

Newstead Town Board Meeting- August 12, 2019

The Board entered executive session at 6:47pm to discuss contractual/personal issues on a motion from Councilman Burke, seconded by Councilman Jendrowski. Carried

The Board exited executive session on a motion by Councilman Jendrowski, seconded by Councilman Dugan at 7:00pm, having taken no action. Carried

A regular meeting was called to order by the Newstead Town Board on Monday, August 12, 2019 at 7:00pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
John Jendrowski- Councilman
Edmund Burke- Councilman
Joseph Dugan- Councilman
Emily Janicz- Assistant Town Attorney
Jennifer Herberger- Deputy Town Clerk

Roll Call was taken with all board members present except for Councilwoman Morlacci.

Councilman Burke led the pledge to the flag.

Minutes from the regular meeting held on July 22, 2019 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilman Jendrowski to approve as presented. Carried

Minutes from the joint town/village meeting held on July 29, 2019 were presented for approval. A motion was made by Councilman Burke, seconded by Councilman Dugan to approve as presented. Carried

Communications – The Deputy Clerk presented the following correspondence:

Notifications were received from Charter Communications notifying the town of upcoming changes to their programming and rate increases for receiver equipment and rate decrease for CableCARD.

A notice of a conference to be held on October 17-18, 2019 at the Empire State Plaza in Albany, NY regarding the Local Government Innovation Conference.

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

Work Session: The Supervisor reported that work sessions were held on July 29th & August 5th where the following items were discussed: water & sewer project updates, planning item updates, building issues updates, grant updates, Emergency Coordinator applications and interviews, Mattioli property purchase, Limerick Hall, courts, joint meeting topics, AirBNBs, Bloomingdale demolition, grad-all purchase, recycling, drainage, plus any other items brought before the Board. Executive sessions were held to discuss upcoming contracts, personnel hiring, property purchase negotiations. The board entered into executive session on July 29th at 6:45pm on a motion from Councilman Dugan and exited at 7:05pm on a motion from Councilman Burke to discuss personal and contracts. The board entered into executive session on August 5th at 6:30pm on a motion from Councilwoman Morlacci and exited at 7:14pm on a motion from Councilman Jendrowski to discuss personal and contracts. They went back into executive session at 8:32pm on a motion from Councilman Burke and exited at 9:05 on a motion by Councilman Dugan to discuss personal and contracts. No action was taken at any of the sessions.

Agenda Items Question Period: no one spoke

Budget transfers: a motion was made by Councilman Dugan, seconded by Councilman Burke to approve the budget transfer as presented in a memo from Bookkeeper Colleen Salmon dated 8/12/19. Carried

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1954 with BAN payoff have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1956 & 1959 for payment. Vouchers on this abstract(s) numbered from 815-880, totaling \$71,034.57. Councilman Burke seconded to approve payment as follows:

Abstract Batch(es) #1956 & 1959:

General Fund (A) -\$17,387.87, General Fund- Outside Village (B) \$18,476.72, Highway (DA) -\$0, Highway: Outside Village (DB) \$1,850.37, CAP- Trail Grant (HTG)- \$329.86, CAP-Generator (HTI)-\$0, CAP-Water-Scotland (HS)- \$791.65, CAP- Water Improvement (HW)- \$3,595.40, CAP Water-Downey (HW01)- \$461.80, CAP- Water- Cedar (HW02)- \$428.80, CAP- Water-Knapp- (HW03) \$65.96, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$25,819.57, Sewer #1 Fund (SS) \$1,043.63, Sewer District #2 (SS02)- \$254.32, Sewer District #3 (SS03)- \$487.00, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$41.62, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0;
Total:\$71,034.57 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – The Supervisor stated that the town hall parking lot is going to be micro paved at the end of the month. There will be more information coming as it gets closer.

Assessor – Tina presented a report read by the Supervisor stating she is now starting to value the vacant land and agricultural properties and will work on this portion until the beginning of September. Then she will begin the residential portion of the reassessment project. She & Julie will also be preparing the agricultural, senior and disability exemption renewals next week. She presented the Board with the sales data for the first week of July.

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

Judy Lotz	7606 Cedar	Roof
Andy Kelkenberg	12607 Stage	Addition
Archland Property	12976 Main	Renovations
Julie Marwin	11230 Hiller	One Family Home
Paul Fix	4895 Ayers	One Family Home
Dande Farms Golf Course	13278 Carney	Tent
Richard Nigro	12260 Rapids	One Family Home
Richard Lauricella	6911 Maple	Roof
Jessica Gielow	12536 Buckwheat	Remodel
Jeannine Morlacci	5155 Crittenden	Zoning compliance
Paul Fix	4825 Ayers	Driveway
Arrowhead Timberlodge	12292 Clarence Ctr	Banquet facility
Kevin Benteen	13599 Bloomingdale	Demolition
Roger Baranyi	4010 Pohl	Zoning compliance
5720 Cummings Rd Inc	5720 Cummings Rd	Roof
5720 Cummings Rd Inc	5720 Cummings Rd	Deck
5720 Cummings Rd Inc	5720 Cummings Rd	Roof
5720 Cummings Rd Inc	5720 Cummings Rd	Deck extension & patio cover
Ross Maranca	4433 Billo	2 nd floor renovation
Mark Bruning	v/l Mill Rd	Driveway
Alan Ledford	12717 Koepsel	Shed
Dean Hyder	7010 Scotland	Pole barn & lean-to
Michael Keller	7287 Sandhill	generator
5720 Cummings Rd Inc	5720 Cummings Rd	Deck
5720 Cummings Rd Inc	5720 Cummings Rd	Roof

The Town Board accepted the building report as presented.

Town Clerk- nothing at this time

Town Attorney – nothing at this time

COUNCILPERSONS:

Jendrowski – met with Brad Rewaldt and Dawn at the Denio to look at the work that needs to be done. Brad is going to send someone over to look and submit a quote. He spoke to Kristine at the library regarding the mandatory training and to discuss snow removal. Also, there was an incident during the filming of the movie that broke one of the library benches, which has since been replaced. He spoke to a resident on Hunts Corners Road regarding his recycling not being picked up and he attended the Dancing Under the Stars event at the Octagon House.

Dugan – received a call of low hanging branches at the intersection of Rapids and Sandhill Roads. Councilman Dugan called Erie County Highway and they took care of it.

Burke – questioned the Highway Superintendent regarding drainage districts and the tax money charged for it. Mike explained why the money is collected and how it is used in the town and village.

Morlacci – not present

Supervisor – The July Supervisors report is on file with the Town Clerk. He has been working on the trail ways grant, emergency coordinator applicants, residents flood plain issues, attended the Tonawanda Creek Watershed meeting and the joint Town/Village meeting, working on the budget for 2020, he will be sending an email to Modern regarding the recycling issues in the town and he replied to a Village resident regarding drainage.

UNFINISHED BUSINESS:

Buildings – working on repairs at the Denio.

Planning – spoke to other towns regarding regulating Airbnbs. Amherst and Orchard Park are the only two with legislation.

Water/Sewer – paperwork is ready to go to bid on waterlines at the 5 corners and Kirby Road. Also working on sewer issues.

Grants – trying to finish the trail ways grant and will be applying for the CDBG in the next couple of weeks. Lighting and signage for the bike path are being considered.

NEW BUSINESS:

Public Hearing- Site Plan & SUP – 11520 Main Rd:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the calling of a public hearing on the proposed site plan and special use permit for a auto sales business to be located at 11520 Main Rd owned by KJP 11520 Main St, LLC and to be operated by Larry Fels as Dealer's Choice Auto Sales, with the public hearing to be held August 26th at 6:55pm at the Town Hall and authorizing the Clerk to publish notice of hearing in the Akron Bugle.

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

Approval- SEQRA for Land Acquisition of 47.49-1-38.11:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan issuing a negative SEQRA declaration for the purchase of .59 acres of rear land behind 53 Main St known as SBL#47.49-1-38.11 and authorizing the Supervisor to sign the EAF and check the box indicating the proposed action will not result in any significant adverse impacts.

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

Approval – Purchase of Property – 47.49-1-38.11:

A motion was made by Councilman Burke, seconded by Councilman Dugan to approve the purchase of .59 acres of rear land behind 53 Main St know as SBL#47.49-1-38.11 at a cost of \$300.00 plus closing costs.

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

Appointment– Deputy Emergency Management Coordinator PT:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the appointment of Mike Mutter as a Deputy Emergency Management Coordinator PT for the remainder of 2019 effective immediately.

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

Re-Appointment– Assessor:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the reappointment of Tina M. McQuillen as Assessor for the Town for a six-year term beginning 10/1/2019- 9/30/2025.

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 7:30pm.

Carried

Respectfully Submitted,
Jennifer Herberger, Deputy Town Clerk