

Newstead Town Board Meeting- May 10, 2010

A Public Hearing was called to order by the Newstead Town Board on Monday, May 10, 2010 at 7:37pm 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
Dawn Izydorczak- Town Clerk
Jennifer Heberling- Deputy Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing to order on the proposed Local Law #3 of 2010.

The Town Clerk read the proof of publication.

Comments: No one appeared to speak.

There being no further comments a motion was made by Councilman Mayrose, seconded by Councilman Baran to close the public hearing on Local Law #3 of 2010 at 7:40pm.

Carried Unanimously

A regular meeting of the town board was called to order at 8:15pm with the same members present as listed above.

Deputy Town Clerk Heberling led the pledge to the flag.

Minutes from the previous regular meeting held on April 26, 2010 and the Special Meeting held on May 3, 2010 were presented for approval. A motion was made by Councilwoman Esposito, seconded by Councilman Mayrose to approve as presented.

Carried Unanimously

Communications – The Town Clerk presented the following correspondence:

A letter from Time Warner Cable announcing the 31 programmers they are currently under negotiations with for continued service as well as listing some upcoming changes to existing channels.

The April 2010 Operations Report was received from Amherst Central Alarm Office reporting 38 calls for Akron Fire Co. and 21 calls for Newstead Fire Co.

A notice of upcoming training sessions for municipal officials through Erie County Dept. of Environment & Planning to be held June 16, 2010 from 5:00pm – 9:30pm at Niagara Community College- Room 140.

A motion was made by Councilman Mayrose, seconded by Councilwoman Esposito to accept and file the presented correspondence.

Carried Unanimously

Work Session: The Supervisor reported that at the last work session held the following issues were discussed: a special meeting to approve a contract, water district issues, joint facility issues, construction projects updates, grant submissions, planning issues, town hall issues, assessment issues, affirmative action officer appointment and any other items brought before the board. The Supervisor also stated that an executive session was held prior to the work session on a personnel matter with the Town Attorney and outside legal counsel present. No action was taken.

Privilege of the Floor – no one appeared to speak.

Budget Transfers: A motion was made by Councilwoman Esposito, seconded by Councilman Rooney to approve the budget transfers as presented by Bookkeeper Colleen Salmon in a memo dated 5/10/2010. Carried Unanimously

Approval of Bills – Councilwoman Esposito reported that the Abstract from Batches #940 & 941 from the April 26, 2010 meeting has been reviewed with the previously un-audited vouchers and everything was found in order. She presented Abstract Batch #945. Vouchers on the abstract numbered from 431 - 489 totaling \$79,462.87 and were presented by Councilwoman Esposito, seconded by Councilman Mayrose to approve payment as follows:

Abstract Batch #945:

General Fund (A) -\$16,487.36, General Fund- Outside Village (B) \$310.50, Highway (DA) -\$0, Capital Projects: CAP- Highway Garage- (HG) - \$919.31, CAP-Library basement (HR04)- \$9,500.00, CAP- Scotland Rd (HS)- \$3,693.00, CAP- Town Hall Addition (HT) \$, Highway: Outside Village (DB) \$616.33, Drainage (SD)- \$0, Fire Protection (SF) \$4,309.44, Refuse (SR) \$29,597.81, Sewer Fund (SS) \$2,854.96, Sewer District #2 (SS02)- \$210.00, 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) \$2,789.88, Trust & Agency(TA)- \$4,500.00
Total: \$79,462.87

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Superintendent Bassanello reported that the tire drop off held last week was a huge success. They took in excess of 28 tons. He also reported that the Town Park is in great shape after the weekend soccer tournament. His crew has planted 18 new trees on various town properties with the help of the Re-Tree program. The highway department also picked up two loads of white goods last week.

Assessor – Dawn read a report that was submitted by the Assessor. Becky thanked the Supervisor, the Town Clerk and Councilman Mayrose for attending the Erie County Assessor’s meeting that she hosted at Ivy Ridge. She has had several positive comments and appreciated the support she received from the town. She also said that the tentative roll has been filed and the legal notice has been published in the Akron Bugle and the grievance day schedule has been set. So far only 2 residents have signed up for an appointment.

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

Lauretta Matalone	13439 Steiner	Roof
Charles Fischer III	11105 Keller	Deck
CMK Builders	13029 Dorsch	One Family Home
James Mandolene	12936 Dorsch	Roof
Bedford’s Greenhouse	6820 Cedar	Sign
Domenic Morlacci	5176 Crittenden	Pole barn
Lucille Kruschke	4007 S Newstead	Demo barn & side barn
Don Douglas	12845 Dorsch	Windows
Paul Hennessy	11621 Rapids	Deck

The Town Board accepted the report as presented. Supervisor Cummings stated that he has spoken to the CEO with regards to the fire inspections and the CEO stated that he would take care of them.

Town Clerk- Dawn presented the Dog Control Officers Report for April.

Attorney for the Town – nothing at this time

COUNCILPERSONS:

Rooney- Councilman Rooney stated he was very glad to see so many people take advantage of the electronics pick up.

Esposito- nothing at this time

Mayrose – Councilman Mayrose also came up to assist with the electronics pick up and was very happy it was so well attended.

Baran – Councilman Baran has been in contact with the insurance company with regards to the damage of the ceiling at the senior center. He was notified that the Town has received the payment.

SUPERVISOR – he attended the Assessor meeting and the electronics drop off. Over 200 people took advantage of it and Supervisor Cummings feels it was a huge success. He thanked Dan Borchert for arranging the program. We are sharing the cost of the advertising and disposal costs of any large screen (over 27”) televisions with the Village. Supervisor Cummings also shared a pamphlet he received from Erie County DPW with regards to the Brooklyn Street Bridge being repaired in the fall of 2011.

UNFINISHED BUSINESS:

Water District #10- Scotland Rd Extension- the water line is completed but they are still working out pressure valve adjustment issues with ECWA.

Shared Public Works Facility Committee – the pre-bid meeting was held last Friday. Several contractors attended and several additional used the on line service provided.

Construction Projects:

Town Hall Addition – Pre-construction meeting was held last week. The contracts have been put together and are being signed. The schedule for work and a start date are being worked on with the project still planning on being completed by mid October.

Library Basement – this phase of work is completed except for the interior door lock sets. The work that has been done completes the grant work for this year.

Handicapped Doors – a meeting with the county and the contractor was held where the contracts were okayed and the doors are on order. It appears the work should be done by end of June.

Supervisor Cummings added that there will be a meeting held with the residents along Murder Creek to address concerns with the easements. We still have received no official word on the grants.

NEW BUSINESS:

Adoption- Local Law #1 of 2010:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the adoption of the proposed Local Law #1 of 2010 regarding amendments to the Zoning Law referencing Nonconforming Use and Structures.

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

Adoption- Local Law #2 of 2010:

A motion was made by Councilwoman Esposito, seconded by Councilman Mayrose approving the adoption of the proposed Local Law #2 of 2010 establishing training standards for Planning Board and Zoning Board of Appeals members.

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

Annexation of Clarence Center Rd Property:

A motion was made by Councilman Rooney, seconded by Councilman Baran authorizing the annexation of the 22 acres of land on Clarence Center Rd, owned by both the Town of Newstead and the Village of Akron, which is being utilized for the construction of a Joint Municipal Works building for both municipalities to within the Village boundaries and authorizing the Supervisor to sign a copy of the resolution to serve as consent of the annexation, with all costs to be jointly shared.

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

Transfer of Funds for Library Lower Level Project:

A motion was made by Councilman Baran, seconded by Councilman Rooney approving the transfer of \$29,600.00 from the General Fund to the HR04 Capital Fund to cover costs of the Library Lower Level Construction project covered under grant funding.

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

Appoint Affirmative Action Officer:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the appointment of Town Clerk Dawn Izydorczak as Affirmative Action Officer for the Town of Newstead.

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

Approval of Lease Extension- 12200 Main Rd Cell Tower:

A motion was made by Councilman Baran, seconded by Councilman Mayrose approving the proposed lease extension with AT & T Mobility for the cell tower located on property owned by ADESSA at 12200 Main Rd.

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

Approval of Training Requests:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the following training request: for Court Clerk Sandy Pietrowski to attend an animal control seminar in Webster NY on May 17 & 18 with the Dog Control Officer.

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

Approval of Greenspace Fees Refund:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the refund of \$4,500.00 to Joseph Frey for greenspace fees paid to the town on the Crittenden Rd subdivision project due to a reduction in the number of lots associated with the project.

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

Question Period- no one spoke

There being no further business to come before the board a motion was made by Councilwoman Esposito, seconded by Councilman Mayrose to adjourn the meeting at 8:45pm.

Carried Unanimously

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