

Newstead Town Board Meeting- February 11, 2008

A Public Hearing was called to order by the Newstead Town Board on Monday, February 11, 2008 at 7:45PM 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.
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.

The Supervisor called the public hearing on Local Law #2 of 2008 regarding adoption of the amendments to the Code of the Town of Newstead to order at 7:45 pm instead of 7:30pm as no one had shown up earlier.

The Clerk read the proof of publication.

The Supervisor outlined that most of the changes made were very minor in nature and most were made to simply bring the code up to current standards. He asked the Clerk if many people had picked up copies of the change packets. Dawn said yes, actually several people had.

Comments: No one spoke

There being no further comments a motion was made by Councilman Finger, seconded by Councilman Rooney to close the public hearing at 7:50pm.

A regular meeting of the Town Board was called to order at 8:00pm with the same members present as listed above.

Supervisor Cummings led the pledge to the flag.

Minutes from the previous regular meeting held on January 28, 2008 were presented for approval. A motion was made by Councilman Finger, seconded by Councilman George to approve as presented.
Carried Unanimously

Communications – The Town Clerk presented the following:

A letter was received from APA Nursery School requesting use of the Town Park shelter on Friday, May 16th and Friday, May 29th for their end of the year picnics.

A letter of intent to renew a liquor license was received from Dande Farms Restaurant, Inc. located at 13278 Carney Rd.

An announcement of a free GIS workshop has been distributed to interested employees. The closest workshop will be held February 13th at the Erie County Emergency Services Training Center.

The January 2008 Operations Report was received from Amherst Central Alarm Office reporting 36 calls for Akron Fire Co. and 24 calls for Newstead Fire Co.

A letter was received from the Department of State that Local Law No. 1 of 2008 was received and filed on January 28, 2008.

A letter from Time Warner Cable announcing the current services which are under re-negotiation.

A notice of a Public Hearing on the Restore NY Funding projects will be held on February 27, 2007 at 10:30am at the Legislative offices in Albany.

A motion was made by Councilman George, seconded by Councilman Rooney 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, planning issues, CAC issues, the Survey taken by NCV, denio basement project, assessment issues, park development requests, personnel items, grant submissions, and possibilities for 2008-2009.

Privilege of the Floor – Jim Fitzpatrick of 7495 Scotland Rd presented some suggestions on citizens participation at meetings. He suggested holding informal open town hall meetings every month that has a 5th Monday where the Board members would wear casual dress and meet in one on one sessions with residents that show up to hear their issues. He feels this would create more participation by the public and create a better understanding of the boards function.

Chief Patrick Flynn brought greetings from Sheriff Howard’s office and welcomed all the newly elected and re-elected officials to a new year. He stated the Sheriffs office is planning on running another session of the Citizens Police Academy soon. He explained this is a 10 week program that enables citizens interested in law enforcement, or those just interested in seeing how the department works, to attended training sessions, tours of facilities, and see the many different positions and functions of the Sheriffs Department. He will keep in contact with the Clerk to provide information on the program as it becomes available.

Budget Transfers:

A motion was made by Councilman Finger, seconded by Councilwoman Esposito to approve the 2007 year end budget transfers per the memo dated 2/8/08 from Bookkeeper Colleen Salmon.
Carried Unanimously

Approval of Bills -Councilwoman Esposito reported that the Abstracts from Batches #680 & 681 from the January 28, 2008 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #686. Vouchers on this abstract numbered 46-96 totaling \$76,222.90 and were presented by Councilwoman Esposito, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #686:

General Fund (A) -\$10,055.91, General Fund- Outside Village (B) \$938.18, Highway (DA) -\$0, Highway: Outside Village (DB) \$21,892.18, Capital Projects: CAP-WD#10-phase 2 (HI)- \$0, October Storm (HL) - \$0, Drainage (SD)- \$0, Fire Protection (SF) \$4,245.12, Refuse (SR) \$32,719.33, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$0, and Water Districts (SW1) \$40.20, (SW2) \$88.44, (SW3) \$112.56, (SW4) \$112.56, (SW5) \$2,420.04, (SW6) \$305.52, (SW7) \$426.12, (SW7A) \$48.24, (SW8) \$32.16, (SW9) \$88.44, (SW10) \$2,697.90, Trust & Agency(TA)- \$0
Total: \$76,222.90
Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Nothing to report.

The Supervisor thanked Mike and the crews for all their extra hard work lately at keeping the roads plowed.

Assessor – Nothing to Report.

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

Christopher Elis

7309 Maple

Permit renewal

The Town Board accepted the report as presented.

Town Clerk- January 2008 Dog Control Officers report was presented. 2008 County/Town tax bills are in and will be mailed at the end of this week. Due date is March 17th. Recycling bins have been ordered and should be in within a week. The replacement cost will stay the same at \$6.00/bin. Mike will be sending truck to pick up in Niagara Falls.

Councilman George and the Supervisor both questioned the extremely low mileage reported for 2007 on the Dog Control Report. They will ask the DCO about the necessity for the truck and if personal vehicles are being used too much instead of the truck.

Councilman Finger also brought up the Buffalo United request to use the Town Park fields in April. He has discussed it with Supt. Bassanello and the Board and they have decided that date is too early for use of the fields due to the unpredictability of the weather at that time of year. He needs contact information to let them know.

Attorney for the Town – Nothing at this time.

COUNCILPERSONS

George- Nothing at this time.

Finger- He attended several meetings over the past two weeks including one at the Senior Center, a meeting with the Village on LOSAP and he met with the accountants on Friday.

Rooney- Recreation Board minutes are available and in everyone's box.

Esposito- Nothing at this time.

SUPERVISOR- He met with the Village on LOSAP and also met with the Town Historian on her ideas for the next couple years. He also met with the representatives from Re-tree on the re-planting program.

UNFINISHED BUSINESS

Water District #10- Phase 3 – they are still in the process on the USDA funding and are continuing to research other funding sources. The first funding payments on Phase 1 and 2 will be coming up in March and they are working on the numbers for the new rates. They should hear soon on the USDA funding once it is submitted.

Shared Public Works Facility Committee- A meeting is scheduled for this Wednesday at 8:00am at the town hall to hear the results so far on the Indian Falls Rd site evaluation.

GIS- Grant submission was sent out last Friday. Now we wait to hear results in April – June.

Sewer District #1- ADESA representatives were on site today and started the generator and as far as they know everything is running fine. Scott will keep the board updated as he hears results.

Drainage- Councilman Finger questioned if there is a Drainage Committee meeting next week and Scott said yes there is and the issue of drainage into the town needs to be addressed.

Murder Creek Mitigation Project Meeting- The Supervisor informed everyone there will be a meeting with the residents and property owners located in the Murder Creek stabilization project area at the Village Hall on February 28th at 7:30pm to keep them up to date on the project and what work will be done this Spring.

NEW BUSINESS:

Lead Agency- ADESA/Insurance Auto Auction:

A motion was made by Councilman Rooney, seconded by Councilman George issuing a declaration of Lead Agency on a proposed 7,500 sq. ft. office building and a 20,000 sq. ft. mechanic shop along

with parking, utility, storm drainage and utility improvements at their facility located at 12200 Main Rd. The building department is instructed to perform a coordinated review.
(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Neg Dec & Site Plan Approval- Akron Airport: Tabled

A motion was made by Councilman George, seconded by Councilman Rooney to table this issue until the next work session as the board members had several questions on the location of the proposed hanger.
(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Special Use Permit Approval:

A motion was made by Councilman George, seconded by Councilman Finger approving the renewal for 2008 of a Special Use Permit for Lewistraum Kennels located at 12472 Stage Rd per the recommendations of the Planning and Zoning Boards.
Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye Carried Unanimously

Planning/Zoning Board Pay Rates Correction:

A motion was made by Councilman George, seconded by Councilman Rooney approving the correction of the pay rates reported in the Organizational Meeting for the Planning Board from \$30 to \$40 per meeting and the annual salary for the Chairman from \$1,800 to \$2,040.
Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye Carried Unanimously

A motion was made by Councilman George, seconded by Councilman Finger approving the correction of the Zoning Board pay rate from \$20 to \$25 per meeting and the chairman's rate from \$25 to \$30 per meeting.
Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye Carried Unanimously

Staff Training Approval:

A motion was made by Councilman Finger, seconded by Councilman George approving the scheduling of a training session for all town employees with Developing Professionals to be held on March 29th from 9:00am – 1:00pm.
Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye Carried Unanimously

Dande Farms Liquor License Renewal:

A motion was made by Councilman Rooney, seconded by Councilman George approving the request by Dande Farms Restaurant to renew their liquor license for the restaurant located at 13278 Carney Rd.
Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye Carried Unanimously

C.A.C.: Open Space Informational Meeting:

A motion was made by Councilwoman Esposito, seconded by Councilman Finger approving the request of the Conservation Advisory Council to hold a meeting on Open Space Preservation to provide information to interested residents at the Akron Central School Auditorium on March 18, 2008 at 7:30pm.
Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye Carried Unanimously

The Supervisor announced there will be no work session next week. They will schedule an earlier work session prior to the meeting on the 25th.

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 8:35 PM.
Carried Unanimously

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