

Newstead Town Board Meeting- April 11, 2011

A Public Hearing was called to order by the Newstead Town Board on Monday, April 11, 2011 at 7:50pm 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
Scott Rybarczyk- Town Engineer
Dawn Izydorzak- Town Clerk
Jennifer Heberling- Deputy Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing on the amended Local Law #1 of 2011 to order.

The Clerk read the proof of publication.

The supervisor explained that this is the 2nd public hearing on these topics. Comments from the first public hearing were taken into account and the original law was amended based on those comments.

Comments:

Peter Henley of 13760 Indian Falls Rd questioned the purpose of the I-2 zoning only for junk yards and inquired if this had any impact on his business property. The Supervisor explained it was a planning board recommendation to be pro-active for any future requests for this type of business. There are no current businesses affected by this change.

There being no further comments, a motion was made by Councilman Rooney, seconded by Councilman Mayrose to close the public hearing at 8:03pm. Carried Unanimously

The regular meeting of the Town Board was called to order at 8:03pm with the same members present as above.

Councilman Rooney led the pledge to the flag.

Minutes from the previous regular meeting held on March 28, 2011 were presented for approval. A motion was made by Councilman Rooney, seconded by Councilwoman Esposito to approve as presented. Carried Unanimously

Communications – The Town Clerk presented the following correspondence:

A letter from Time Warner Cable updating the town on the current programmers they are under negotiations with for service and outlining new channel line-ups.

A letter from NYS Department of Agriculture & Markets notifying the town that they have completed their review of the Final Notice of Intent on the proposed waterline extension project and issue a decision of no impact on farm enterprises within the district and recommends continuation of the lateral restrictions policy.

The March 2011 Operations Report was received from Amherst Alarm office reporting 35 calls for Akron Fire Co. and 17 calls for Newstead Fire Co.

The January 1 – March 31, 2011 Quarterly Report was received from Allied Waste reporting 1,858+/- residential units collected for with 389 +/- tons of solid waste and 77.13 tons of co-mingled recyclables collected.

A motion was made by Councilman Mayrose, seconded by Councilman Baran to accept and file the presented correspondence. Carried Unanimously

Work Session: The Supervisor reported that at work session held last the following items were discussed: water districts issues, building projects updates, planning issues, murder creek project, airport issues, grants, personnel issues, limerick hall, and grills for the park.

Privilege of the Floor – Bob Scheib of 51 Brooklyn St questioned the number of calls the town has received to date regarding the airport projects issue. Julie has been compiling that information. Mr. Scheib will contact her tomorrow.

Paul Schumacher of 7432 Cedar St questioned what can be done about the intersection of Cedar & Carney regarding the number of severe motor vehicle accidents at the intersection. There have been 4 just in the last year.

The Supervisor & Highway Supt. explained that a petition for a traffic study needs to be submitted by the residents in that area. The petitions are then submitted to the County for a study to be done in conjunction with the State DOT.

Budget Transfers: a motion was made by Councilman Mayrose, seconded by Councilwoman Esposito to approve the budget transfers per Bookkeeper Colleen Salmons memo dated 4/11/11.
Carried Unanimously

Approval of Bills – Councilwoman Esposito reported that the Abstract from Batches #1054 from the March 28, 2011 meeting has been reviewed with the previously un-audited vouchers and everything was found in order. She presented Abstract Batches #1059 & 1060. Vouchers on this abstract numbered from 340 – 402, totaling \$252,403.27 and were presented by Councilwoman Esposito, seconded by Councilman Mayrose to approve payment as follows:

Abstract Batches #1059 & 1060:

General Fund (A) -\$35,435.63, General Fund- Outside Village (B) \$62.22, Highway (DA) -\$0, Highway: Outside Village (DB) \$13,041.99, Capital Projects: CAP- Highway Garage- (HG) - \$22,159.35, CAP-Murder Creek (HM) \$17,781.66, CAP- Town Hall Addition (HT) \$852.15, CAP- Water Improvement (HW)- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$4,336.24, Refuse (SR) \$29,840.34, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$285.00, Trust & Agency(TA)- \$0 and Water Districts Consolidated(SW00) \$6,573.69, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$122,035.00

Total: \$252,403.27

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Soccer field maintenance & rolling has begun and the crews made new benches over the winter that will be placed in the park. All but one of the trucks have had their winter gear broken down readying them for summer. The tire drop off is April 30th and the big metal pick up begins the week of May 2nd. He will be out of town a few days next week.

Assessor – report presented: A recommendation has been made by the Assessment Advisory Committee to increase the Board of Assessment Review from 3 members to 5 members. Weekly Question & Answer ads are continuing with the next focus on tentative roll, assessment change notices and grievance day. After attending a class on agricultural exemptions Becky would like to discuss a few issues that were raised with the Board at work session.

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

John & Patricia Sharkey	12635 Brucker	One family home
John & Patricia Sharkey	12635 Brucker	Driveway
Walter Parks	7401 Sandhill	Roof
James & Margaret Sowinski	6000 Crittenden	A.G. Pool
Christopher Elis	7309 Maple	Pool & deck
Jeff Jendrowski	11932/11936 Rapids	Pole barn
Joseph Sheehan	5820 Crittenden	A.G. Pool
Scott Ludtka	7757 Moore	Pole barn

The Town Board accepted the report as presented.

Town Clerk- Dawn presented the Dog Control Officer report for March 2011.

Attorney for the Town – nothing at this time

COUNCILPERSONS:

Rooney- nothing at this time

Esposito- recreation sign-ups for summer session start June 1st.

Mayrose- the AED units were installed at the town park, he has attended several BAC meetings at the school where they are looking at several creative ways to cut their budget. He also attended a few other meetings with the Supervisor.

Baran- work at senior center progressing, still cannot find the switch for the attic fans. They have contacted prior director with no answers. Scott suggested trying Urban Insulation.

SUPERVISOR- The March Supervisors Report is on file with the Town Clerk. E has attended several meetings including one on the joint facility project and one with the Mayor and School Superintendent. They are going to attempt to have quarterly meetings together from this point forward.

UNFINISHED BUSINESS:

Water Districts- meeting that was supposed to be held was postponed until the 21st of April. Right of Way issues on Burdick & Koepsel Roads need to be addressed.

Shared Public Works Facility Project- work has really started progressing finally. They are getting back on schedule for a June finish.

Murder Creek Project- 2 hard copies of the engineering report were mailed to NYS Office of Emergency Management for review and forwarding to FEMA. This will hopefully gain us the approval for the construction phase. We will wait for any permitting follow-up requests and schedule a meeting with affected property owners to give them an update.

NEW BUSINESS:

Approval- Water District Reimbursements:

A motion was made by Councilman Mayrose, seconded by Councilman Baran approving the reimbursement schedule from the consolidated Water District to the individual water district funds for engineering services as set forth in the resolution and authorizing the transfers of funds between the accounts.

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

Approval- Budget amendment –Programs for Aging:

A motion was made by Councilman Baran, seconded by Councilman Mayrose approving the receipt of grant funds in the amount of \$2,070.38 from New York State towards the programs for the aging budget line and authorizing the amendment of the 2011 budget as follows: increase lines A7610.2 and A2770.

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

Approval- Amendment of Recreation Mission Statement:

A motion was made by Councilwoman Esposito, seconded by Councilman Mayrose approving the amended version of the Recreation Department Mission, Vision & Value Statement dated April 11, 2011.

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

Support of County Reapportionment Plan:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose supporting the Erie County redistricting plan that includes a single legislator representing the entire town and authorizing the Town Clerk to send a copy of the resolution to the Citizens Advisory Commission on Reapportionment.

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

SEQRA-Local Law #1 of 2011-Zoning Amendments:

A motion was made by Councilman Mayrose, seconded by Councilman Baran issuing a Declaration of Non-Significance of Local Law on the proposed Local Law #1 of 2011 entitled “Kennel and Junkyard Amendment to the Zoning Law of the Town of Newstead”.

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

Approval-Local Law #1 of 2011-Zoning Amendments:

A motion was made by Councilwoman Esposito, seconded by Councilman Mayrose approving the Adoption of Local Law #1 of 2011 entitled “Kennel and Junkyard Amendment to the Zoning Law of the Town of Newstead”.

(Resolution Attached) Cummings-Aye, Rooney -No, Esposito-Aye, Mayrose-Aye, Baran-Aye
Carried

Approval-Recreation Board member appointment:

A motion was made by Councilman Rooney, seconded by Councilwoman Esposito approving the appointment of Tim Morgan to the Town Recreation Board for the remainder of Terri Bierasinski’s term.

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

The Board unanimously authorized the approval on the Signmatic Systems quote for numbering the shelter at the town park.

Supt. Bassanello thanked the Village Electric crew for their assistance in installing the AED devices at the park. Metal pick-up will start Monday May 2nd and continue thru that week.

Councilman Baran is attempting to schedule AED training for the Town employees in conjunction with the Akron Police Department.

Question Period- no one spoke

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

Carried Unanimously

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