

Newstead Town Board Meeting- January 28, 2008

A Regular Meeting was called to order by the Newstead Town Board on Monday, January 28, 2008 at 8:00PM at the Newstead Town Hall.

Present: David Cummings- Supervisor
Tom George- Councilman
Harold Finger- Councilman
Justin Rooney- Councilman
Cheryl Esposito- Councilwoman
Mike Bassanello- Highway Supt.
Rebecca Baker- Assessor
Scott Rybarczyk- Town Engineer
Nathan Neill- Town Attorney
Dawn D. Izydorczak- Town Clerk
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present.

Scott Rybarczyk led the pledge to the flag.

Minutes from the previous regular meeting held on January 14, 2008 were presented for approval. A motion was made by Councilman Finger, seconded by Councilman Rooney to approve with a correction to Councilman Finger's vote on his appointment to the ACS Budgetary Committee from "no" to "Abstained" from voting.

Carried Unanimously

Communications – The Town Clerk presented the following:

The 2008 Conservation Tree & Shrub Seedling Program brochures were received from Erie Co. Soil and Water. This years order by date is March 20th and pick-up date is April 19th at the Hamburg Fairgrounds.

The 4th Quarter and Year End Report was received from Waste Management showing a total of 74.76 Tons of recycling and 471.55 tons of solid waste collected.

A letter was received from Akron Little League Football requesting that the town consider installing lights at the Town Park fields which would enable both the football and soccer leagues to use the fields for evening practices/games.

Two new public hearing notices were received for the property located at 64 John St, next to the town cemeteries, announcing a new hearing date of January 30th for their zoning request in the village.

A letter was received from Councilman Rooney stating he declines his pay raise for 2008 and requesting adjustment of his paychecks back to the 2007 rate.

A motion was made by Councilman George, seconded by Councilman Finger to receive and file correspondence as presented.

Carried Unanimously

Work Session: The Supervisor reported that at the last work session the following issues were discussed: water district issues, sewer district 1 issues, joint facilities study, grant submissions, codification project, planning issues, denio basement project, terms and conditions for employees. A joint meeting was held with the Village Board following the work session on the Facility Study.

Privilege of the Floor – Stan Serwon of 5759 Davison Road stated that the Newstead Citizen Voice group conducted a survey that he feels depicts what members of the community that responded would like to see in the future in the Town. He would like to present the responses they gathered to the Town Board. Mr. Serwon stated this would give the board an idea of what is important to the residents of this community that participated in the survey. He feels the presentation would take about 30 minutes. The Supervisor will contact him with a work session date and time.

Approval of Bills -Councilwoman Esposito reported that the Abstracts from Batches #672, 673, 674 & 675 from the January 14, 2008 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #680 & 681. Vouchers on this abstract numbered 1348-1363, for 2007 and 27-45, for 2008 totaling \$53,913.32 and were presented by Councilwoman Esposito, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #680 & 681:

General Fund (A) -\$21,393.03, General Fund- Outside Village (B) \$3,312.30, Highway (DA) -\$0, Highway: Outside Village (DB) \$4,949.26, Capital Projects: CAP-WD#10-phase 2 (HI)- \$24,022.00, October Storm (HL) - \$0, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$26.14, Sewer District #2 (SS02)- \$88.25, and Water Districts (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$122.34, Trust & Agency(TA)- \$0
 Total: \$53,913.32

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Nothing at this time

Assessor –She and Jennifer have been working on information for LUCA for the 2010 Census. The Village of Akron is finished and they will be starting with corresponding roadwork tomorrow. They will then begin work on the Town segment. This information needs to be completed and returned by April 1st, 2008.

Building Office –the building report was presented by Building Administrator Christine Falkowski:

Jerome Kostanciak	12722 Stage	Woodburning Stove
Dan Mault	8057 Maple	Fire damage restoration
Triple G Small Engine Repair	12056 Buckwheat	Special Use Permit Renewal
Buffalo Drilling Co, Inc.	10440 Main	Special Use Permit Renewal
Barry Jones	7389 Downey	Deck & porch roof
Champion Auto Locators	11678 Main	Special Use Permit Renewal

The Town Board accepted the report as presented.

Town Clerk- nothing to report

Attorney for the Town – He is meeting with Ciminelli on the Muir Woods development on Thursday. He will bring the Supervisor and Board up to date following the meeting.

COUNCILPERSONS

George- Nothing at this time

Finger-He attended the Drainage meeting on January 15th . A proposed 2008 project list is being submitted by the Highway Superintendent that will also include a list of other future projects. He is meeting a contractor tomorrow to look at the scope of electrical work to be done in the Denio building.

Rooney- Nothing at this time

Esposito- Nothing at this time

SUPERVISOR- The Supervisor’s Report for December 2007 is on file with the Town Clerk. He will be attending the Association of Towns conference next month. He attended a meeting of the Erie County Consortium and had two meetings with the Village of Akron Mayor.

UNFINISHED BUSINESS

Water District #10- Phase 3 –They are continuing work on grants. The Supervisor will get correspondence received from Mr. Willart over to Wendel this week.

Shared Public Works Facility Committee- The results of the joint meeting need to be discussed.

NYS Toll Barrier- waiting for a response from NYS Thruway Authority.

GIS- The grant application submission is in process. Carl and Dawn are meeting with the grant writer tomorrow to pull together all items necessary for the grant application filing at the end of the week.

Codification Project – The public hearing has been set and there have been requests for copies of the changes. Becky and Dawn will be scanning the proposed changes and posting them on the website tomorrow.

NEW BUSINESS:

Budget Amendment- Denio Grant:

A motion was made by Councilman Finger, seconded by Councilman George approving a budget amendment increasing appropriations (A1620.4) by \$20,500 and increasing revenues (A2705) by \$20,500 to reflect the grant received from E & WG Foundation for work to be completed in the Denio building.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Neg Dec & Site Plan Approval- Niagara Specialty Metals:

A motion was made by Councilwoman Esposito, seconded by Councilman Finger issuing a negative SEQRA declaration and approving the site plan dated 11/15/07 for a 5,896 sq. ft. shipping addition to the Niagara Specialty Metals complex at 12600 Clarence Center Rd.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Highway Funds Expenditures:

A motion was made by Councilman Rooney, seconded by Councilman George approving the expenditure of funds received from New York State for highway repairs within the Town in the amount of \$100,000 and an additional \$15,000 in funds for repairs on Clair Drive and authorizing the execution of the agreement with the state.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Councilman George outlined the purpose of tonight’s Joint Facilities resolution, which resulted from discussions held at the joint town/village meeting two weeks ago. The Village and Town Boards decided it was in the best interest to conduct an “Apples to Apples” comparison of construction of the proposed new facility versus the purchase and reconstruction of the existing facility located on Indian Falls Road. There needs to be an exact, measurable quantities comparison completed of both proposals to be able to make the best possible decision for both municipalities.

Joint Facility Proposal Approval:

A motion was made by Councilman George, seconded by Councilman Finger approving the proposal dated 1/23/08 as submitted by Wendel Duchscherer for work to evaluate the property owned by Northeast Caissons on Indian Falls Rd as a potential alternative for a Joint Municipal Works Facility, contingent upon the approval by the Village of Akron Board and their agreement to pay ½ of the associated costs. Once approval is received from the Village Board the Supervisor is authorized to execute a contract with Wendel Duchscherer.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Councilman George stated that initially prior to beginning the facility study both municipalities agreed to set aside \$40,000-\$50,000 for completion of the study. Then they received a \$103,000 grant from New York State to be used towards the study, which has covered the costs of the study to date. Therefore, the dollars approved in tonight’s resolution will actually be the first money spent by

both municipalities towards this project. The Supervisor stated there is some money left from the state grant and he is looking into whether those funds can also be applied to this next phase of the project. The Supervisor stated the urgency on this project is great to a degree, but both boards have agreed it is necessary to take this time and make the right overall decision on what proposal to pursue.

Grant Writer Contract Approval:

A motion was made by Councilman Rooney, seconded by Councilman George approving the renewal of the contract with Grant Services of New York for a period from February 1, 2008-January 31, 2009 in an amount not to exceed \$14,000.00.

Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye

Carried Unanimously

Supervisor Cummings gave an update on the Sewer District 1 work. The generator has been received and is scheduled to be installed and functioning by the end of this week.

Question Period- No one spoke

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilman Rooney to adjourn the meeting at 8:37 PM.

Carried Unanimously

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