout Pack 531:

A motion was made by Councilman Dugan, seconded by Councilman Mutter approving the request of Cub Scout Pack 531 for use of Veterans Park to run a day camp on July 22-26 pending attorney approval with signed agreement and proper insurance.

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

Motion – Correction to Terms & Conditions for Employees:

A motion was made by Councilman Burke, seconded by Councilman Mutter to accept the corrections to the Terms and Conditions of Employment regarding sick time on page 5, number 4, section B per attached.

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

Motion – Appoint Brian Murray as Emergency Management Coordinator Deputy:

A motion was made by Councilman Dugan, seconded by Councilman Burke to appoint Brian Murray as Emergency Management Coordinator Deputy effect February 12, 2024.

Izydorczak-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Mutter- Aye

Carried Unanimously

Privilege of the Floor/Question Period:

Steven Beford, 5675 Buell Street – asked the board about the possibility of running a sewer line up Buell Street for his new project at the corner. A discussion ensued with the board that resulted in the Supervisor proposing to reach out to the Village to have a discussion regarding the possibility and agreeing to keep Steve in the loop with any information she gets.

There being no further business to come before the board for the regular meeting, a motion was made by Councilman Burke seconded by Councilman Mutter to adjourn the regular meeting at 8:22pm.

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

Carried Unanimously

Respectfully Submitted,
Jennifer DiChristina, Town Clerk