

Newstead Town Board Meeting- February 27, 2006

A Regular Meeting was called to order by the Newstead Town Board on Monday, February 27, 2006 at the Newstead Town Hall at 8:00PM.

Present: David Cummings- Supervisor
Tom George- Councilman
Harold Finger- Councilman
Mark Decker- Councilman
Brian Murray- Councilman
Michael Bassanello- Highway Supt.
Andrew Casolini- Town Engineer
Nathan Neill- Town Attorney
Dawn D. Izydorczak- Town Clerk
Kathleen Lang- Deputy Town Clerk

Roll Call was taken with all board members present.

Supervisor Cummings led the pledge to the flag.

Minutes from the previous regular board meeting held on February 13, 2006 were presented for approval. A motion was made by Councilman Decker, seconded by Councilman Finger to accept as presented. Carried Unanimously

Communications – The Town Clerk presented the following:

A letter from The Links at Ivy Ridge informing the Town they are applying for a liquor license for the golf course located at 12221 Main Road. They will be opening for business in April 2006.

An e-mail from Erie County Director of Finance Joe Maciejewski reporting that Assembly bill A.9529 amending the Erie County Tax Law allowing partial payments in any amount has become the first RPT bill to pass both the Assembly and the Senate and has been forwarded to the Governor for Signature.

The February Water Testing Report for Water Districts #1 & #3 was received from Midstate Environmental Labs showing all levels within acceptable ranges.

A letter from resident Douglas Ceisner regarding his drainage concerns with a lot he owns at 12379 Main Road. This letter has been forwarded to the Drainage Committee.

A press release from the Erie County Legislature regarding a public hearing to be held February 22, 2006 at 4:30 pm regarding implementation of the new HAVA laws and its budget effects. The Town Clerk attended this meeting.

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

Work Session: Supervisor Cummings reported that no work session held on February 20th.

Privilege of the Floor –No one spoke

Approval of Bills -Councilman Decker reported that the Abstracts from Batches #479 from the February 13, 2006 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #484 & #485. Vouchers on these abstracts numbered #120-153, totaling \$69,349.31 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch #484 & #485:

General Fund (A) -\$15,915.04, Fund (B) \$590.29, Highway (DA) -\$0, Highway: Outside Village (DB) \$660.14, Capital Projects: CAP-WD#10 (HI)- \$46,755.89, CAP-Town Hall (HK)- \$0,

Highway Garage (HG)- \$0, Fire Protection (SF) \$2,671.27, Refuse (SR) \$338.22, Sewer Fund (SS) \$24.34, Sewer District #2 (SS02)- \$217.72, and Water Districts (SW1) \$10.00, (SW2) \$0, (SW3) \$10.00, (SW4) \$0, (SW5) \$2,056.40, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$100.00, Trust & Agency(TA)- \$0 Totaling \$69,349.31. Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Nothing to report. Requested permission for he and Ray Schrock to attend a Pavement Maintenance Seminar and for him to attend the Ithaca Highway School in June.

A motion was made by Councilman George, seconded by Councilman Murray to allow Highway Superintendent Bassanello and Deputy Ray Schrock to attend Pavement Maintenance Seminar in May at a cost of \$40.00 per person and also to allow Superintendent Bassanello to attend the Highway School in Ithica, NY in June 2006. Carried Unanimously

The Superintendent attended the Associations of Towns in NYC last week and felt the program was very good and helpful.

Assessor –Ms. Baker is attending the Planning Board Meeting tonight

Building Office –the following building report was presented by the Building Administrator Christine Falkowski who is also attending the Planning Board Meeting tonight:

Matthew Wiatrowski 13367 Dorsch Rd Shed/stove

The Town Board accepted and approved the Building Report as presented.

Town Clerk- Attended the HAVA public hearings at the Erie County Legislature on the 22nd. Many changes are going to occur this year with the election process and funding. The Board of Elections will be confiscating all voting machines throughout the year and transporting them to the County warehouses. The towns will no longer have any duties regarding elections. Inspectors will be chosen to work, trained and paid by the County from this point forward. The Town Clerk's Association has been working diligently with the Board of Elections to make this a smooth transition for everyone. Also, with the passing of the no minimum payments legislation the resolution adopted at the last Board meeting will take effect as soon as the Governor signs the law into effect.

Attorney for the Town –He attended the Association of Towns in NYC last week and would like to discuss some potential issues he feels could affect the town. He found the programs not quite as good as last year but it was worthwhile.

COUNCILPERSONS

George- Nothing at this time

Finger-He met with the Akron Soccer League to discuss usage of the Town Park fields this summer. He also has been meeting with Senior Coordinator Theo Abraham for a new Independent Health Program to be offered at the Senior Center.

Decker-He has looked into legal ad expenses that Mr. Douglas Ceisner questioned at the February 13th meeting. The highest bill for an individual legal ad was \$62.00 in 2005. He also attended the Recreation Board meeting to discuss the choice of Recreation Director and some new programs they are considering offering. They would like to discuss the possibility of intake of funds at the town hall with the town clerk.

Murray-He attended the Recreation Board meeting with Councilman Decker and is getting up to speed with materials he has been given on projects.

SUPERVISOR- He was on vacation last week. Met with Lucy Curley, our grant writer, to get information on grants available to the town for projects.

UNFINISHED BUSINESS

Water District #10- Phase 1A & Phase 1B – Town Engineer Casolini stated that approval for services in southern end of town has been received. The west end of Stage Road is set for Wednesday this week for services to be installed. They are notifying the Fire Departments in regards to availability of fire hydrants.

Phase 2- They will meet on design issues.

Water Tank-The steel has been topped out and they are working on the interior now.

Route 5 Zoning-Wendel is to bring the committee up to speed on this project with newer updated information.

Shared Public Works Facility Committee- Councilman George reported that the committee met February 17 with the Wendel’s Advisory Committee. The concepts and programming issues were discussed. Wendel is working on an operational plan and concepts of shared vs. independent processes.

Other: Councilman Decker stated that Scotland Road drainage concerns raised by a resident are being addressed by the drainage committee.

NEW BUSINESS:

Moratorium on Windmills: Local Law # 2 of 2006

A motion was made by Councilman Finger, seconded by Councilman Murray approving the setting a public hearing to hear comments on a moratorium on the construction of windmills within the Town of Newstead for a 6 month period. The Public Hearing shall be held March 27, 2006 at 7:50 PM at the Newstead Town Hall.

(Resolution Attached) Ayes-5 Nays-0 Absent-0 Carried Unanimously

The 2005 Audit is complete and was very good. The ending fund balance was good enough to enable the pay off of the town hall purchase and renovation BAN.

BAN Payoff- Town Hall purchase/construction expenses:

A motion was made by Supervisor Cummings, seconded by Councilman George approving the amendment of the 2006 adopted budget to payoff the BAN funding the town hall purchase and renovation expenses on the town hall facility in the amount of \$300,000.00. The Ban shall be paid off in the amount of \$550,000.00.

(Resolution Attached) Ayes-5 Nays-0 Absent-0 Carried Unanimously

Planning Board Salary Increase Approval:

A motion was made by Councilman George, seconded by Councilman Decker approving the salary increase for the Planning Board members to \$30.00 per meeting. This amount was budgeted for in the 2006 Budget but erroneously reported at the Organizational Meeting.

 Ayes- 5 Nays- 0 Absent- 0 Carried Unanimously

2006 Community Organization Contracts Approval:

A motion was made by Councilman Murray, seconded by Councilman George approving the Supervisor to sign the Community Organization contracts for 2006.

 Ayes-5 Nays-0 Absent-0 Carried Unanimously

Recreation Director Approval:

A motion was made by Councilman Decker, seconded by Councilman Finger, upon recommendation of the Recreation Board, the Town Board approves the hiring of Mrs. Terry Bierasinski as Recreation Director through the summer of 2006.

 Ayes-5 Nays-0 Absent-0 Carried Unanimously

A discussion was held regarding the refunding of a greenspace fee paid on a major subdivision that is in progress in the town. The Councilmen all asked that this issue be tabled and discussed further at work session before a decision is made.

Question Period-No one spoke

Supervisor Cummings questioned the ad in the Penny Saver for services for dangerous animals by the Dog Control Officer. This was not authorized by anyone on the board so Town Clerk will call Penny Saver today to find out who placed the ad. It contained erroneous information.

There being no further business to come before the board a motion was made by Councilman George, seconded by Councilman Finger to adjourn the meeting at 8:40 PM.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorczak, Town Clerk