

Newstead Town Board Meeting- April 11, 2016

A regular meeting was called to order by the Newstead Town Board on Monday, April 11, 2016 at 8:00pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
James Mayrose- Councilman
John Jendrowski- Councilman
Joseph Dugan- Councilman
Nathan Neill- Attorney for the Town
Mike Bassanello- Highway Supt
Scott Rybarczyk- Town Engineer
Dawn Izydorczak- Town Clerk

Roll Call was taken with all board members present except Councilman York who is sick.

Town Attorney Nathan Neill led the pledge to the flag.

Minutes from the previous regular meeting held on March 28, 2016 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Dugan to approve as presented. Carried

Agenda Changes – a motion was made by Councilman Mayrose, seconded by Councilman Jendrowski to make the following agenda changes: Add motion to approve ZBA training Carried

Communications – The Town Clerk presented the following correspondence:

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

A request for liquor license renewal for 2016 from Carol Sauer for the Border Line located at 11825 Main Rd.

Notification from Village Clerk Borchert of the document shredding event dates for 2016 which are Saturday, June 4th and Saturday, August 6th from 9am-12pm at the joint Municipal Facility.

The March 2016 Operations Report was received from Amherst Central Alarm Office reporting 32 calls for Akron Fire Co and 19 calls for Newstead Fire Co.

A letter was received from the Akron-Newstead Community Coalition with funding requests for 2016 as well as a copy of the Coalitions by-laws.

A notice was received from FEMA regarding 12288 Tonawanda Creek Rd removing the structure on that property from the Special Flood Hazard Area.

Requests for Beer/Wine permits were received from: Dawn Cerone for 7/3/16 for family picnic, David Cummings for 7/31/16 for family reunion and Michael Bistoff for 8/21/16 for a family reunion.

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

Work Session: The Supervisor reported that at work session held last week the following items were discussed: buildings projects at town buildings, planning items- Bloomingdale unsafe building & recycling tote fees, highway equipment purchases & security cameras, grant items, IT services and Asset Management program, liquor license renewal and park requests, assessment litigation matters and any other matters brought before the Board.

Agenda Items Question Period: no one spoke

Budget transfers: A motion was made by Councilman Mayrose, seconded by Councilman Jendrowski to approve the budget transfers as per memo dated 4/11/16 from Bookkeeper Colleen Salmon.
Carried

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1604 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1612 for payment. Vouchers on this abstract(s) numbered from 338-380, totaling \$178,537.60. Councilman Mayrose seconded to approve payment as follows:

Abstract Batch(es) #1612:
General Fund (A) -\$17,063.79, General Fund- Outside Village (B) \$0, Highway (DA) -\$0, Highway: Outside Village (DB) \$2,527.24, CAP-Murder Creek (HM) \$306.67, CAP- Scotland Rd (HS)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$24,703.78, Sewer Fund (SS) \$1,078.13, Sewer District #2 (SS02)- \$563.50, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$90.49, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$132,204.00
Total: \$178,537.60
Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Mike reported they cleaned the pipes on Stage Road, cleaned the fence along town hall and chipped the brush at the joint municipal facility, helped the village haul dirt from 43 East Avenue to the joint municipal facility, plowed snow three times on April 4, 2016, completed 600’ of road ditching and driveway pipe on Stage Road, put up 45 MPH signs on Utley Road, changed cut edge on loader and worked on equipment in the shop.

Assessor – no report

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

Brian & Diane Welsh	11212 Hunts Corners	Generator
Joe Hooker	4878 Schutt	Generator
Jeremy Kidder	13677 Main	Cert. of Occupancy
Dennis & Eunice Hudomint	12473 Swift Mills	Remodel
Kelly Schultz	11061 Main	Storage building

The Town Board accepted the report as presented.

Town Clerk- Dawn presented the Dog Control Officers Report for the 1st Quarter of 2016. He highlighted events of a positively tested raccoon for rabies on Greenbush Rd, unlicensed dog owners ticketed, state inspection has been done and passed, and a reminder to residents that nicer weather is coming so please be aware of your dog(s) when they bark. Anything over 20 minutes is a nuisance.

Attorney for the Town – nothing to report

COUNCILPERSONS:

Mayrose – nothing to report

York – not present

Jendrowski - he attended the rec board meeting, congratulated Joel Gregorio on receiving the FDR Award, attended the Akron-Newstead Coalition meeting and reported that the Board of Directors needs to be filled out, spoke to Jeff Eddy at National Grid regarding LED lighting and attended the spaghetti dinner sponsored by the Newstead Senior Center.

Dugan – he met with Justice Campbell to discuss court processes.

Supervisor- the March Supervisor's Report is on file with the Town Clerk, ha had a meeting on the parks grant with the reviewer from the State and our grant writers and also met with grant writers on several other topics, met with Father Baker of St. Theresa's, attended the Elma Supervisors meeting, met with the Assessor and sat in on a meeting with the CEO to review an upcoming project. He attended a meeting at the Clarence Town Hall on the potential changes to the County Charter, met with DCO and spoke to some water district 5 users on Cedar Street regarding water pressure.

UNFINISHED BUSINESS:

Buildings- the board intends to rebid the library sidewalk project again with assistance on the bid specs from Wendel. Town Hall overhang project is in the planning phase.

Planning- proposed code changes are coming from the Planning Board

Water/Sewer- Lewis Rd sewer project is at 50% design and the legislation necessary to establish the district is next to be done. Cedar St water- a location has been found for the booster tank and next will be the design and construction cost estimates.

Grants- the Supervisor spoke with Senator Ranzenhofer's and Assemblywoman Corwin's offices this week about some potential funding for projects.

NEW BUSINESS:

Approval- Purchase of Highway Equipment:

Discussion:

Councilman Dugan expressed concern over the funding of the purchase and does not understand why we are pulling from several budget areas to fund this. He asked what needs to be done to the old machine to make it usable.

Councilman Jendrowski agreed he is also concerned over the financials. He feels we don't need this right away and asked if we could hold off on the purchase especially with negotiations coming up on the highway union contract and the fire contract. He also questioned if the old 1994 machine can be fixed and used.

Supervisor Cummings stated that the highway union contract and fire contracts have nothing to do with this purchase or the availability of funds for the purchase. Those are 2 totally separate line items of the budget and have no bearing on this. The money is there in the budget to pay for it. He thought he has explained that because this piece of equipment will be used over several areas the money is budget over those areas such as highway equipment, drainage, etc. He takes it very personally when the board members question him knowing that the money is there and available because he puts so much time into formulating the budget and making sure, as this town always has in the past, that we maintain a conservative approach to our finances. The money is there to make this purchase.

Highway Superintendent Bassanello stated the clutch and tires need to be replaced on the existing 1994 machine as well as it is having a problem with losing power that needs to be fixed. It is 22 years old. The old model has an open cab and this new one would have an enclosed cab enabling it to be used in worse weather conditions. He is tired of having every single highway issue that comes before the board contested like it never has been before.

A motion was made by Councilman Mayrose, seconded by Supervisor Cummings to approve the purchase by the Highway Department of a Kubota 4WD TRA w/ CAB at a total bid price of \$54,534.20 and a KB2200 Boom with accessories at a total bid price of \$51,846.85.

(Resolution Attached) Cummings-Aye, Dugan -No, Mayrose-Aye, York-Absent, Jendrowski- No
Failed to Pass

Approval- Right of Entry to Time Warner:

A motion was made by Councilman Dugan, seconded by Councilman Mayrose approving the agreement with Time Warner Cable Northeast LLC to allow right of entry to install fiber optic lines to the town hall building.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Mayrose-Aye, York-Absent, Jendrowski- Aye
Carried

Approval- Beer/Wine Permits for Parks:

A motion was made by Councilman Dugan, seconded by Councilman Mayrose approving the requests for beer/wine permits for: Dawn Cerone for 7/3/16 for family picnic, David Cummings for 7/31/16 for family reunion and Michael Bistoff for 8/21/16 for a family reunion.

Cummings-Aye, Dugan -Aye, Mayrose-Aye, York-Absent, Jendrowski- Aye Carried

Approval- Liquor License Renewal:

A motion was made by Councilman Mayrose, seconded by Councilman Dugan approving the request for liquor license renewal for Carol Sauer for the Border Line located at 11825 Main Rd.

Cummings-Aye, Dugan -Aye, Mayrose-Aye, York-Absent, Jendrowski- Aye Carried

Approval- Air Monitoring for Demolition:

A motion was made by Councilman Mayrose, seconded by Councilman Jendrowski approving the use of AMD for air monitoring at the demolition of 13907 Bloomingdale Rd at a cost of \$1400.00.

Cummings-Aye, Dugan -Aye, Mayrose-Aye, York-Absent, Jendrowski- Aye Carried

Approval- ZBA Training:

A motion was made by Councilman Mayrose, seconded by Councilman Jendrowski approving the request for Zoning Board of Appeals members Fred Pask and Max Brady to attend training in May.

Cummings-Aye, Dugan -Aye, Mayrose-Aye, York-Absent, Jendrowski- Aye Carried

Privilege of the Floor/Question Period: no one spoke

A motion was made by Councilman Mayrose, seconded by Councilman Dugan to cancel that April 18th work session. Carried

There being no further business to come before the board for the regular meeting a motion was made by Councilman Mayrose, seconded by Councilman Dugan to adjourn the regular meeting at 8:37pm.

Carried

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