

Newstead Town Board Meeting- March 22, 2010

A Regular Meeting was called to order by the Newstead Town Board on Monday, March 22, 2010 at 8:10pm at the Newstead Town Hall.

Present: David L. Cummings- Supervisor
Justin Rooney- Councilman
Cheryl Esposito- Councilwoman
James Mayrose- Councilman
Richard Baran- Councilman
Mike Bassanello- Highway Supt.
Nathan Neill- Town Attorney
John Good – Code Enforcement Officer
Jennifer Heberling- Deputy Town Clerk

Roll Call was taken with all board members present.

Councilman Rooney led the pledge to the flag.

Minutes from the previous regular meeting held on March 8, 2010 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Baran to approve as presented.
Carried Unanimously

Communications – The Deputy Town Clerk presented the following:

A letter from Christian Airmen, Inc. requesting the Town Board to approve and sign a SEQR form, under a Type 2 Action, allowing the airport to acquire Diesel Utility-type Maintenance Equipment with Plow Attachment.

A letter and draft route map were received from the “Ride for Roswell” chairman thanking the Town for their past support and requesting the Towns permission to conduct portions of their ride thru the local area.

The Towns annual membership certificate from the Association of Towns was received for 2010.

A letter was received from Masiello Martucci Calabrese and Associates representing Recyclebank which offers new innovative approaches to encourage recycling in local communities. They have offered to come out and meet with the Town to explain how their program works.

A notice was received from the Southern Tier West RP & DB announcing their 17th annual Local Government Conference which offers training for all officials, planning boards and zoning boards. The conference will be held May 5, 2010 at Houghton College in 3 sessions. Anyone interested in attending or needing more information can see the Clerk.

A letter was received from the New York State Emergency Management Office notifying the town that its Murder Creek Stabilization Project grant application was reviewed by SEMO and found to meet all the eligibility requirements so it has been forwarded to FEMA for their review.

The town was notified it was awarded \$60,000 by the NYS Justice Court Administration for the Town Hall Addition project.

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

Work Session: The Supervisor reported that at the work session held last week the following issues were discussed: meeting with the Recreation Board members, water district issues, joint facility, grant submissions, planning issues, Senior Van Driver, Village issues and any other items brought before the board.

Privilege of the Floor – no one spoke

Budget Transfers: none

Approval of Bills – Councilwoman Esposito reported that the Abstract from Batches #925 & 926 from the March 8, 2010 meeting have been reviewed with the previously un-audited vouchers and everything was found in order. She presented Abstract Batch #933 & wire transfer authorization for bond payment. Vouchers on this abstract numbered from 212-260 totaling \$352,532.36 and were presented by Councilwoman Esposito, seconded by Councilman Mayrose to approve payment as follows:

Abstract Batch #933:

General Fund (A) -\$140,360.67, General Fund- Outside Village (B) \$360.04, Highway (DA) - \$16.14, Capital Projects: CAP- Highway Garage- (HG) - \$97.00, CAP- Scotland Rd (HS)- \$0, CAP- Town Hall Addition (HT) \$9,741.16, Highway: Outside Village (DB) \$21,918.18, Drainage (SD)- \$162.20, Fire Protection (SF) \$1,505.90, Refuse (SR) \$535.48, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$120.00, and Water Districts (SW1) \$120.29, (SW2) \$386.42, (SW3) \$186.73, (SW4) \$799.88, (SW5) \$81,869.81, (SW6) \$149.08, (SW7) \$402.83, (SW7A) \$2,401.75, (SW8) \$0, (SW9) \$6,331.71, SW10) \$85,067.09, Trust & Agency(TA)- \$0

Total: \$352,532.36

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Mike attended a meeting in Albany on March 9th and 10th. They met with 5 local representatives regarding the CHIPS program. This program was funded for 5 years and it is up in 2010. It was recommended to the state to increase the funding and to enter another 5 year agreement.

Assessor – David received a memo from the Assessor regarding a public relations campaign by the Census Bureau trying to accomplish a 100% return. Something will be put on the Town's website with regards to this.

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

Andrew Addesa
Greg Gajewski

13100 Dorsch
11687 Clarence Center

Pole barn
Fireplace

The Town Board accepted the report as presented.

John reported that he is completing fire inspections and keeping an eye on existing projects.

Town Clerk- Jennifer reported the 2010 County/Town tax collection penalty free period is complete with approximately 88% of taxes collected to date.

Attorney for the Town – reported that he has not heard anything yet about the easement for the joint facility. He will talk to Bob Kowalik. Also working with Don Shonn on annexing the property to the Village.

COUNCILPERSONS:

Rooney – nothing at this time

Esposito – nothing at this time

Mayrose – met with three local fire departments with regards to the Emily Adamczak Memorial CPR/AED class that will be held on April 17th.

Baran – had Brad Rehwaldt take a look at the leak at the Senior Center. He also spoke to the insurance company.

SUPERVISOR - David reported they had the audit review during work session and the Town is in good shape.

UNFINISHED BUSINESS:

Water District #10- Scotland Rd Extension- testing of the new waterline was postponed until next week due to a leak in the line they are repairing. The leak was repaired on Saturday and the retesting began today. The chlorine test will be Tuesday and Wednesday. Should be online by end of the week.

Shared Public Works Facility Committee – nothing new to report. Planning a committee meeting soon.

Grants- the town received notice of the award of the \$60,000 Justice Court grant applied for by the court.

Flood Plan – People in the town have received letter informing residents of a change in flood plan and notifying them of the upcoming meetings.

Murder Creek – Nathan stated we should be getting letters out very soon requesting easements. These letters will be from the Supervisor and the Mayor

NEW BUSINESS:

Public Hearing- Local Law #1 of 2010:

A motion was made by Councilman Mayrose, seconded by Councilman Baran approving the calling of a public hearing on the proposed Local Law #1 of 2010 regarding amendments to the Zoning Law referencing Nonconforming Use and Structures, which will be held on April 26, 2010 at 7:50pm and authorizing the Clerk to publish the notice in the official newspaper of the town.

(Resolution Attached)Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye
Carried Unanimously

Akron Airport SEQR Request Approval:

A motion was made by Councilman Baran, seconded by Councilwoman Esposito authorizing the Supervisor to execute the SEQR form for the Akron Airport purchase of maintenance equipment pursuant to their letter of request.

Cummings-Aye, Rooney -Nay, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried

Village of Akron Composting Approval:

A motion was made by Councilwoman Esposito, seconded by Councilman Mayrose authorizing the Village of Akron to use the rear corner of the Town Park for their composting materials site while the joint facility site is under construction.

Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

Village of Akron Use of Parking Lot Approval:

A motion was made by Councilman Mayrose, seconded by Councilman Baran authorizing the Village of Akron to conduct an electronics recycling event in the Town Hall parking lot on either April 24th or May 1st and offering the towns participation in the event.

Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

Highway Dept. Truck Purchase Approval:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney based on recommendations from the Highway Superintendent, authorizing the purchase of a new ten wheeler cab and chassis from Kenworth of Buffalo in the amount of \$108,988.00 and a heavy duty truck mounted snow plow, hitch and dump body from Valley Fab in the amount of \$74,622.95.

Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

New Crittenden Rd Subdivision Concept Plan:

A motion was made by Councilman Mayrose, seconded by Councilman Baran based on recommendations from the Planning Board, to approve the newly submitted concept plan for a 6-lot major subdivision on Crittenden Rd owned by Joe Frey.

Cummings-Aye, Rooney -Aye, Esposito-Nay, Mayrose-Aye, Baran-Aye Carried

Library Basement Project Bid Approval:

A motion was made by Councilman Mayrose, seconded by Councilwoman Esposito approving the award of the Library Basement project bid to Rehwaldt Builders for work in the amount of \$34,000.

Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

Advertise for Senior Van Driver Replacement:

A motion was made by Councilman Baran, seconded by Councilman Mayrose due to the resignation of Senior Van driver Doug Swader, authorizing the Supervisor to advertise for a new replacement driver effective immediately.

Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

Emergency Enclosure of 13962 Bloomingdale Road:

A motion was made by Councilman Baran, seconded by Councilman Mayrose to authorize the town to have the property at 13962 Bloomingdale Road boarded for safety reasons upon approval by property owner.

Cummings-Aye, Rooney-Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

Question Period – no one spoke

David announced there would be no work session on April 5th unless something was to come up. He also asked that everyone keep Dan Roland in their prayers.

There being no further business to come before the board a motion was made by Councilman Mayrose, seconded by Councilman Baran to adjourn the meeting at 8:38pm.

Carried Unanimously

Respectfully Submitted,
Jennifer Heberling, Deputy Town Clerk