

Newstead Town Board Meeting- April 8, 2019

The public hearing scheduled for 6:55pm was cancelled due to lack of publication.

A regular meeting was called to order by the Newstead Town Board on Monday, April 8, 2019 at 7:00pm at the Newstead Town Hall.

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

Roll Call was taken with all board members present except Councilwoman Morlacci who is out of town.

Superintendent Bassanello led the pledge to the flag.

Minutes from the regular meeting held on March 25, 2019 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilman Burke to approve as presented.

Carried

Agenda Changes – a motion was made by Councilman Jendrowski, seconded by Councilman Dugan to make the following agenda changes: Add motion to hire summer help

Carried

Communications – The Town Clerk presented the following correspondence:

Two letters were received from Charter Communications notifying the town of new programming launches occurring in April as well as notice that customer billing statement dates and payment due dates will be changing effective May 1st.

A notice of a public hearing was received from the Town of Alden to be held on April 15th at 7:05pm regarding amendments to the town Flood Damage Prevention law.

A letter of resignation was received from Tracy Oakes resigning her position on the Recreation Board effective immediately.

A letter was received from the Erie County District Attorney's office regarding their recent community outreach programs and offering to come talk to the Board about their programs.

A letter was received from the Village of Akron notifying the town of the increase in sewer district rates for ADESA, Whiting's, Niagara Label effective July 15, 2019.

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

Carried

Work Session: The Supervisor reported that at the work session held last week the following items were discussed: water & sewer project updates, planning items updates, building issues updates, grant updates, 2018 audit information, Mattioli property purchase update, time off policy, tire policy, food pantry and fire co. updates plus any other items brought before the Board.

Agenda Items Question Period: No one was present to speak

Budget transfers: a motion was made by Councilman Burke, seconded by Councilman Jendrowski to approve the budget transfer as presented in a memo from Bookkeeper Colleen Salmon dated 4/8/19.

Carried

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1920 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1922, 1924 & 1925 for payment. Vouchers on this abstract(s) numbered from 296-297, 318 & 319-370, totaling \$577,012.47. Councilman Dugan seconded to approve payment as follows:

Abstract Batch(es) #1922, 1924 & 1925:

General Fund (A) -\$26,630.54, General Fund- Outside Village (B) \$0, Highway (DA) -\$0, Highway: Outside Village (DB) \$8,025.64, CAP- Trail Grant (HTG)- \$0, CAP-Generator (HTI)-\$0, CAP- Water-Scotland (HS)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$0, CAP- Water- Cedar (HW02)- \$0, CAP- Water-Knapp- (HW03) \$0, Drainage (SD)- \$0, Fire Protection (SF) \$402,164.00, Refuse (SR) \$0, Sewer #1 Fund (SS) \$949.88, Sewer District #2 (SS02)- \$308.25, Sewer District #3 (SS03)- \$574.50, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$53.66, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$138,306.00; Total:\$577,012.47

Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Mike reported they put a new deck on the trailer, painted and repaired trucks, chipped brush at JMF, removed blockage out of Dorsch Road creek, took slide in sander out of truck #3 and truck #5, repaired hole in shoulder on Miland Road, picked up tree stump on Kirby & Crego Road, serviced cab tractor & truck #3, put guardrails back up on bike path, replaced hot water tank at JMF, picked up garbage on town roads, cut and ground tree stumps, took chamber sign down on Hake & Route 93, cleaned field ditches from fallen trees, and rolled grass in town parks. Councilman Jendrowski asked about the status of our salt pile. Mike stated we will be purchasing another 2,800 ton of salt as part of our obligation in the contract. Mike also reported the highway crews have begun their four 10 hour days to address cross culverts and to help the County.

Assessor – Tina presented a report read by the Supervisor stating she is done with the inspection and valuation of new construction and will be sending out change of assessment notices this week. She and Julie are still in the process of their office audit. She will also begin to build the VFF(Valuation Factor File) for the commercial properties for the reassessment project very soon. She presented the Board with the March sales recorded.

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

Arrowhead Timberlodge LLC	12292 Clarence Center	Special Event Permit
Timothy Gibbs	13871 Knapp	Gazebo
Joshua Karre	8032 Kathryn	Remodel after fire
Ginny Brown-Cerasani	11651 Rapids	Zoning Compliance Cert
Lindsey Pumm	7454 Sandhill	One Family Home
Vito Destito	6140 Utley	One Family Home
Jessica Caprio	11416 Hunts Corners	Roof
Brian Braunscheidel	11152 Clarence Center	In-ground pool
Al Osborne	13227 Stage	Ditch fill
Michael Borowczyk	13404 Stage	Roof

The Town Board accepted the building report as presented.

Town Clerk- the Dog Control Officer's reports for the 4th quarter of 2018 and the 1st quarter of 2019 were presented and the bulk of tax collection is complete with only a little over \$285,000 left to collect through the end of June. \$51,000 of that are village properties and the remaining are town properties.

Town Attorney – nothing at this time

COUNCILPERSONS:

Jendrowski – dealt with a Howe Road area complaint regarding CMK Builders and talked to Christine regarding it and the wetland concerns in that area. Spoke with Lewis Henley of the Newstead Fire Co. and attended the Newstead Historical Society meeting where they discussed the Maple Lawn headstones project. The “Dancing Under the Stars” event will give part of the proceeds to benefit the headstone repair. The Knight-Sutton display is now open and it is a very nice exhibit. He also spoke to Dave DeYoung regarding the DCO reports. Supervisor Cummings reminded John that the Society needs to submit a letter of request to do the headstone project to the Board as it is a town owned cemetery.

Dugan – spoke to Dan Kowalik regarding bike path coverage territories by the fire companies and July 4th and soccer tournament coverage by the police/fire police.

Burke – nothing at this time

Morlacci – not present

Supervisor – attended the Elma Supervisors meeting. Also attended the NextEra meeting where they stated the intended construction is to begin in 2020. Attended the trailways meeting, spoke to a resident regarding National Fuel supply areas, spoke to Father Baker of St. Teresa’s, spoke to the Auditors, attended the watershed meeting, the AOT meeting in Elma, spoke to the Senior Director and thanked Tracy Oakes for her time on the Recreation Board.

UNFINISHED BUSINESS:

Buildings – working on ventilation at the senior center and the generator project is almost done.

Planning – nothing new

Water/Sewer – nothing new to report. NYS response pending on water. Working on sewer issues.

Grants – all in process. Tree grant is done and submitted.

NEW BUSINESS:

Public Hearing- Local Law #1 of 2019- Flood Damage Prevention Law:

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the calling of a public hearing on the proposed amendments to the Flood Damage Prevention Law with regards to adopting the new FEMA floodplain maps, to be held on April 22, 2019 at 6:50pm at the Town Hall and authorizing the Clerk to publish notice in the Akron Bugle.

(Resolution Attached) Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Morlacci-Absent
Carried

Approval- Amendment to the Newstead Fire Contract for 2019:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the proposed amendments to the contract with Newstead Fire Company for 2019 and authorizing the Supervisor to execute the amended contract.

(Resolution Attached) Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Morlacci-Absent
Carried

Approval– Open Investment Account with JP Morgan:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski authorizing the Supervisor to open an investment account with JP Morgan in accordance with the terms in the proposal submitted by JP Morgan and authorizing the Supervisor to execute the contract on behalf of the town.

(Resolution Attached) Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Morlacci-Absent
Carried

Approval- Lateral Restriction Application- v/l Stage Rd:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the application for a lateral restriction hardship exception for vacant land on Stage Rd owned by Alan Herdzik in the Water District #10 zone.

Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Morlacci-Absent Carried

Approval- Terms & Conditions Policy Amendment:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the proposed amendments to the Terms & Conditions for employees under the heading of appointed employees part time 30+ hours salaried & hourly regarding personal time, sick time and vacation time.

Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Morlacci-Absent Carried

Approval- Summer Park Help (PT):

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the hire of Bob Massaro (PT) in April and Dale Schmigel (PT) in May for the summer park season.

Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Absent Carried

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 Councilman Dugan to adjourn the regular meeting at 7:37pm.

Carried

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