

## Newstead Town Board Meeting- January 23, 2012

A regular meeting was called to order by the Newstead Town Board on Monday, January 23, 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  
Mike Bassanello- Highway Supt.  
Scott Rybarczyk- Town Engineer  
Nathan Neill- Town Attorney  
Dawn Izydorzak- Town Clerk  
Jennifer Heberling- Deputy Clerk

Roll Call was taken with all board members present.

Councilman York led the pledge to the flag.

Minutes from the previous regular meeting held on January 9, 2012 as well as the organizational meeting were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Baran to approve as presented. Carried Unanimously

**Communications** – The Town Clerk presented the following correspondence:

A letter from the Erie County Executive's office notifying the town that they have been awarded \$265,559 in Community Development Block Grant funding for the Rural Transit Van Service for 2012.

A liquor license renewal request has been received from the Links at Ivy Ridge for 2012 for the golf course at 12221 Main Rd, as well as a beer cart service renewal.

The towns new refuse rates for 2012 were received from Allied Waste.

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

**Work Session:** The Supervisor reported that at the work session held prior to tonight's meeting the following items were discussed: dog licensing issues, water districts issues, building projects updates, planning issues, personnel issues, contracts, grants, as well as any other issues brought before the board.

**Privilege of the Floor** – no one appeared to speak.

**Budget Transfers:** a motion was made by Councilman Mayrose, seconded by Councilman Baran to approve the budget transfers for 2011 per a memo from Bookkeeper Colleen Salmon dated 1/23/12. Carried Unanimously

**Approval of Bills** – Councilman Mayrose reported that the Abstract from Batch(es) # 1141 & 1142 from the January 9, 2012 meeting has been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1147 for 2011 & 1148 for 2012 and a wire transfer for payment. Vouchers on these abstracts numbered from 1539 – 1562 for 2011 and 18- 35 for 2012, totaling \$96,330.52 and were presented by Councilman Mayrose, seconded by Councilman York to approve payment as follows:

Abstract Batch(es) #1147 & 1148 plus wire transfer:  
General Fund (A) -\$21,153.42, General Fund- Outside Village (B) \$1,756.34, Highway (DA) -\$0,  
Highway: Outside Village (DB) \$5,714.27, Capital Projects: CAP- Highway Garage- (HG) -  
\$54,088.62, CAP-Murder Creek (HM) \$0, CAP- Equipment Purchase (HR02)- \$0, CAP- Scotland  
Rd (HS)- \$0, CAP- Town Hall (HT)- \$0, CAP- Water Improvement (HW)- \$0, Drainage (SD)- \$0,

Fire Protection (SF) \$4,352.32, Refuse (SR) \$0, Sewer Fund (SS) \$2,145.59, Sewer District #2 (SS02)- \$591.48, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$6,528.48, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0  
Total: \$96,330.52

Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – the annual tire drop-off for 2012 is scheduled for April 28<sup>th</sup>. The spring white goods pick-up is scheduled for April 30<sup>th</sup>. The wind storm last Tuesday brought a tree down on Siehl Road. They removed it from the road and ground it up. Mike attended the Erie County Highway Supt. meeting last week and they are working with Senator Tim Kennedy on new road signage legislation. The legislation will be presented to Albany in March on Advocacy Day.

**Assessor** – no report presented

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

Ben Schultz	11241 Stage	Roof
Gerald Pasinski	12474 Main	Demolition
Betty Grzybek	12515 McNeeley	Barn alteration
Nathan Schmitt	12003 Rapids	Shed
Nova Schlager	11258 Clarence Center	Pole barn

The Town Board accepted the building report as presented.

**Town Clerk** – Dawn reported that the 15 shelving units that we received an archives grant for have been delivered and 10 are in the town hall archives and 5 are in the library lower level for the historian and rec department use.

**Attorney for the Town** – nothing to report.

**COUNCILPERSONS:**

**Rooney** – nothing to report.

**Mayrose** – he attended the assessment advisory committee meeting. Ads will be put in the paper before the impact notices go out. He also attended court to watch the CEO handle cases brought before the court. He is doing a great job defending our code.

**Baran** – the roof, gutters & flashing at the senior center are complete. Work has begun on the ceiling at the Denio.

**York** – nothing to report.

**Supervisor-** the December Supervisor’s Report is on file with the Town Clerk.

**UNFINISHED BUSINESS:**

**Water Districts** – still working on regulatory issues and the Supervisor is helping with this. The shop drawings are all in and the contractors are ready to go once the approval is received.

**Shared Public Works Facility Project** – the doors are in progress and they are starting a move in schedule.

**Murder Creek** – DEC water quality grant phase is set to start. Carl Klingenschmitt was asked by the Supervisor to help with this next phase.

**NEW BUSINESS:**

**Public Hearing- Home Based Business- 6505 Draper Rd:**

A motion was made by Councilman Mayrose, seconded by Councilman York approving the calling of a public hearing for the home based business located at 6505 Draper Rd and operated by owner Gary Roth, to be held February 13, 2012 at 7:45pm at the Town Hall.

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

Carried Unanimously

**Public Hearing- Home Based Business- 12663 McNeeley Rd:**

A motion was made by Councilman Baran, seconded by Councilman Mayrose approving the calling of a public hearing for the home based business located at 12663 McNeeley Rd and operated by owner Doug Matusek, to be held February 13, 2012 at 7:50pm at the Town Hall.

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

Carried Unanimously

**Public Hearing- Home Based Business- 13546 Stage Rd:**

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the calling of a public hearing for the home based business located at 13546 Stage Rd and operated by owner Michael Borth, to be held February 13, 2012 at 7:55pm at the Town Hall.

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

Carried Unanimously

**Approval- Affirmative Action Officer:**

A motion was made by Councilman York, seconded by Councilman Rooney approving the reappointment of Town Clerk Dawn Izydorczak as Affirmative Action Officer for 2012.

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

Carried Unanimously

**Approval- Municipal Endorsement- DEC Water Quality Grant:**

A motion was made by Councilman Mayrose, seconded by Councilman Baran approving the receipt of a water quality grant from the NYS DEC and authorizing the Supervisor to act on behalf of the town in all matters related to the grant and committing the required funds necessary for the project.

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

Carried Unanimously

**Approve Training for Highway Superintendent & Supervisor:**

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the request to attend training in Ithaca in June by Highway Superintendent Mike Bassanello and Supervisor Cummings to attend the Association of Towns in New York City in February.

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

Carried Unanimously

**Approve 2012 Budget Amendment:**

A motion was made by Supervisor Cummings, seconded by Councilman Mayrose approving the amendment of the budget for 2012. Archives grant money received (\$1,600) was recorded as deferred revenue in 2011, to be recognized as revenue in 2012 once the funds are spent.

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

Carried Unanimously

**Approval- Liquor License Renewal:**

A motion was made by Councilman Mayrose, seconded by Councilman York approving the liquor license renewal request for 2012 for the Links at Ivy Ridge, 12221 Main Rd. as well as renewal of their beer cart service.

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

Carried Unanimously

**Approval – 2012 Special Use Permit Renewals:**

A motion was made by Supervisor Cummings, seconded by Councilman Rooney to approve the following special use permit renewals for 2012: Triple G Small Engine Repair, Champion Auto Locaters, T & T Tire & Auto, Outdoor Pleasures Landscaping, Destroyer Park Golf

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

Carried Unanimously

There was discussion regarding cancelling the January 30<sup>th</sup> work session. After much debate it was decided the work session would be held as scheduled.

The joint meeting scheduled for February 6th with the Village Board may be rescheduled. The Supervisor will let everyone know as soon as he finds out if it is being postponed and a new date.

**Question Period** – no one appeared to speak.

There being no further business to come before the board a motion was made by Councilman Mayrose, seconded by Councilman York to adjourn the regular meeting at 8:26pm.

Carried Unanimously

Respectfully Submitted,  
Dawn D. Izydorcak, Town Clerk