

Newstead Town Board Meeting- February 23, 2009

A Regular Meeting was called to order by the Newstead Town Board on Monday, February 23, 2009 at 8:00pm at the Newstead Town Hall.

Present: David Cummings– Supervisor
Tom George- Councilman
Harold Finger- Councilman
Justin Rooney- Councilman
Cheryl Esposito- Councilwoman
Nathan Neill- Town Attorney
Mike Bassanello- Highway Supt.
Scott Rybarczyk- Town Engineer
John Good- Code Enforcement Officer
Dawn D. Izydorczak- Town Clerk
Kathy Lang- Deputy Clerk

Roll Call was taken with all board members present.

Town Attorney Nathan Neill led the pledge to the flag.

Minutes from the previous regular meeting held on February 9, 2009 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 renewal application notice form was received from The Links at Ivy Ridge notifying the town of their intent to renew the liquor license for 12221 Main Rd under the name of Ivy Ridge Food and Beverage, LLC for 2009.

A letter was received from NYS DOT notifying the town the requested speed study has been completed on Barnum Rd and a determination has been made to lower the speed limit to 45 mph. All necessary signs will be posted by the Erie County DPW.

A letter from Time Warner Cable announcing the 27 service providers they are currently renegotiating agreements with as well as a listing of the new channel line ups that will become effective now thru April 2009.

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

Work Session: The Supervisor reported that no work session was held last week, however the following issues were discussed prior to tonight’s meeting: water district issues, Joint Facilities committee, assessment, planning issues, grant submissions, limerick hall, soccer scheduling, personnel issues/contracts and any other items found necessary.

Privilege of the Floor – no one spoke

Budget Transfers: none

Approval of Bills -Councilwoman Esposito reported that the Abstracts from Batches #804 from the February 9, 2009 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #808 & 809. Vouchers on this abstract numbered 134- 169 totaling \$60,044.19 and were presented by Councilwoman Esposito, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #808 & 809:
General Fund (A) -\$35,083.16, General Fund- Outside Village (B) \$92.00, Highway (DA) -\$0,
Capital Projects: CAP-WD#10-phase 2 (HI)- \$0, Town Hall Addition (HT)- \$0, Murder Creek

Stabilization (HM) - \$0, Highway: Outside Village (DB) \$24,549.07, Drainage (SD)- \$0, Fire Protection (SF) \$36.97, Refuse (SR) \$0, Sewer Fund (SS) \$26.16, Sewer District #2 (SS02)- \$256.83, and Water Districts (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0 (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0, Trust & Agency(TA)- \$0
Total: \$60,044.19 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – he will be traveling with several other Highway Superintendents from Erie County to Albany this week to lobby the legislature & Governor to restore CHiPs funding for road work. On May 16th Mike will be hosting the Erie County Highway Superintendents meeting here in Newstead at Ivy Ridge. Mike invited any of the town board members that would like to attend to come to the meeting.

Assessor – Becky’s report was presented on litigation issues, an update on issues discussed at the Association of Towns and computer/internet policy issues. She reminded everyone all exemptions are due by March 1st, although because the first falls on a Sunday, the date will be extended to March 2nd for this year. She will be starting road work for new construction/demolition next week.

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

Lewistraum Kennels	12472 Stage	Special Use Permit renewal
--------------------	-------------	----------------------------

The Town Board accepted the report as presented.

Town Clerk- Reported that new tax information site is available on-line at <http://www.tslco.net/newstead.htm>. Attended Association of Towns conference and found it very worth while. There are many proposals coming down from the state including making Town Clerks, Tax Collectors and Highway Superintendents appointed positions instead of elected positions, consolidation of special districts, and changing towns over to ward districts.

Attorney for the Town – nothing at this time

COUNCILPERSONS:

George- nothing at this time

Finger- nothing at this time

Rooney- nothing at this time

Esposito- nothing at this time

SUPERVISOR- January Supervisors Report is on file with the Town Clerk. He attended the Association of Towns conference as well and agreed a lot of information was available this year. The Governor and Senator Schumer spoke at the conference, where the stimulus package was heavily discussed. Consolidation was a big topic of the conference. He will be attending a local Association of Towns meeting this Thursday where they will discuss the topic of resolutions of support for their fellow officials. He feels consolidation can be a good thing in some instances and the town and village have been working very well towards those goals, but not all ideas on consolidation are good ones. He will also be hosting the Erie Co. Supervisors meeting here in September.

UNFINISHED BUSINESS:

Water District #10- Phase 4/Consolidation- nothing new to report.

Shared Public Works Facility Committee- proposals are in and several were received. They have been distributed to the selection committee members and once they are finished with review, will come back to the board with recommendations.

GIS- went over equipment & beginning to set training schedules.

Murder Creek Project- nothing new

Muir Woods Project- nothing new

NEW BUSINESS:

Inter-Municipal Agreement with Clarence on Senior Van:

A motion was made by Councilman Rooney, seconded by Councilman George approving the inter-municipal agreement with the Town of Clarence for sharing the use of a van provided by Erie County for Senior Van Services and authorizing the supervisor to execute the agreement.

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

TSL co., Inc. Contract for On-line Tax Service:

A motion was made by Councilman Finger, seconded by Councilwoman Esposito approving the agreement between the Town and TSL co., Inc. for an on-line tax service program and authorizing the Town Clerk and the Supervisor to execute the agreement and make the required payments.

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

Tobacco Point of Purchase Advertising Reduction:

A motion was made by Councilwoman Esposito, seconded by Councilman George supporting the efforts of the Erie-Niagara Tobacco-Free Coalitions initiative to protect children by asking retailers to reduce tobacco advertising at their stores.

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

Code Enforcement Officer Vehicle Policy:

A motion was made by Councilman George, seconded by Councilman Finger approving the proposed Code Enforcement Officer Vehicle Policy effective 2/23/09.

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

Creation of Planning Clerk-Typist Position Approval:

A motion was made by Councilman George, seconded by Councilman Finger approving the creation of a full time position title of Planning Clerk-Typist & requesting the list for Civil Service from Erie County Personnel office.

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

2009 Special Use Permit Renewals:

A motion was made by Councilman Rooney, seconded by Councilwoman Esposito approving the following Special Use Permits for 2009: Lewistraum Kennels for a dog kennel operation, Triple G Small Engine Repair for a home based business, Buffalo Drilling Co., Inc. for a soil lab, Champion Auto Locators for used auto sales, T & T Tire & Auto for used auto sales, Michael Shields for used auto sales.

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

Letter of Support- Akron Central School Grant:

A motion was made by Councilman George, seconded by Councilman Finger supporting the Akron Central Schools application for the Carol M. White Physical Education grant for 2009 and authorizing the Supervisor to execute a letter of support to the school.

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

Liquor License Renewal Approval:

A motion was made by Councilman Finger, seconded by Councilman George approving the request for renewal of the cart beverage service liquor license held by The Links at Ivy Ridge for 2009.

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

A joint meeting of the town & village boards will be scheduled for March 2nd with the time and place to be announced.

Question Period- John Burkhardt of 546 Knapp Rd questioned the RFP that went out on the Joint Facility project. He is in the business and felt it was very limiting to companies and limited competition. He felt that if the town was lucky they would only get about 4 bids off of the request and asked if Wendel wrote the proposal.

Councilman George stated no, Wendel did not write the RFP, the Town Board did and that they have successfully used the same design/construction management proposal concept before on the library and town hall.

Supervisor Cummings stated that the town received 11 proposals off the request.

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 8:38pm.

Carried Unanimously

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