

## Newstead Town Board Meeting- November 13, 2018

A public hearing was called to order by the Newstead Town Board on Tuesday, November 13, 2018 at 7:56pm at the Newstead Town Hall.

Present: David Cummings- Supervisor  
John Jendrowski- Councilman  
Joseph Dugan- Councilman  
Edmund Burke- Councilman  
Jeannine Morlacci- Councilwoman  
Brendan Neill- Town Attorney  
Scott Rybarczyk- Town Engineer  
Jennifer Herberger- Deputy Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the **public hearing** to order on the proposed site plan amendment for Champion Auto Locators at 11678 Main Rd owned by Kevin Gaik.

The Clerk read the proof of publication. The Supervisor stated this project has been recommended for approval by the Planning Board at their October 15<sup>th</sup> meeting with the following conditions.

1. Display up to 4 recreational vehicles for sale on grass area and
2. Asphalt area for display of up to 5 motor vehicles for sale (or if no motor vehicles present, display up to 4 tractors or other equipment, or 8 golf carts).

Comments: no one appeared to speak

There being no further comments, a motion was made by Councilman Dugan, seconded by Councilwoman Morlacci to close the public hearing at 7:59pm. Carried Unanimously

The **regular meeting** of the Town Board was called to order at 8:00pm with the same members present as listed above.

Councilman Dugan led the pledge to the flag.

Minutes from the regular meeting held on October 22, 2018 were presented for approval. A motion was made by Councilman Burke, seconded by Councilman Dugan to approve as presented. Carried Unanimously

**Agenda Changes** – none

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

A letter of resignation was received from Debb Sabbatis, Director of the Senior Center.

A letter was received from Hunts Corners Rd resident Mark Szczygielski regarding his concerns with the Empire State powerline project that will be running next to his property.

A letter was received from Tonawanda Creek Rd resident Amanda Stewart regarding the lack of access to high speed internet near her home and asking for the town's assistance with Charter Communications.

A notice of a public hearing by the Town of Alden Board which was held on November 5<sup>th</sup> regarding their local law to make changes to automotive use areas and paving requirements.

An email was received regarding the New York State Volunteer Firefighter Cancer Benefit Program.

A booklet was received on the 2019 annual meeting and training school hosted by the Association of Towns and distributed to officials.

A motion was made by Councilman Burke, seconded by Councilman Dugan 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: building projects updates- library, water & sewer projects, planning items- airport violations letter, NextEra, Wahl Rd, proposed fee changes for 2019, Murder Creek property purchase, Lewis Rd/Niagara Label, grant updates, Senior Center Director position, advertise for Senior Center assistants, Budget discussion, 2019 appointments advertisement and any other items brought before the Board.

An executive session was called to order at November 5<sup>th</sup> work session at 7:03pm by Councilman Dugan, seconded by Councilwoman Morlacci to meet with village officials on contractual and personnel issues. The Boards exited executive session at 7:34pm on a motion by Councilman Burke, seconded by Councilman Jendrowski having taken no action.

At 8:56pm the Town Board entered another executive session on a motion from Councilman Jendrowski, seconded by Councilwoman Morlacci to discuss a contractual matter. The Board exited executive session at 9:58pm on a motion by Councilman Burke, seconded by Councilman Dugan having taken no action.

**Agenda Items Question Period:** nothing

**Budget transfers:** a motion was made by Councilman Burke, seconded by Councilman Dugan to approve the budget transfer as presented in a memo from Bookkeeper Colleen Salmon dated 11/13/18. Carried Unanimously

**Approval of Bills** – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1872 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1874 & 1878 for payment. Vouchers on this abstract(s) numbered from 1168-1173, totaling \$74,740.47. Councilwoman Morlacci seconded to approve payment as follows:

Abstract Batch(es) #1874 & 1878:  
 General Fund (A) -\$27,314.75, General Fund- Outside Village (B) \$122.29, Highway (DA) -\$0, Highway: Outside Village (DB) \$9,157.64, CAP- Trail Grant (HTG)- \$110.00, 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) \$10,591.25, Drainage (SD)- \$929.95, Fire Protection (SF) \$0, Refuse (SR) \$24,819.77, Sewer #1 Fund (SS) \$937.39, Sewer District #2 (SS02)- \$265.93, Sewer District #3 (SS03)- \$487.00, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$4.50, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0;  
 Total:\$74,740.47 Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – not present and no report

**Assessor** – Tina presented a report read by the Supervisor stating she is caught up with new construction and is still working on sales verification for the model. She is working on STAR exemptions and is still waiting for a response on the Article 7 case. Also reviewing the water district ad valorem charges for accuracy.

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

Neil Smits	12279 Nice	Basement wall remediation
Joseph & Kim Hooker	4878 Schutt	Tank
Pat Burkett	12561 Clarence Center	Sunroom
Eddie Hoover	7507 Greenbush	Demolition
Jillian Pearl	4302 Billo	Addition
Peter Hennessy	8013 Greenbush	Pole barn & lean-to
Taylor Roberts	12427 McNeeley	Entry steps
Don Lavocat Jr	11549 Meahl	Pole barn & lean-to

Vera Ciammetti	13399 Bloomingdale	Roof
ADESA	12200 Main	Sign
Chauncey Vanice	8067 Greenbush	Windows
Brandi Stoldt	4909 S Newstead	Pole barn & lean-to
Tim & Kim Prise	5547 Barnum	Pool house

The Town Board accepted the building report as presented.

**Town Clerk-** nothing at this time

**Town Attorney–** nothing at this time

**COUNCILPERSONS:**

**Jendrowski-** he attended the ZBA meeting where they listened to 2 cases, the historical board meeting where they chose 10 graves to start restoring. Harold Finger will be chairing that project. He spoke to a resident regarding the power lines, he attended the food pantry fund raiser, spoke to the building department regarding a question, dealt with some library issues and reported the sidewalk is ready to go and attended the Dennis Nolan memorial dedication.

**Dugan –** he attended the Dennis Nolan memorial dedication.

**Burke –** he attended the November 5<sup>th</sup> work session, the Dennis Nolan memorial dedication, the 100 year celebration for Perry’s Ice Cream, the food pantry fund raiser and he thanked Councilwoman Morlacci for her work on that.

**Morlacci-** she attended the food pantry fund raiser and announced they raised over \$13,000.

**Supervisor-** he attended the supervisors meeting in Elma, was involved in a meeting with various highway superintendents and supervisors regarding the Erie County snowplow contract, he attended the 100 year celebration of Perry’s Ice Cream, the food pantry fundraiser, had a meeting with Senior Center staff regarding Deb Sabbitis, spoke to the town attorney regarding the airport and have implemented a better procedure to handle complaints going forward. He had discussions with NextEra, spoke with residents that have complaints and advised them where to file them, spoke to the building department regarding several issues and spoke to a resident regarding Spectrum Communication.

**UNFINISHED BUSINESS:**

**Buildings -** nothing

**Planning –** talked to the grant writers regarding an LED lighting grant. There are two that are currently being looked at.

**Water/Sewer –** waiting on water line grant and are working with Adesa regarding the new lift station.

**Grants –** the generator grant is moving along and we are working on the Natural Gas line application. The work on the bike path is continuing with installation of a retaining wall near Buell Street. No update on the park grant.

**NEW BUSINESS:**

**Adoption- 2019 Budget:**

A motion was made by Councilman Dugan, seconded by Councilman Burke authorizing the adoption of the 2019 Budget as proposed and presented to the Board.

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

**Approval- Site Plan Amendment- 11678 Main Rd:**

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the proposed site plan amendment for a temporary Special Use Permit for Champion Auto Locators at 11678 Man Rd, subject to the terms set forth in the resolution.

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

**Approval- Agreement with NEETNY:**

A motion was made by Councilman Burke, seconded by Councilwoman Morlacci authorizing the Supervisor to execute an agreement with NextEra Energy Transmission New York, Inc. to allow for road crossings within the Town of Newstead on Town owned roads for their electric transmission facilities and lines under the Road Use and Crossing Agreement.

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

**Motion-Accept Resignation of Deb Sabbatis:**

A motion was made by Councilman Dugan, seconded by Councilwoman Morlacci approving the resignation of Deb Sabbatis, Director of Senior Services, with regret.

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

**Motion-Create Recreation Specialist (Senior Center) position:**

A motion was made by Councilman Dugan, seconded by Councilwoman Morlacci approving the creation of the position of Recreation Specialist (Senior Center).

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

**Motion-Appoint Sarah Young as Recreation Specialist (Senior Center):**

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the appointment of Sarah Young as Recreation Specialist (Senior Center) effective December 15, 2018.

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

**Approval- Advertise for 2019 annual appointments:**

A motion was made by Councilman Jendrowski, seconded by Councilman Burke authorizing the Clerk to advertise for the annual 2019 appointments/positions and open position at Senior Center.

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 8:25pm.

Carried Unanimously

Respectfully Submitted,  
Jennifer Herberger, Deputy Town Clerk