

Newstead Town Board Meeting- June 25, 2012

A regular meeting was called to order by the Newstead Town Board on Monday, June 25, 2012 at 8:00pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
Justin Rooney- Councilman
James Mayrose- Councilman
Richard Baran- Councilman
Donald York- Councilman
Scott Rybarczyk- Town Engineer
Nathan Neill- Town Attorney
Michael Bassanello- Highway Supt.
Dawn Izydorzak- Town Clerk
Jennifer Heberling- Deputy Clerk

Roll Call was taken with all board members present.

Town Attorney Nathan Neill led the pledge to the flag.

A 15 minute executive session was held prior to the meeting on personnel issues. The board will return to executive session at the end of the meeting to continue those discussions.

Minutes from the previous regular meeting held on June 11, 2012 and the joint Town/Village meeting on June 18, 2012 were presented for approval. A motion was made by Councilman Baran, seconded by Councilman Rooney to approve as presented. Carried Unanimously

Communications – The Town Clerk presented the following correspondence:

A letter from Time Warner Cable regarding the current programmers & broadcasters they are currently under negotiations with for service.

A letter from the Erie Co. Department of Public Works notifying the town that John Street has been reopened to traffic effective Saturday, June 16, 2012.

A letter from the Erie Co. Department of Public Works notifying the town that Swift Mills Rd has been closed between Greenbush Rd to Route 93 (Maple Rd) effective Wednesday, June 13, 2012 to address structural issues until further notice.

A letter from the Erie Co. Department of Public Works notifying the town that the bridge over Tonawanda Creek on Burdick Rd has been closed effective Monday June 25, 2012 thru September 1, 2012 for bridge replacement.

A letter from the Tonawanda Indian Baptist Church requesting use of the town park shelter in conjunction with the Akron Celebration Committee on July 3, 2012 to provide food service during the fireworks.

A petition signed by 10 residents of South Newstead Rd, 1 resident of Stage Rd and 3 residents of Nice Rd requesting a speed reduction on South Newstead Rd from 55 mph to 45 mph.

An invitation to the elected officials from Allied Waste to attend an open house of their facility on Wed., July 18, 2012 from 5:00 – 7:00pm.

A letter from the Department of State notifying the town that Local Law #4 of 2012 was received and filed on June 18, 2012.

A letter from the Supervisors of the Towns of Amherst, Hamburg, Clarence, Lancaster & Concord regarding the recent articles raising concerns over local IDA's.

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

Work Session: The Supervisor reported that at the work session that was held last week the following items were discussed: water districts issues, building projects updates, planning issues updates, grants, adopted policy review, an executive session of the Board, as well as any other issues

brought before the board. A joint meeting with the Village Board commenced following the work session. An executive session was held on personnel & contract issues.

Privilege of the Floor – Doni Roehling of Cummings Rd asked for an update on the water pressure issues. He reported that yesterday the pressure at his home was down to 35 pounds of pressure. Scott Rybarczyk of Wendel addressed his question stating that they met with the Erie County Department of Health who raised approximately 50 questions on the proposed project. They are in the process of answering those questions. Everyone involved are frustrated that the process is taking so long to get thru.

Supervisor Cummings stated that all other agencies have approved this project except the Dept. of Health and unfortunately the town can not proceed without their approval.

Richard Morris of South Newstead Rd appeared regarding the petition submitted for a speed study on south Newstead. He has talked to the County and they have agreed to come out and at least put up 55 mph signs because right now the road is not posted at all.

Supervisor Cummings stated the town will ask the State Police and the Sheriffs to step up patrols on the road as often as they can.

Budget Transfers: a motion was made by Councilman Mayrose, seconded by Councilman Baran to approve the proposed budget transfers per the memo from Bookkeeper Colleen Salmon dated 6/25/12. Carried Unanimously

Approval of Bills – Councilman Mayrose reported that the Abstract from Batch(es) # 1189 from the June 11, 2012 meeting has been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1190 & 1192 for payment. Vouchers on this abstract numbered from 669 and 693- 731 totaling \$151,271.58 and were presented by Councilman Mayrose, seconded by Councilman Rooney to approve payment as follows:

Abstract Batch(es) #1190 & 1192:

General Fund (A) -\$25,492.80, General Fund- Outside Village (B) \$2,931.95, Highway (DA) -\$0, Highway: Outside Village (DB) \$76,327.21, Capital Projects: CAP- Highway Garage- (HG) - \$0, CAP-Murder Creek (HM) \$0, CAP- Equipment Purchase (HR02)- \$0, CAP- Scotland Rd (HS)- \$0, CAP- Town Hall (HT)- \$0, CAP- Water Improvement (HW)- \$2,075.14, Drainage (SD)- \$2,551.00, Fire Protection (SF) \$38,084.00, Refuse (SR) \$1,051.00, Sewer Fund (SS) \$26.31, Sewer District #2 (SS02)- \$66.17, Trust & Agency(TA)- \$2,532.00 and Water Districts: Consolidated (SW00) \$134.00, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$9,575.81, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$2,112.00

Total: \$151,271.58

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – they are making their second pass at roadside mowing and ditching of town roads. They are continuing to help the Village on Marshall Ave with the final grading to be done this week and paving next week.

Assessor – no report, currently in session with the Board of Assessment Review.

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

Frank Powell	13100 Stage	Pole barn
Jerold Edgars	4518 Ayers	Roof/patio roof addition
Barb Adamczak	4694 Ayers	Porch Roof
Susan Siuta	12566 Lesswing	A.G. Pool
Bob Strach	5714 Barnum	Open porch roof
Steven Schleef	12781 Swift Mills	Pole barn
Michael Vitale	13049 Dorsch	Shed
Dave Janis	12388 Swift Mills	Patio roof
Robert Vacanti	5498 Barnum	Barn Addition
Edwin Clancy	13035 Main	Cert. of Occupancy
James Nawrot	11199 Stage	Permit renewal

Faith Fellowship Church
St. Theresa of Avila
Joe Frey
Joseph Long
Matthew Jurek

11478 Main
5771 Buell
12292/12089 Clarence Ctr
6950 Cedar
13655 Main

Temporary sign
Roof
Tents
A.G. Pool
Demolition

The Town Board accepted the report as presented.

Town Clerk- nothing to report. Dawn asked Mike to thank Joe Cory and his helper for doing such a great job of landscaping at the town hall last week. It really looks nice.

Attorney for the Town – Nathan has given Village Attorney Shonn and the Village Board copies of the towns refuse contract to look at for the proposed joint bidding documents for this year. Some decisions need to be made on the number of pick-ups and recycling containers style.

COUNCILPERSONS:

Rooney – he attended a court night to watch the court operate and has given the board several topics he would like to discuss at work session.

Mayrose – he also attended a court night for observation purposes and has attended library board and joint facility meetings

Baran – he reported the library roof & brick work repairs are completed.

York – nothing at this time

Supervisor- he attended the Association of Erie County Governments meeting last week in Brant as well as attending the ribbon cutting ceremony today for the John Street reconstruction project. He has also addressed several resident issues over the past 2 weeks.

UNFINISHED BUSINESS:

Water Districts – he is still working on the PRV project, restoration issues on the northern extension project and getting ready to bid the materials on the short Maple Rd waterline project.

Shared Public Works Facility Project – the salt shed plans need to be finished in the next 2 weeks so construction can be complete before snow flies.

Murder Creek- a report was received from Apex on June 20, 2012 with all plantings growing well. If a dry period comes again throughout the summer CATCO may have to be called in for supplemental watering. The lawn area on the old access road is filling in nicely and the south bank & wall continue to be in great condition. Carl also reported the DEC contract paperwork is in, has been signed and returned.

NEW BUSINESS:

Approval- Land Payment Agreement:

A motion was made by Councilman Mayrose, seconded by Councilman York approving the proposed land payment agreement between the Village of Akron and Town for payment of half of the value of the existing village parcel at the joint highway facility site in the amount of \$45,550. (Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, Baran-Aye, York-Aye
Carried Unanimously

Approval- Recreation Appointment:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the appointment of Alec Kowalak as a pool Recreation Attendant for the summer session.
Cummings-Aye, Rooney -Aye, Mayrose-Aye, Baran-Aye, York-Aye Carried Unanimously

Approval- Use of Town Park:

A motion was made by Councilman Baran, seconded by Councilman York approving the Tonawanda Indian Baptist Church to use the Town Park facilities in conjunction with the Akron Celebration Committee for the July 3rd fireworks event to provide food & beverages.

Cummings-Aye, Rooney -Aye, Mayrose-Aye, Baran-Aye, York-Aye Carried Unanimously

Approval- S Newstead Rd Speed Study:

A motion was made by Councilman Mayrose, seconded by Councilman Baran authorizing the request to Erie County DPW for a speed study on South Newstead Rd.

Cummings-Aye, Rooney -Aye, Mayrose-Aye, Baran-Aye, York-Aye Carried Unanimously

Question Period – no one spoke

The Board re-entered executive session at 8:35 to continue a discussion on 2 personnel issues.
The Board exited executive session at 9:25pm.

There being no further business to come before the board a motion was made by Councilman Rooney, seconded by Councilman Baran to adjourn the regular meeting at 9:26pm.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorczak, Town Clerk