

Newstead Town Board Meeting- July 13, 2015

A regular meeting was called to order by the Newstead Town Board on Monday, July 13, 2015 at 8:10pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
James Mayrose – Councilman
Justin Rooney- Councilman
Donald York- Councilman
John Jendrowski- Councilman
Nathan Neill- Attorney for the Town
Scott Rybarczyk- Town Engineer
Dawn Izydorzak- Town Clerk
Jennifer Heberling- Deputy Town Clerk

Roll Call was taken with all board members present.

Councilman Mayrose led the pledge to the flag.

Minutes from the previous regular meeting held on June 22, 2015 were presented for approval. A motion was made by Councilman Rooney, seconded by Councilman Mayrose to approve as presented. Carried Unanimously

Minutes from the special meeting held on June 29, 2015 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Jendrowski to approve as presented. Carried Unanimously

Agenda Changes – a motion was made by Councilman York, seconded by Councilman Jendrowski to make the following agenda changes: G. add resolution to approve GIS contract with Wendel H. add motion for ZBA training for Fred Pask Carried Unanimously

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 notification from Clarence Supervisor Dave Hartzell notifying the town that the speed limit on County Rd west of Salt Rd will be dropped from 55MPH to 50 MPH based on a speed study done.

A notification of a training sessions, one on Floodplain Management to be held July 23rd from 9:45am – 4:45pm and a Levee Mapping Requirements session to be held on July 24th from 9:30am-12:30pm, with both being held at the Orchard Park Town Hall.

A notification of an Association of Towns Planning & Zoning training session on August 7th from 8:30am-3:45pm to be held at the Lodge at Holiday Valley in Ellicottville.

The June 2015 Operations Report was received from Amherst Central Alarm Office reporting 41 calls for Akron Fire Co and 30 calls for Newstead Fire Co.

The results of a study done by the NYS Public Service commission on the state of telecommunications in New York State.

The 2015 Annual Report of the Department of Real Property Tax Service for Erie County, which contains the 2014 equalization rates and 2014-15 tax rates for the County.

A notice of Hearts and Hands volunteer recognition picnic On July 23, 2105 from 5:30pm-7:30pm at the Newstead Community Building lower level.

A petition signed by 44 residents on Utley Rd requesting the town to lower the speed limit on Utley Rd from 55mph to 35 mph.

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

Work Session: The Supervisor reported that no work sessions have been held past 2 weeks but prior to tonight's meeting the following items were discussed: water/sewer issues, buildings projects at town buildings, contract for the senior center & fire company, grant application items, IT services, terms and conditions, planning issues, dog control truck, wellness seminar request, indigenous peoples day committee 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 York to approve the budget transfers as requested by Bookkeeper Colleen Salmon in a memo dated July 13, 2105. Carried Unanimously

Approval of Bills – Councilman Mayrose reported that the Abstract(s) from Batch(es) #1522 with USDA bond payment from the June 22, 2015 meeting have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1523 and 1527 with wire for bond payment for payment. Vouchers on this abstract(s) numbered from 643- 647 and 679-742, totaling \$199,792.57. Councilman Rooney seconded to approve payment as follows:

Abstract Batch(es) #1523 and 1527 with wire for bond payment:
General Fund (A) -\$122,485.88, General Fund- Outside Village (B) \$73.58, Highway (DA) -\$0, Highway: Outside Village (DB) \$31,687.64, CAP-Murder Creek (HM) \$0, CAP- Scotland Rd (HS)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$7,761.60, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$36,947.70, Sewer Fund (SS) \$450.94, Sewer District #2 (SS02)- \$186.68, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$198.55 (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0 Total: \$199,792.57 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Highway Superintendent Bassanello was not present but the following report was given by Supervisor Cummings on his behalf: finished road mowing for the second time, 5,140 feet of field ditching done on Greenbush Road, helped the town of Clarence with shoulder work, and checked out 3 spots of reported Hogweed. The DEC removed the hogweed on Utley Road. They repaired the oil pan on truck #9, replaced a seal on the skid steer, mowed, cleaned the town park following the 4th of July, checked two field ditching jobs and did some field ditch mowing.

Assessor – no report presented.

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

Kim Light	13869 Bloomingdale	Addition
Dennis Hudomint	Country Meadows Lot#20	Manufacture Home
Kim Light	13869 Bloomingdale	Roof, siding, windows
Strollo	13527 Bloomingdale	Roof
John Jeziorowski	13523 Dorsch	Support posts
Charles Karcher	v/l Carney Rd	Pole barn
Marcey Fisher	7992 Kathryn	Driveway
Bonnie Dee	7722 Moore	Deck
Mark Adams	11110 Keller	Pole barn
Bruce Serena	7895 Maple	Permit renewal
Ray & Phyllis Cheavacci	13442 Carney	Roof
Rick & Kelly Carter	6410 Dye	Addition & porch replacement

The Town Board accepted the report as presented.

Town Clerk- nothing at this time

Attorney for the Town – nothing at this time

COUNCILPERSONS:

Rooney – he has a meeting with Darwin Hill of the Seneca Nation tomorrow regarding Indigenous People Day. He spoke with residents regarding ideas for Indigenous Peoples Day and reported a Hogweed siting to Mike. That information was forwarded to the DEC. He asked Paul Winney to come to the next work session and discuss updating of the town seal. He would like to set a meeting with Village officials, Erie County Parks officials and the Akron Police Department to discuss the jumping off of the falls at Akron Falls Park. He also would like to address banning smoking in the town parks. He congratulated Connor and Molly who finished third in the soap box derby race over the 4th of July.

Mayrose – he spoke to residents who have concerns regarding the potential Cummings Road bike path crossing.

York – he volunteered at the 4th of July celebration and spoke to residents regarding Indigenous People Day.

Jendrowski – he volunteered at the 4th of July celebration.

Supervisor – the June Supervisors Report is on file with the Town Clerk. He met with the grant writers on several issues, the Senior Director a couple times, the Highway Supt. on several issues, the CEO, the IT evaluator with Councilman Mayrose and is addressing several building repairs at both the town hall and senior center.

UNFINISHED BUSINESS:

Buildings – work has started on the town hall masonry project.

Planning – next work session the board will go over potential code changes.

Water – Downey Road line has been approved by ECWA. The inter-connection will be done Wednesday and then the residential connections. Scott Rybarczyk will be attending and presenting at the planning sessions in Ellicottville.

Grants – the town is in process of applying for two grants at this time.

NEW BUSINESS:

Approval- Application for E & WG Foundation Grant:

A motion was made by Councilman Jendrowski, seconded by Councilman York authorizing the Town Supervisor to apply for and execute a \$20,000.00 grant through the E & WG Foundation for work to be done at the Newstead Library both entry ways to address safety issues.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried Unanimously

Lead Agency- Site Plan- Tim Hortons- Main Rd:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney declaring lead agency on the proposed project and site plan for a Tim Hortons on Main Rd and authorizing the building department to conduct a coordinated review of the project.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried Unanimously

Public Hearing- Site Plan- Tim Hortons- Main Rd:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the calling of a public hearing for a site plan for the proposed Tim Hortons on Main Rd to be held on July 27, 2015 at 7:40pm at the Town Hall and authorizing the Clerk to publish the notice.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried Unanimously

Public Hearing- Site Plan/Special Use Permit- 12474 Main Rd:

A motion was made by Councilman York, seconded by Councilman Mayrose approving the calling of a public hearing for a site plan/special use permit for the proposed used auto storage at 12474 Main Rd to be held on July 27, 2015 at 7:50pm at the Town Hall and authorizing the Clerk to publish the notice.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried Unanimously

Approval to Bid- Cleaning Contract for 2016:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose authorizing the Town Clerk to advertise for bids for a cleaning contract for all the town buildings for 2016 with bids to be received by 1:00pm on July 29, 2015.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried Unanimously

Approval- Going Places Van Contract Amendment:

A motion was made by Councilman Jendrowski, seconded by Councilman York approving the amendment to the contract with the Town of Clarence to add Saturday service for the Town of Newstead on the Going Places Van and increasing the share of the van service to a 50%/50% split between Clarence and Newstead and authorizing the supervisor to execute the amended agreement.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried Unanimously

Approve- Changes to Employee Terms and Conditions:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose authorizing the changes as proposed and presented to the Board to the employee terms and conditions effective immediately for 2015.

Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye Carried Unanimously
Councilman Rooney stated he feels these changes were a very good compromise.

Approval- Wendel- GIS Web Mapping Application Implementation:

A motion was made by Councilman Mayrose, seconded by Councilman Jendrowski authorizing the Town Supervisor to execute an agreement with Wendel in the amount of \$10,400.00 for a GIS Web Mapping application implementation.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried Unanimously

Approval- Training Request- Fred Pask:

A motion was made by Councilman Rooney, seconded by Councilman York authorizing Fred Pask to attend a Zoning Board of Appeals training session on August 7, 2015 in Ellicottville, NY.

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

Authorization- Speed Study- Utley Rd:

A motion was made by Councilman Mayrose, seconded by Councilman York authorizing a request for a speed study to be sent to Erie County Superintendent of Highways for Utley Rd, along with a copy of the petitions signed by residents.

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

Privilege of the Floor/Question Period:

Marsha Pfeiffer of 13373 Stage Rd spoke to the Board about neighborhood concerns.

Jerry Szmania of 13356 Stage Rd also spoke regarding neighborhood concerns.

The Supervisor stated they will research and do what they can to assist the residents. They will stay in touch on this.

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 8:56pm.

Carried Unanimously

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