

**Newstead Town Board Meeting- June 28, 2021**

A regular meeting was called to order by the Newstead Town Board on Monday, June 28, 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 Izydorczak- Town Clerk

Roll Call was taken with all board members present.

Town Attorney Brendan Neill led the pledge to the flag.

Minutes from the regular meeting held on June 14, 2021 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilman Jendrowski to approve as presented.

Carried Unanimously

**Agenda Changes** – none

**Communications** – The Clerk presented the following correspondence:

An application for a beer/wine permit was received from Betty Bergman for Skyline Park on August 8th for a family reunion.

A letter was received from NYS Department of State notifying the town that Local Law #5 of 2021 was received and filed on June 17, 2021.

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: a meeting was held with the Code Enforcement Officer to discuss proposed code changes, water and sewer project updates, planning items and code change updates, building issue updates, grant updates, highway items, the centennial celebration, gas well, NextEra update, Limerick Hall sale, library issues, plus any other items brought before the Board.

**Agenda Items Question Period:** no one spoke

**Budget transfers:** a motion was made by Councilman Burke, seconded by Councilman Jendrowski to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 6/28/21.

Carried Unanimously

**Approval of Bills** – Councilman Dugan reported that the Abstract(s) from Batch(es) #2146 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2147 were presented for payment. Vouchers on this abstract(s) numbered 600 – 640, totaling \$46,036.08. Councilwoman Pope seconded to approve payment as follows:

Abstract Batch(es) #2147:

General Fund (A)-\$22,082.23, General Fund- Outside Village (B)-\$14.98, Highway (DA) -\$0, Highway: Outside Village (DB)-\$1,381.95, CAP-Water-Knapp (HW03)- \$0, Drainage (SD)- \$1,799.63, Fire Protection (SF)-\$0, Refuse (SR)-\$11,083.60, Sewer #1 Fund (SS)-\$36.96, Sewer District #2 (SS02)-\$70.88, Sewer District #3 (SS03)-\$0, Trust & Agency(TA)-\$0 and Consolidated Water (SW00)-\$42.04, WD1(SW1)- \$0, WD2(SW2)- \$0, WD3(SW3)- \$0, WD4(SW4)- \$0, WD5(SW5)- \$0, WD6(SW6)- \$0, WD7(SW7)- \$8,000.81, WD7A(SW7A)- \$0, WD8(SW8)- \$0, WD9(SW9)- \$0, WD10(SW10)- \$1,523.00; Total:\$46,036.08

Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – a report was presented from the Highway Supt as follows: road ditching and piping was done on Moore Rd, road ditching was done on Berghorn Rd and Crego Rd, field ditch mowing was done, the crew helped Alden with a project, mowed the parks, town properties and the walking path at Skyline, and milled in place Martin Road from Scotland to the Genesee County line, which came out really nice.

**Assessor** – a report was presented from the Assessor and read by the Supervisor as follows: Grievance Day went well, with only a handful of individuals and a couple commercial properties attending. She stipulated all but one of the grievance hearings. Final roll has been completed and submitted to the County. The office will quiet down now until September when exemption renewals are mailed. All splits and merges have been completed and she is moving all inactive records to archives. She will be attending training July 12<sup>th</sup> – 16<sup>th</sup> and in Ithaca on July 17<sup>th</sup> to sit for the IAO exam.

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

|                       |                              |                    |
|-----------------------|------------------------------|--------------------|
| CMK Builders of Alden | 5120 Havens                  | Single Family Home |
| Gary Kumro            | 13639 Dorsch                 | Siding             |
| Kristy Karnyski       | 12380 Swift Mills            | Pole barn          |
| Kevin Shoemaker       | 7861 Scotland                | Pole barn          |
| Steven Gray           | 12609 Brucker                | AG Pool            |
| Graig Reitz           | 6980 Sandhill                | A G Pool           |
| Graves Bros.          | 12290 Tonawanda Creek        | Roof               |
| John Rehberg          | 17 Willow Ln-<br>Leisurewood | Deck               |

The Town Board accepted the building report as presented.

**Town Clerk-** responses to the Bicentennial letters have been coming in and happy with responses.

**Town Attorney(s)** – Nothing at this time

**COUNCILPERSONS:**

**Jendrowski-** he spoke with Ross at N. U. Pipe about semi-annual sprinkler inspections, thanked Emily for her assistance to the Library Board, spoke with Rott Roofing about the gutter fix at the library and spoke with the Code Enforcement Officer about accessory building codes and possible amendments.

**Dugan** – nothing to report

**Burke** – he attended the June 23<sup>rd</sup> celebration committee meeting and they are in “go mode” for the July 3<sup>rd</sup> & July 4<sup>th</sup> celebration festivities.

**Pope-** nothing to report

**Supervisor-** He addressed several grant issues, attended the Association of Erie County Governments meeting in Brant, reviewed changes to the Terms & Condition for employees, toured the bike path with the Highway Superintendent, and announced the State of Emergency will not be renewed after it expires on June 30, 2021.

**UNFINISHED BUSINESS:**

**Buildings-** library issues still being addressed

**Planning-** code changes still being addressed and JMF issues to be discussed at meeting on 6/30.

**Water/Sewer-** the contract is with the contractor being signed and the materials have been order, we are just waiting for them to come in. Packets were sent out to vacant landowners on Indian Falls, Kirby & Knapp roads. The Havens Rd 1,000 ft. project has been completed by the contractor and has been approved by ECWA. We are just waiting for documentation to be done for the turnover to the town. On the culvert grant, the apps and information have been provided to the highway workers conducting the study and they are ready to start tracking culverts on town roads.

**Grants-** the CDBG work at the Senior Center is almost done. They are working on completing the tiling around the bathroom fixtures. The Supervisor reported that during his and Mike's tour of the bike path they learned it needs to be totally overlaid and sealed. That will be included in the grant scope. Trailways signs at Buell St appear to be finished.

**NEW BUSINESS:**

**Approval- Advertise for Bids- Limerick Hall Property:**

A motion was made by Councilwoman Pope, seconded by Councilman Burke approving the declaration of the property at 6074 Cummings Rd (limerick Hall) to be surplus property and authorizing the Town Clerk to advertise for bids for the purchase of the property, with bids to be received July 9<sup>th</sup>, 2021 by 1:00pm.

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

**Approval- Update of Employee Terms & Conditions:**

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the modifications as proposed to the Terms & Conditions of Employment and policies for all non-union classifications of employees, dated June 28, 2021.

(Resolution) Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-No, Pope- Aye  
Carried

**Approval- Engineering Services for Waterline Project:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the engineering proposal from Wendel for the waterline project on Knapp, Indian Falls and Kirby roads at a cost of \$37,000 for engineering during construction (lump sum) and \$83,000 for resident observation services (time & expense), and authorizing the Supervisor to execute the agreement on behalf of the town.

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

**SEQRA Declaration- Local Law #6 of 2021:**

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the negative SEQRA declaration relative to the proposed amendments to the sign law to be known as Local Law #6 of 2021.

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

**Adoption- Local Law #6 of 2021:**

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the adoption of the proposed Local Law #6 of 2021 amending the sign law of the town.

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

**Approval- Beer/wine Permit- Skyline Park:**

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the request by Betty Bergman for a beer/wine permit at Skyline Park for a family reunion on August 8th. Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope- Aye Carried Unanimously

**Approval- Advertise for Senior Services Assistant:**

A motion was made by Councilman Dugan, seconded by Councilwoman Pope authorizing the Town Clerk to advertise for an open position for Senior Services Assistant at the Senior Center, with applications due by July 23, 2021.

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

**Approval- Cancel Work Session on July 5th:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the cancellation of the work session scheduled for July 5, 2021.

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

**Privilege of the Floor/Question Period:**

Peter Forrestel of 16 Stoneridge Ln inquired about the resolution passed regarding the sale of Limerick Hall, asking if the Town Board is looking for complete discretion in all matters regarding the Limerick Hall and it is the Town's wish to get out of the Limerick business and move on.

Supervisor Cummings and the board members responded yes.

Stacy Harrington of 8 Hart St stated other towns are maintaining their older buildings for educational purposes as well as using them for cultural, educational and public events. She hopes their group proposal comes in strong and the town board will consider what they want to do with the building and how they hope to use it.

Nancy Eckerson of 42 Westgate stated at all of their recent fundraisers there has been a lot of interest in keeping this building alive and they have talked with the school and Historical Society about combining the 4<sup>th</sup> grade Octagon tours with Limerick Hall tours. She believes in this town we value and take care of our history and would ultimately love to see the building donated to their Friends of the Limerick group. They have many other fundraisers being planned. Her family has a deep history here in this community and is proud of this place. We are a community of value.

Councilman Jendrowski and Councilman Dugan both spoke about their support for the Friends of the Limerick group having the property and Councilman Dugan stated this move to sell the property is just eliminating the middleman so they don't need to always ask board permission for everything they want to do.

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 7:51pm. Carried Unanimously

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