

Newstead Town Board Meeting- June 10, 2019

A public hearing was called to order by the Newstead Town Board on Monday, June 10, 2019 at 6:52pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
John Jendrowski- Councilman
Edmund Burke- Councilman
Joseph Dugan- Councilman
Jeannine Morlacci- Councilwoman
Scott Rybarczyk- Town Engineer
Dawn Izydorczak- Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the **public hearing** on the proposed site plan for exterior renovations located at 12976 Main Rd owned by McDonald's to order at 6:52pm.

The Clerk read proof of publication. The Supervisor explained the Planning Board has recommended approval of this request.

Comments: Mike Wahl, a representative for McDonald's made a presentation to the board. He stated the renovations will give better ADA compliance at the site. Councilwoman Morlacci asked if the signage at the road will change. Mr. Wahl stated there will be no changes to the signage at the road but there will be about a 56.6% decrease in signage on the building. Councilman Burke asked if there will be kiosks inside. Mr. Wahl stated yes there will be some new kiosks. Mr. Wahl also explained that the front outdoor patio will be removed and the handicapped parking stalls will all follow new requirements. Councilman Burke asked when construction will start. Mr. Wahl replied they will start in the fall and construction will last approximately 30 days. There was discussion about the potential for cross access easement with Dollar General and Uni-Mart. Mr. Wahl stated the cross access easement will not be addressed during this project and that decision in the future would have to be discussed through corporate as it would result in decreasing the parking spaces for all involved.

There being no other comments a motion was made by Councilman Dugan, seconded by Councilman Jendrowski to close the public hearing at 6:59pm. Carried Unanimously

The Supervisor called the **public hearing** on the proposed site plan revision for a temporary special use permit located at 12690 & 12666 Main Rd owned by Michael Shields to order at 6:59pm.

The Clerk read proof of publication. The Supervisor explained the Planning Board has recommended approval of this request and they are pleased with the site plan. There will be a building addition at 12690 Main Road and a carport added at 12666 Main Road. The town engineer review was waived.

Comments: Dr. Sandra Corrie has reviewed the project and has no issues with the project as submitted via phone call to the Supervisor. Erie County comments were received today and are all ok. Michael Shields was present during public hearing to address any questions from the Board.

There being no other comments a motion was made by Councilman Dugan, seconded by Councilwoman Morlacci to close the public hearing at 7:06pm. Carried Unanimously

The **regular meeting** of the Newstead Town Board was called to order at 7:06pm with the same members present as listed above.

Councilwoman Morlacci led the pledge to the flag.

Minutes from the regular meeting held on May 28, 2019 were presented for approval. A motion was made by Councilman Burke, seconded by Councilman Dugan to approve as presented.

Carried Unanimously

Agenda Changes – a motion was made by Councilman Burke, seconded by Councilwoman Morlacci to make the following agenda changes: Remove item F., change item I. from a motion to a resolution, add K. - resolution to approve site plan at 12690 & 12666 Main Road and add L. – motion to approve park lighting project
Carried Unanimously

Communications – The Town Clerk presented the following correspondence:

A request for a beer/wine permit at Skyline Park was received from Sunny Genovese for a graduation party on August 10th.

A notice was received from FEMA regarding revalidated letters of map changes for the Town of Newstead.

A letter was received from the NYS Department of State notifying the town that Local Law #2 of 2019 was received and filed on May 17, 2019.

A petition signed by residents of Howe Road in the town of Newstead was received requesting a speed limit reduction on the Newstead portion of the road along with new signs to be posted.

A notice from National Grid regarding their 10,000 trees & growing program that reimburses cost of planting the “right trees in the right place”.

A notice of road closure was received from the Erie County Dept. of Public Works announcing that Crittenden Rd will be closed from Main Rd to the 5 corners from June 17th – June 21st for 5 cross culvert replacements.

A notice was received from NYS Department of Taxation & Finance informing the town that the equalization rate for the 2019 assessment roll will be 85%.

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 at the work session held last week the following items were discussed: water & sewer project updates, planning item updates, building issues updates, grant updates, Emergency Coordinator replacement, Mattioli property purchase, Limerick Hall, courts plus any other items brought before the Board. Lynn Klingel appeared before the Board to discuss the Limerick Hall. The Board entered an executive session at 7:41pm to discuss contracts and exited at 8:05pm having taken no action.

Agenda Items Question Period: no one spoke.

Budget Transfers: none

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1939 & 1940 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1945 for payment. Vouchers on this abstract(s) numbered from 567-628, totaling \$42,700.91. Councilwoman Morlacci seconded to approve payment as follows:

Abstract Batch(es) #1945:

General Fund (A) -\$16,020.30, General Fund- Outside Village (B) \$191.03, Highway (DA) -\$0, Highway: Outside Village (DB) \$16,303.46, CAP- Trail Grant (HTG)- \$0, CAP-Generator (HTI)- \$8,240.00, 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) \$0, Refuse (SR) \$0, Sewer #1 Fund (SS) \$823.85, Sewer District #2 (SS02)- \$494.27, Sewer District #3 (SS03)- \$562.00, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$66.00, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0; Total:\$42,700.91 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – not present and no report

Assessor – Tina presented a report read by the Supervisor stating grievance day has come and gone and was very quiet, with no one attending, just the previously determined stipulation agreements. She has turned the final assessment roll in to the County and is now starting to review new construction for the month of June before getting into field review for the reassessment project in July. The June report for May sales was given to the Board.

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

Joseph Lippert	12532 McNeeley	Roof
Richard Wagner	8047 Kathryn	Generator
Amy Engler	11328 Main	Permit renewal
Leisurewood/5720 Inc.	5720 Cummings	Addition
Paul Vohwinkel	4446 S Newstead	Roof
Laura Hibbard	13837 Martin	Deck replacement
MPR 12089, LLC	12089 Clarence Center	Tents
Randy Schaefer	6557 Utley	Garage replacement
CMK Builders	4725 Ayers	driveway
CMK Builders	4725 Ayers	One Family Home
Heidi Meides	6949 Maple	Roof
Blair McClintick	11107 Howe	Patio roof

The Town Board accepted the building report as presented.

Town Clerk- nothing at this time

Town Attorney – not present

COUNCILPERSONS:

Jendrowski – spoke with Mike Lotz to discuss wiring the new building at Skyline Park. Spoke to Newstead Fire Co. president Louis Henley and spoke with Supervisor Cummings and Dawn regarding the generator service agreement.

Dugan – attended the Emergency Preparedness training at the Akron Fire Co. The class went very well and was well attended.

Burke – attended the CAC meeting on County Line Stone impact statement, went to the Joint Facility for a meeting with Jon Cummings and attended the Akron Fire Co. Emergency Preparedness training. There will be a Stop the Bleed training next.

Morlacci – nothing to report

Supervisor – the May Supervisor’s Report is on file with the Town Clerk. He attended several financial group meetings and he and Colleen should have reports in a month or so for the Board. He spoke with Comp Alliance regarding training sessions, Rotella regarding grants and received a verbal complaint about speeding on Stage Road which was referred to the NYS Police.

UNFINISHED BUSINESS:

Buildings – Besch repaired the AC at the library and the roof leak was fixed. Estimates for LED lighting are still pending.

Planning – AirBnB comments are being gathered and County Line Stone comments have been submitted.

Water/Sewer – ECWA model work is being done and bid packets are being prepared. He has been talking to the Grant writers on the sewer study grant application and he will have the ADESA sewer upgrades proposal for the next meeting.

Grants – the generator is up and running. SHPO has authorized us to move forward on parks grant. The trail ways end barriers are being addressed and we are looking at some other potential applications.

NEW BUSINESS:

Lead Agency- Site Plan – 12292 Clarence Center Rd:

A motion was made by Councilman Burke, seconded by Councilman Dugan issuing a declaration of lead agency status on the proposed site plan for a 5,330 sq. ft. banquet facility at 12292 Clarence Center Rd and declaring the project an Unlisted action under SEQRA.

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

Public Hearing- Site Plan- 12292 Clarence Center Rd:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the calling of a public hearing on the proposed site plan for a 5,330 sq. ft. banquet facility to be constructed at 12292 Clarence Center Rd owned by Arrowhead Timberlodge, LLC, to be held on June 24, 2019 at 6:50pm at the town hall and authorizing the Town Clerk to publish notice in the Akron Bugle.

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

Approval– Lateral Restriction Hardship Application- 12534 Meahl Rd:

A motion was made by Councilman Jendrowski, seconded by Councilwoman Morlacci approving the request for a Lateral Restriction Hardship Exception within Water District #10 for 12534 Meahl Rd owned by Donnie & Leah Lavocat based on supporting documentation submitted.

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

Approval– Lateral Restriction Hardship Application- 12260 Rapids Rd:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the request for a Lateral Restriction Hardship Exception within Water District #10 for 12260 Rapids Rd owned by Richard Nigro based on supporting documentation submitted.

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

Approval– Lateral Restriction Hardship Application- 7625 Cedar St:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the request for a Lateral Restriction Hardship Exception within Water District #10 for 7625 Cedar St owned by William A. Langston based on supporting documentation submitted.

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

Approval– Lateral Restriction Hardship Application- 4725 Ayers Rd:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the request for a Lateral Restriction Hardship Exception within Water District #5 for 4725 Ayers Rd owned by CMK Builders of Alden based on supporting documentation submitted.

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

Approval– Beer/Wine Permit Request:

A motion was made by Councilman Dugan, seconded by Councilman Burke authorizing the request by Sunny Genovese for a beer/wine permit at Skyline Park on August 10, 2019 for a party.

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

Approval– Advertise for Applications- Emergency Services:

A motion was made by Councilman Dugan, seconded by Councilman Burke authorizing the advertisement for a new Emergency Services Coordinator PT.

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

Supervisor Cummings thanked Jim Pusateri for his service and a job well done over the years.

Approval- Speed Study Request- Howe Rd:

A motion was made by Councilman Dugan, seconded by Councilman Burke authorizing the request for a speed reduction study on Howe Rd in the Town and authorizing the Town Clerk to file the required TE9 request with Erie County Dept. of Public Works and the NYSDOT.

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

Approval– Recreation Staff for Summer Rec:

A motion was made by Councilman Burke, seconded by Councilwoman Morlacci approving the list of Recreation Department summer staff members to be hired as submitted and requested by Rec Director Dan Roland and the Recreation Board. (list attached)

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

Approval- Site Plan- 12690 & 12666 Main Rd:

A motion was made by Councilman Jendrowski, seconded by Councilwoman Morlacci approving the proposed site plan revision for a temporary special use permit at 12690 & 12666 Main Rd owned by Michael Shields, subject to the terms set forth in the resolution.

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

Approval – Skyline Park Electrical Work:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski authorizing Michael Lotz to perform electrical work at the new Skyline Park Stan Victor pavilion at a cost of \$4,990.00 per the submitted quote.

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

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 7:33pm.

Carried Unanimously

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