

Newstead Town Board Meeting- May 13, 2013

A regular meeting was called to order by the Newstead Town Board on Monday, May 13, 2013 at 8:00pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
Justin Rooney- Councilman
James Mayrose- Councilman
Donald York- Councilman
Scott Rybarczyk- Town Engineer
Dawn Izydorzak- Town Clerk
Jennifer Heberling- Deputy Town Clerk

Roll Call was taken with all board members present except for Councilman Baran who is on vacation.

Supervisor Cummings led the pledge to the flag.

Minutes from the previous regular meeting held on April 22, 2013, were presented for approval. A motion was made by Councilman Rooney, seconded by Councilman Mayrose to approve as presented. Carried

Communications – The Town Clerk presented the following correspondence:

A letter from Time Warner Cable notifying the town of the programmers & service providers they are currently in negotiations with for service.

Several emails were received from resident Debbie Darling reporting her complaints with flights in and out of the Akron Airport over the past 3 weeks.

A copy of a proposed local law before the Lancaster Town Board entitled Alarm Systems Ordinance for which a public hearing was held on May 6th.

A copy of the Certificates of Attendance at Training for the Board of Assessment Review members.

A notice of a session on Elder Law Day to be held Thursday June 20th from 9:00am – 1:00pm at the Adams Mark by the Erie County Department of Senior Services.

A letter from Erie County Clerk Chris Jacobs informing the towns that he is changing the payment schedules for the distribution of Mortgage Tax monies to a month earlier each cycle. The town will now receive its revenues in May and November.

2 letters and information packets were received from People Inc. regarding 2 possible locations in the Town that they are looking at to develop a new Individual Residential Alternative group home. One property is located on Buckwheat Rd and the other is located on Rapids Rd.

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

Work Session: The Supervisor reported that no work session was held last week. At work session held prior to tonight's meeting they discussed the following: water district issues, building projects, planning issues, Assessor issues, response letter to Comptroller, parks master plan, status of old highway garage, recreation board issues.

Privilege of the Floor – The following residents from Quarry Hills Estates were present to continue the dialogue on the Braun's Concert Cove: Karen Stanzek, Linda Jackson, Jim Richards, Mary McQuire, Carol & Levant Bender, Will Rader, Dick Sutton. Supervisor Cummings addressed several of their questions and stated he will look into the claims that the State Troopers will not enter their park or address their phone calls. He and Councilman Mayrose explained that everyone feels the new steps that Mr. Braun will be taking over the next few weeks under the site plan approval and special use permit conditions will reduce the volume of noise from the concerts.

Budget Transfers: a motion was made by Councilman Mayrose, seconded by Councilman York to approve the budget transfers per the memo from Bookkeeper Colleen Salmon dated May 13, 2013.
Carried

Approval of Bills – Councilman Mayrose reported that the Abstract from Batch(es) # 1283 from the April 22, 2013 meeting have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1286 & 1289 for payment. Vouchers on this abstract(s) numbered from 424 – 485, totaling \$104,172.84 and were presented by Councilman Mayrose, seconded by Councilman York to approve payment as follows:

Abstract Batch(es) #1286 & 1289:
 General Fund (A) -\$42,142.09, General Fund- Outside Village (B) \$54.77, Highway (DA) -\$0, Highway: Outside Village (DB) \$6,022.57, Capital Projects: CAP- Highway Garage- (HG) - \$0, CAP-Murder Creek (HM) \$0, CAP- Equipment Purchase (HR02)- \$0, CAP- Library Basement (HR04) \$19,750.00, CAP- Scotland Rd (HS)- \$0, CAP- Town Hall (HT)- \$0, CAP- Water Improvement (HW)- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$4,561.36, Refuse (SR) \$23,984.63, Sewer Fund (SS) \$6.78, Sewer District #2 (SS02)- \$568.37, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$7,082.27, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0
 Total: \$104,172.84 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – not present

Assessor – Becky presented a report updating the Board on dates & times she will be sitting with the Tentative Roll in May as required by law. She addressed Article 7’s that have been filed so far and the Town’s options regarding each. The board reviewed the proposed booklet for a seminar for prospective first time homebuyers. They made some minor changes and the Supervisor stated if there is a lack of interest in the seminar at least the booklet that has been prepared can be distributed to interested residents.

Building Office –the building report was presented by Christine Falkowski of the Planning & Building Department. The Town Board accepted the report as presented.

Peter Liberti	6760 Utley	above ground pool
Peter Stachowiak	13039 Dorsch	above ground pool
Christian Airmen, Inc.	John Street	water tank
Craig Hathaway	11438 Hiller	in ground pool
Akron Soccer League	Akron/Newstead	special event
Stephen Blochwitz	13059 Dorsch	in ground pool
Marc Bristow	5010 Havens	deck
Patrick Galla	5475 Barnum	permit renewal
Kristina Lucas	13785 Siehl	above ground pool
Rothland Golf Course	12089 Clarence Center	(2) tents
Angelo Cannizzaro	11119 Howe	above ground pool
Christian Airmen, Inc.	John Street	special event
Jean Cherry	13527 Stage	roof
Braun	V/L Havens	sign
Peter Affolter/James Evens	11234 Main	certificate of occupancy
Don Oldfield	6600 Dye	addition
Aaron Henderson	V/L Scotland	shed
Jeffrey & Dawn Marble	12250 McNeeley	above ground pool
Bruce Serena	7895 Maple	demolition
Joseph Matalone	13427 Steiner	pole barn addition
Ride for Roswell	Akron/Newstead	special event

Town Clerk- Dawn & Jen attended the NYS Town Clerk's conference April 28th – May 1st , which was very informative. They thanked Debbie and Colleen for covering the office so well and the residents for their patience during the 3 days with shortened office hours. At conference Dawn was elected as a NYS District Director for District #10 representing Erie, Niagara, Chautauqua & Cattaraugus Counties for a 3 year term starting July 1st.

Attorney for the Town – not present

COUNCILPERSONS:

Rooney – he attended the Association of Erie County Governments meeting at Arrowhead, attended the Recreation Board meeting, attended court to observe, attended the Akron Fire Company meeting, attended the Village Board meeting on Monday, attended the Kick-It-First tournament and stated that those who planned it did a great job, exchanged emails with the Recreation Director regarding additional programs and is waiting to confirm the meeting date for fire company negotiations.

Mayrose – he attended court on multiple evenings and spoke with both Judges regarding the progress of the consolidation, met with the court clerks to discuss where they are with the management of village cases and integration of those cases into the town system, attended the Association of Erie County Governments meeting at Arrowhead, attended the union mediation meeting that was scheduled for May 1st but was later postponed, met with the Town Assessor and Supervisor Cummings regarding some assessment issues, attended the Southern Tier Government Officials Conference at Houghton College, attended the Recreation Board meeting, attended the hazardous waste drop-off on Saturday which had a decent turnout from the community, attended the Akron Fire Company weekly meeting and looks forward to attending Newstead Fire Company meeting in the coming weeks, attended the Village Board meeting on Monday and discussed some of the upcoming joint projects with Mayor Patterson, spoke with Jon Cummings about some projects at the joint facility and is in the process of scheduling another JF committee meeting and met with Ray Braun and Supervisor Cummings to discuss some sound dampening ideas for Braun's Concert Cove.

Baran – not present

York – attended the Southern Tier Government Officials Conference, attended the Association of Erie County Governments meeting at Arrowhead and is still working on proposals for moving Limerick Hall to Veterans Park.

Supervisor- the April Supervisor's Report is on file with the Town Clerk. He attended a union meeting with our attorney, hosted and attended the Association of Erie County Governments meeting at Arrowhead, stated the hazardous waste drop off was a success, and met with the attorneys for contracts and the airport. He met with a representative from NYS grants and took him on a tour of the joint facility. He was very impressed with the facility. He sent out the final response to the NYS Comptroller's office. He met with the court clerks and will meet with them again on Wednesday at 9am.

UNFINISHED BUSINESS:

Joint Facility – nothing new

Planning Issues – nothing new

Murder Creek Project – replanting this week to replace dead plants and on schedule with the DEC for their work to continue over the summer. We have received a letter from FEMA okaying the extension of Phase 2.

NEW BUSINESS:

Approval- Water District Survey Proposal:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the proposed agreement with Wendel for Engineering Services related to the design of waterline extensions along Draper Rd and Downey Rd, with design costs not to exceed \$36,700.00.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, Baran-Absent, York-Aye
Carried

Approval-Site Plan- Braun's Concert Cove:

A motion was made by Councilman York, seconded by Councilman Mayrose approving the site plan amended and dated May 6, 2013 for Braun's Concert Cove located at 11891 Main Rd, subject to the terms and conditions set forth in the resolution.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, Baran-Absent, York-Aye
Carried

Question Period – no one spoke

There being no further business to come before the board a motion was made by Councilman Rooney, seconded by Councilman Mayrose to adjourn the regular meeting at 8:58pm.

Carried

Respectfully Submitted,
Dawn D. Izydorczak, Town Clerk