

Newstead Town Board Meeting- September 14, 2020

A regular meeting was called to order by the Newstead Town Board on Monday, September 14, 2020 at 7:35pm 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
Michael Bassanello- Highway Supt.
Scott Rybarczyk- Town Engineer
Dawn Izydorczak- Town Clerk

Roll Call was taken with all board members present.

Town Clerk Dawn Izydorczak led the pledge to the flag.

Minutes from the regular meeting held on August 24, 2020 were presented for approval. A motion was made by Councilman Burke, seconded by Councilman Jendrowski to approve as presented.
Carried

Agenda Changes – a motion was made by Councilman Dugan, seconded by Councilman Burke to make the following agenda changes: remove the gas well resolution and add 2 resolutions to participate in the CARES Act funding and the Erie County Hazard Mitigation Plan
Carried

Councilman Burke made a motion, seconded by Councilman Jendrowski approving the reading of a proclamation declaring the week of October 11th-17th as Akron-Newstead Food Pantry week in the Town and recognizing the efforts of the food pantry in our community.
Carried

The Supervisor made a proclamation presentation to Lani Jendrowski of the Akron-Newstead Food Pantry who was present with pantry volunteers Jean Dolph and Sharon Waff.

Communications – The Clerk presented the following correspondence:

Notices were received from Charter Communications announcing programming changes coming in September.

A letter was received from the Erie County Department of Health announcing the approval of plans for a waterline extension project for a Havens Rd subdivision.

A copy of a letter was received from Erie County Legislator Ed Rath to a Howe Rd resident regarding his 2nd request for a speed reduction on Howe Rd.

A notice was received from the Erie County Department of Public Works regarding a road closure on Clarence Center between Dye & Barnum roads for replacement of a cross culvert on September 15th & 16th.

A letter and the 2019 Annual Report was received from the Erie County Clerk Michael Kearns.

A letter from Erie County Executive Mark Poloncarz regarding a small business assistance grant program available.

A letter from Erie County Legislator Ed Rath regarding a small business assistance grant program available.

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

Work Session: The Supervisor reported work session was held 2 weeks ago where the following items were discussed: meeting with the Courts on 2021 budget, meeting with the Assessor on Special District procedures, water project updates, planning item updates, building issue updates, grant updates, plus any other items brought before the Board. The Board entered an executive session at 8:05 on a motion from Councilman Jendrowski, seconded by Councilman Dugan to discuss 2 contracts. The Board exited executive session, having taken no action, at 8:55pm on a motion from Councilman Burke, seconded by Councilman Jendrowski.

Agenda Items Question Period: no one spoke

Budget transfers: a motion was made by Councilman Dugan, seconded by Councilman Jendrowski to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 9/14/20. Carried

Approval of Bills – Councilman Burke reported that the Abstract(s) from Batch(es) #2062 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #2066 plus a transfer for postage for payment. Vouchers on this abstract(s) numbered 919-978, totaling \$171,185.37. Councilman Jendrowski seconded to approve payment as follows:

Abstract Batch(es) #2066 plus postage transfer:
 General Fund (A)-\$17,439.99, General Fund- Outside Village (B)-\$223.70, Highway (DA) -\$0, Highway: Outside Village (DB)-\$87,439.55, CAP-ADESA PS(HAR)-\$ 975.87, CAP- Scotland Rd (HS)-\$0, CAP- Koepsel Rd (HW)-\$0, CAP Water-Downey Rd (HW01)-\$0, CAP- Water Cedar (HW02)-\$0, CAP-Water Knapp (HW03)-\$0, CAP- Bike Path (HTG)-\$0, Drainage (SD)-\$0, Fire Protection (SF)-\$0, Refuse (SR)-\$26,173.10, Sewer #1 Fund (SS)-\$1,115.25, Sewer District #2 (SS02)-\$260.50, Sewer District #3 (SS03)-\$579.50, Trust & Agency(TA)-\$0 and Consolidated Water (SW00)-\$67.73, WD1(SW1)- \$0, WD2(SW2)- \$0, WD3(SW3)- \$0, WD4(SW4)- \$0, WD5(SW5)- \$12,500.00, WD6(SW6)- \$0, WD7(SW7)- \$0, WD7A(SW7A)- \$0, WD8(SW8)- \$0, WD9(SW9)- \$0, WD10(SW10)- \$24,410.18; Total:\$171,185.37 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – a report was presented from the Highway Supt as follows: the crews helped the Town of Alden, Town of Clarence & Erie County Highway Department with jobs, did field ditching on Rapids Rd on the Berghorn property, mill in place was completed on McNeeley Rd, mowed the parks and the field on Crittenden Rd, hot patched McNeeley & Dye roads, field ditch mowing was completed on Town roads and put up new high resolution signs in the parks regarding park hours.

Councilman Jendrowski complimented the crew on the good job done on McNeeley Rd.

Assessor – a report was presented from Tina as follows: exemptions have been mailed out for renewals so foot traffic into the office will begin picking up due to that and tax bill questions. She is still working with Brendan & Julie on the special districts on agricultural properties. Two small claims have been filed, which she is already prepared for.

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

Bedford’s Greenhouse	13008 Main	Demolition
Mark Shoemaker	11850 Sheila	AG Pool
Sarah Kyre	8055 Greenbush	Windows
Thomas Carroll	4999 S Newstead	Roof
Christopher Shriber	12125 McNeeley	Remodel/renovation
Newstead Properties LLC	12790 Main	Roof
Franklin Powell	13100 Stage	Generator
Daniel Garbacz	6720 Utley	Roof

The Town Board accepted the building report as presented.

Town Clerk- Dawn announced the appointment of Emily McCoy as a temporary Deputy Clerk starting on September 1st at a rate of \$14.00/hour as approved by the Board on August 24th. She also reported that due to delays at the County, school tax bills were received Friday, Sept. 11th. The office processed bills all weekend and mailed out today. She also reported the bank will no longer accept tax payments at any of their branches.

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski- he attended a meeting with Councilman Dugan and the Newstead Fire Company President and Chief regarding fire contracts. He addressed a leak at the Cultural Center/Library and attended a Library Board meeting where they discussed the Library reopening on Saturdays. He also met with CEO Dave Miller to discuss updates in the building department.

Dugan – he attended a meeting with Councilman Jendrowski and the Newstead Fire Company President and Chief regarding fire contracts. This was just an informational meeting on the current contracts. They have reached out to the Village Board regarding the 1 year fire contract coverage area and are waiting for a reply back for the Village if they are interested in servicing that area. He also met with Dan Kowalik to learn more about the FEMA reimbursement process for the COVID-19 pandemic.

Burke – nothing at this time

Supervisor- the August Supervisor’s Report is on file with the Town Clerk. He attended a Supervisor’s meeting in East Aurora, a financial roundtable discussion, spoke with the Historical Society about the pottery, continued work on the 2021 budget, extended the State of Emergency to coincide along with the County & State’s SOE declarations. He also commended our Emergency Services team of Dan Kowalik, Joe Hawes and Mike Mutter for the great job they do on behalf of our community. He has a meeting scheduled for tomorrow with Dan to go over his “wish list”. He spoke with the school regarding the potential for the Recreation program to run this fall and next year and attended a virtual meeting with the NYS Comptroller.

UNFINISHED BUSINESS:

Buildings- the Denio is finished except for painting. The Limerick keys have been given to the local group liaison Peter Forrestel and they will begin work on landscaping. John is addressing drainage issues in the alleyway next to the Library with Scott and Mike.

Planning- Solar Pilot information is pending and upcoming proposed code changes will be coming from the Planning Board.

Water- Scott reported ECWA has confirmed it is ok to move forward with the Cedar St pump station and have agreed they are ok with the basis of design. The Supervisor will reach out to the property owner again to see if we can proceed.

Grants- nothing new

NEW BUSINESS:

Public Hearing- Local Law #2 of 2020- Tax Cap Override:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the calling of a public hearing on the proposed Local Law #2 of 2020 allowing the town to override the tax cap, with the hearing to be held on September 28th at 7:25pm and authorizing the Clerk to publish legal notice in the Akron Bugle.

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

Approval- Clarence Central Tax Contract Renewal:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the contract with Clarence Central School District for tax collection services for the 2020-21 tax cycle. (Resolution) Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye Carried

Public Hearing- CBDG Grant Funding for 2021:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the calling of a public hearing on proposed uses for 2021 Community Development Block Grant funding, with the hearing to be held on September 28th 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

Approval- Hazard Mitigation Plan Intent to Participate:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving sending a letter of intent to participate to Erie County to participate in the Hazard Mitigation Plan update with the County and authorizing the Supervisor to execute said agreement.

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

Approval- CARES Act Agreement:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the Intermunicipal agreement with Erie County for funding through the CARES Act and authorizing the Supervisor to execute said agreement.

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

Privilege of the Floor/Question Period: Fred Drahms of Clair Drive questioned why the town is negotiating with the Village/Akron Fire Co. again instead of Newstead and if the Village/AFC accepts the proposal will the \$30,000 come out of Newstead's contract.

Supervisor Cummings explained that last year due to the nature that the 2nd coverage area was only given under a 1 year contract, the Town told the Village/Akron Fire Co. that they would be given the opportunity to have that coverage area back for the coming year (2021). That is why the Town has given the proposal to the Village/Akron Fire Co. to consider. If they turn it down, the coverage area will then be offered to Newstead Fire Co. If the Village/Akron Fire Co opts to take the contract, it will not change Newstead's main contract coverage compensation. They simply would not get the 2nd area coverage monies that they received this year for covering that area.

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 8:13pm. Carried

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