

Newstead Town Board Meeting- October 26, 2020

A public hearing was called to order by the Newstead Town Board on Monday, October 26, 2020 at 7:20pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
Edmund Burke- Councilman
John Jendrowski- Councilman
Joseph Dugan- Councilman
Brendan Neill- Town Attorney
Emily Janicz- Assistant Town Attorney
Scott Rybarczyk- Town Engineer
Dawn Izydorczak- Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the **public hearing** to order on the proposed 2021 Budget at 7:20pm.

The Clerk read proof of publication. The Supervisor stated it has been very interesting trying to compile this budget because so many of the numbers are moving targets due to COVID. Sales tax revenue and several other numbers are very hard to predict. He is very thankful that all the departments submitted very conservative spending budgets. Balancing that with maintaining the recommended balances for reserve funds created a challenge but he is happy to report this budget does stay under the tax cap with a base town tax of \$1.35/\$1,000AV.

Comments: no one spoke

There being no further comments, a motion was made by Councilman Burke, seconded by Councilman Dugan to close the public hearing at 7:29pm Carried

The **regular meeting** of the Newstead Town Board was called to order at 7:30pm with the same members present as listed above.

Supervisor Cummings led the pledge to the flag.

Minutes from the regular meeting held on October 13, 2020 were presented for approval. A motion was made by Councilman Jendrowski, seconded by Councilman Dugan to approve as presented. Carried

Agenda Changes – none

Communications – The Clerk presented the following correspondence:

A quote for snow removal services was received from Golden Dome Property Services for the 2020-21 winter season.

A notice of highway closure was received from Erie County Highway Dept. announcing Cedar St between Lewis Rd & Carney Rd will be closed from October 26th to October 30th for a large cross culvert replacement.

A notice of public hearing on Local Law 2 of 2020 revising the Town of Alden’s residency requirements was received.

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

Work Session: The Supervisor reported a work session was held last week where the following items were discussed: a meeting with NextEra on their powerline project, discussion with the Attorney for Karcher property on Maple Rd, water project updates, planning item updates, building issue updates, grant updates, 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 10/26/20. Carried

Approval of Bills – Councilman Dugan reported that the Abstract(s) from Batch(es) #2075 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #2078 for payment. Vouchers on this abstract(s) numbered 1094-1133, totaling \$135,718.68. Councilman Jendrowski seconded to approve payment, explaining most of these big amounts are transferring money between town bank accounts, as follows:

Abstract Batch(es) #2078:

General Fund (A)-\$15,126.46, General Fund- Outside Village (B)-\$1,469.86, Highway (DA) -\$0, Highway: Outside Village (DB)-\$43,952.20, RES-Highway Maint (HR)-\$10,422.51, RES-Roof Repair (HR01)-\$13,349.28, CAP-Town Park Improv (HTP1)-\$40,175.28, CAP- Multi Cult Ctr (HMCC)-\$10,000.67, CAP-Water Knapp (HW03)-\$0, CAP- Bike Path (HTG)-\$0, Drainage (SD)-\$918.70, Fire Protection (SF)-\$0, Refuse (SR)-\$0, Sewer #1 Fund (SS)-\$47.29, Sewer District #2 (SS02)-\$65.05, Sewer District #3 (SS03)-\$0, Trust & Agency(TA)-\$0 and Consolidated Water (SW00)-\$191.38, WD1(SW1)- \$0, WD2(SW2)- \$0, WD3(SW3)- \$0, WD4(SW4)- \$0, WD5(SW5)- \$0, WD6(SW6)- \$0, WD7(SW7)- \$0, WD7A(SW7A)- \$0, WD8(SW8)- \$0, WD9(SW9)- \$0, WD10(SW10)- \$0; Total:\$135,718.68 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – a report was presented from the Highway Supt as follows: he thanked the Towns of Clarence and Lancaster for sweeping 2 of our roads that were recently oiled and stoned, the crews have completed field ditching on Rapids Rd including cleaning fallen trees in field ditches and boom mowing, set the D.I. on Stage Rd, completed road ditching, 2 pipe road ditches and drive pipe installations on Howe Rd, made repairs to #7 axle housing spindle and helped Jim Akin close up the bathroom at the soccer complex on Skyline Dr.

Assessor – a report was presented from Tina as follows: the initial return of exemption renewals has slowed down. She is currently working on splits and mergers as well as new construction inspection and valuation as permits are closed out.

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

Jennifer MacNichols	12957 Dorsch	Interior remodel/renovations
Buffalo Drilling Co Inc	12264 Main	Siding
William Hawes	6216 Utley	Shed
Phillip Shantz	12639 Clarence Ctr	Shed

The Town Board accepted the building report as presented.

Town Clerk- the majority of school tax collection is complete and 2nd notices have been mailed.

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski- he met with Supervisor Cummings and Brad Rehwaldt on the Cultural Center leak issue, spoke with Kristine on several library issues, and spoke with a resident regarding home-based business regulations questions.

Dugan – nothing at this time

Burke – he attended the virtual Comp Alliance annual required training session, had a Q & A session with the Supervisor on the budget and spoke to the Highway Superintendent about drainage concerns.

Supervisor- He attended a virtual meeting with the County Executive and all the Erie County Supervisors, met with NextEra on their powerline project, spoke with several residents regarding concerns on their roads/drainage and attended the virtual Comp Alliance annual required training session.

UNFINISHED BUSINESS:

Buildings- nothing new on the Library or Denio issues

Planning- it appears the unsafe Maple Rd property is being sold. The town will wait a while and get in touch with the new owner regarding expectations for repairs. Next summers recreation program needs to be discussed. All other issues have nothing new to report.

Water- nothing new to report

Grants- nothing new to report

NEW BUSINESS:

Public Hearing- Fire Contract for Northeast part of Town:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the calling of a public hearing on the proposed fire contract for the small northeastern portion of the town, with the hearing to be held on November 9th at 7:00pm and authorizing the Clerk to publish legal notice in the Akron Bugle.

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

Approval- Solar PILOT- 12963 Main Solar 1, LLC:

A motion was made by Councilman Burke, seconded by Councilman Dugan authorizing the Town to enter into a Solar PILOT agreement with 12963 Main Solar 1, LLC for a 15 year period and authorizing the Supervisor to execute the Solar PILOT agreement.

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

Approval- Solar PILOT-Arrowhead Timberlodge Solar, LLC:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan authorizing the Town to enter into a Solar PILOT agreement with Arrowhead Timberlodge, LLC for a 15 year period at 12292 Clarence Center Rd and authorizing the Supervisor to execute the Solar PILOT agreement.

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

Approval- Speed & Traffic Study Request-Cedar St & Carney Rd:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski authorizing the Town Clerk to submit a TE-9 request to Erie County Highway and NYSDOT to perform a speed and traffic study at the intersection of Cedar St & Carney Rd.

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

Public Hearing-Site Plan-12600 Clarence Center Rd Addition:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the calling of a public hearing on the proposed site plan for a 32,400 sq. ft. addition at 12600 Clarence Center Rd owned by Niagara Specialty Metals, with the hearing to be held on November 23rd at 7:20pm and authorizing the Clerk to publish legal notice in the Akron Bugle.

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

Advertise for Annual Appointments:

A motion was made by Councilman Burke, seconded by Councilman Dugan authorizing the Town Clerk to advertise for annual appointments of town positions.

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

Approval- Snow Removal Service Contract:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the award of the annual snow removal contract to Golden Dome Property Services for snow removal at town properties for the 2020-21 winter season.

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

Privilege of the Floor/Question Period: James Foster and his wife of 12834 Stage Rd were present and spoke about the letter they received from the Town regarding their drainage issue. He was very upset that no one got back to him in person and instead sent him a letter telling him that the Town felt this was an issue on private property and they were not responsible. After 15 minutes of back and forth discussions with the Board and the Town Engineer, it was decided that over this winter and next spring the town would monitor the area with pictures and video and watch how the drainage in the whole area works and keep in touch with the Fosters. Once the monitoring of the heavy wet seasons is done, they will sit down and revisit what might be able to be done. Mr. Foster agreed with this decision.

There being no further business to come before the board for the regular meeting, a motion was made by Councilman Burke, seconded by Councilman Jendrowski to adjourn the regular meeting at 8:13pm. Carried

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