

Newstead Town Board Meeting- April 26, 2021

A regular meeting was called to order by the Newstead Town Board on Monday, April 26, 2021 at 7:30pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
Edmund Burke- Councilman
John Jendrowski- Councilman
Joseph Dugan- Councilman
Patricia Pope- Councilwoman
Brendan Neill- Town Attorney
Emily Janicz- Assistant Town Attorney
Scott Rybarczyk- Town Engineer
Michael Bassanello- Highway Supt.
Dawn Izydorzak- Town Clerk

Roll Call was taken with all board members present.

Supervisor Cummings led the pledge to the flag.

Minutes from the regular meeting held on April 12, 2021 were presented for approval. A motion was made by Councilman Burke, seconded by Councilwoman Pope to approve as presented.

Carried Unanimously

Agenda Changes – None

Communications – The Clerk presented the following correspondence:

A packet of information was received from Georgie's Pizzeria The Prince of Pie, LLC regarding a liquor license for 11891 Main Rd and requesting a 30-waiver of the notice for application.

A report was received from Senior Director Sarah Young reporting 330 people total were vaccinated at the Center over 2 days in April.

A notice was received from the Genesee County Assessors Association announcing the creation of a new website for property owners to access assessment information in Genesee County.

A letter was received from the Akron Chamber of Commerce outlining their tentative plans for summer 2021 events.

An email was received from the Akron Celebration Committee starting a dialogue with the Board regarding the possibility for fireworks on July 3rd this year.

A letter was received from the Akron Community Band outlining their tentative plans for resuming summer concert dates for 2021.

A letter was received from the Newstead Historical Society regarding the Town's upcoming Bicentennial in 2023. The Society would like to work with the Town to create a committee to start planning celebrations.

A letter of resignation was received from Town Zoning Board member David DeRose, effective immediately.

A letter was received from the VFW Post 3180 outlining their tentative plans for the Memorial Day observance events.

A letter was received from the Town of Lancaster notifying the town of upcoming code changes for Lancaster and a public hearing that will be held on 5/3/21 at 7:15pm at Lancaster Town Hall.

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 at work session held last week the following items were discussed: the auditors were in for a review of the 2020 audit with the Board, water and sewer project updates, planning item updates, building issue updates, grant updates, highway issues, July 4th and the centennial celebrations, drainage, recreation, plus any other items brought before the Board. The Board also entered executive session at 8:57pm to discuss personnel and contracts on a motion from Councilman Burke, seconded by Councilwoman Pope.

Carried Unanimously

The Board exited executive session on a motion by Councilwoman Pope, seconded by Councilman Burke at 9:22pm, having taken no action.

Carried Unanimously

Agenda Items Question Period: No one spoke

Budget transfers: none

Approval of Bills – Councilman Burke reported that the Abstract(s) from Batch(es) #2128 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2130 were presented for payment. Vouchers on this abstract(s) numbered 352 - 383, totaling \$20,668.07. Councilwoman Pope seconded to approve payment as follows:

Abstract Batch(es) #2130:

General Fund (A)-\$17,616.19, General Fund- Outside Village (B)-\$172.15, Highway (DA) -\$0, Highway: Outside Village (DB)-\$2,665.85, Drainage (SD)-\$0, Fire Protection (SF)-\$0, Refuse (SR)-\$8.33, Sewer #1 Fund (SS)-\$30.03, Sewer District #2 (SS02)-\$80.72, Sewer District #3 (SS03)-\$0, Trust & Agency(TA)-\$0 and Consolidated Water (SW00)-\$94.80, WD1(SW1)- \$0, WD2(SW2)- \$0, WD3(SW3)- \$0, WD4(SW4)- \$0, WD5(SW5)- \$0, WD6(SW6)- \$0, WD7(SW7)- \$0, WD7A(SW7A)- \$0, WD8(SW8)- \$0, WD9(SW9)- \$0, WD10(SW10)- \$0; Total:\$20,668.07

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – a report was presented from the Highway Supt as follows: the crews shaved shoulders on Town roads, rolled park fields, fixed fence on Bike Path, mowed parks, milled Skyline Dr and Knapp Rd with Village DPW, put hitches back on trucks, plowed snow on streets and parking lots and started to get the bathrooms ready to open at the Parks.

Assessor – a report was presented from Tina as follows: new construction in both the town and village has been inspected and valued. The tentative roll for 2021 has been submitted to the County and State. Change of Assessment Notices have been printed and will be mailed on May 7th after she is done moving.

Building Office – the following building report was presented by Christine Falkowski of the Planning & Building Department:

Kelly Schultz	11061 Main	Zoning Compliance ltr
Amy Kumpf	7900 Cedar	One Family Home
Ryan & Katie O’Neill	12477 Main	One Family Home
Charles McConnaughey	12963 Main	Solar Power Farm
Franklin Powell	13100 Stage	Storage container
William Lawrie	5373 S Newstead	Shed
Gregory Bolis	4333 S Newstead	Roof
David/Linda Frost	4137 N Millgrove	Roof
Charles Hoddick	5926 Crittenden	AG Pool
Jeffrey Lattimer	11054 Howe	Roof
Jason Amirian	7354 Sandhill	Windows
Robert Monkelbaan	11495 Miland	Windows
Lisa Smith	24 Golden Pond Est	Roof

The Town Board accepted the building report as presented.

Town Clerk – The clerk reported that she will be out of town until May 5th.

Town Attorney(s) – Nothing at this time

COUNCILPERSONS:

Jendrowski- he spoke to Peter Forrestel regarding Limerick Hall, Jim Foster concerning his drainage issues and he attended the Library board meeting. Attendance is up and a light has been requested by the board members to be installed above the book drop box.

Dugan – Nothing at this time

Burke – he thanked Councilman Jendrowski for Peter Forrestel’s phone number. He talked to him regarding the Limerick Hall. He also spoke to Carl Klingenschmitt about the culvert study maps from 2004 that we have. Scott Rybarczyk said the highway department will assist in the culvert study using a phone app to make sure none are missed, and then the 2004 maps will be updated.

Pope- Nothing at this time

Supervisor- he reported the 2020 audit was good and we are in good financial shape as a result of better mortgage/sales tax receipts than were budgeted for and from spending cuts. He attended the Association of Towns meeting in Blasdell last week and spoke to local residents regarding sign and drainage issues.

UNFINISHED BUSINESS:

Buildings- a light over the library drop box has been requested and there is discussion on replacing the gate at the Joint Municipal Building. A quote has been received.

Planning- there are 8-10 local laws regarding code changes currently being worked on. The Town Board will be taking them 2-3 at a time over the next several weeks.

Water- a pre-bid meeting is scheduled for May 5, 2021 at 9:00am at the Town Hall and the financials for the project are being worked on.

Grants- nothing new

NEW BUSINESS:

Public Hearing- Site Plan- Solar Array at 12292 Clarence Center Rd:

A motion was made by Councilman Jendrowski, seconded by Councilwoman Pope approving the calling of a public hearing on the proposed construction of a 27.6kW ground mount solar array at 12292 Clarence Center Rd, with the hearing to be held on May 10, 2021 at 7:25pm at the Town Hall and authorizing the Clerk to publish notice in the Akron Bugle.

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

Approval- Hire Wendel & JM Davison- Culvert Study:

A motion was made by Councilwoman Pope, seconded by Councilman Burke approving the proposals from Wendel and JM Davidson Engineering, DPC, to jointly assist the town in conducting a town-wide culvert assessment study on town owned roads and authorizing the Supervisor to execute the proposals, subject to terms of the contracts.

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

Award- Bid for Senior Center Restrooms Project:

A motion was made by Councilman Dugan, seconded by Councilman Burke authorizing the award of the bid for the Senior Center Restroom Improvements to the lowest bidder John W. Danforth Co., at a bid/cost not to exceed \$31,800.00, subject to terms of the contract.

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

Public Hearing- Local Law #3 of 2021:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the calling of a public hearing on the proposed amendments to the Zoning Law regarding mixed use amendments to be known as Local Law #3 of 2021, with the hearing to be held on May 24, 2021 at 7:15pm at the Town Hall and authorizing the Clerk to publish notice in the Akron Bugle.

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

Public Hearing- Local Law #4 of 2021:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the calling of a public hearing on the proposed amendments to the Uniform Construction Code to be known as Local Law #4 of 2021, with the hearing to be held on May 24, 2021 at 7:20pm at the Town Hall and authorizing the Clerk to publish notice in the Akron Bugle.

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

Approval- Lateral Restriction Hardship Applications- 12265 Rapids Rd:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the applications for a lateral restriction exception hardship for water districts as submitted based on supporting documentation provided:

- owner Joe Olaf, 12265 Rapids Rd, Water District #10
- owner Carol Sutton, 12400 Nice Rd, water district #10
- owner Christopher Kumpf, 7900 Cedar St, water district #10
- owner William Peronne, 12142 McNeeley Rd, water district #5
- owner Ryan & Katie O’Neill, 12477 Main Rd, water district #5
- owner Mark & Melissa Bruning, 7700 Mill Rd, water district #10

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

Approval- 30-day Waiver of Liquor License Notification- 11891 Main Rd:

A motion was made by Councilman Dugan, seconded by Councilwoman Pope approving the application by Georgie’s Pizzeria The Prince of Pie LLC for a 30-day waiver of the notification requirement for a liquor license at 11891 Main Rd in the Town.

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

Privilege of the Floor/Question Period: Jim Foster from 12834 Stage Road stated he was here last week for the work session and asked if any decision was made during the executive session by the Board. Supervisor Cummings told him no decision had been made and the board will continue to monitor the situation for now.

Councilman Burke thanked Supervisor Cummings and Bookkeeper Colleen Salmon for their diligent work on the budgets over the past few years and for keeping the town’s finances in solid shape. It takes a lot of hard work and dedication and he appreciates it on behalf of our residents.

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 7:58pm.
Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorczak, RMC, Town Clerk