

## Newstead Town Board Meeting- June 8, 2009

A Regular Meeting was called to order by the Newstead Town Board on Monday, June 8, 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 Izydorczak- Town Clerk  
Jennifer Heberling- Deputy Clerk

Roll Call was taken with all board members present.

Students Lance Skidmore & Mehgan Olejnik led the pledge to the flag.

Minutes from the previous regular meeting held on May 26, 2009 were presented for approval. A motion was made by Councilman George, seconded by Councilman Finger to approve as presented.  
Carried Unanimously

**Communications** – The Town Clerk presented the following:

A letter requesting renewal of a liquor license for the New Dog House, Inc. located at 11986 Main Rd and requesting waiver of the 30 day waiting period.

The 2008 Annual Water Quality Report was received from Erie County Water Authority.

A letter from NYS Emergency Management Office notifying the town that its application for a FEMA 2009 Pre-Disaster Mitigation Grant has been denied.

A letter from the NYS Occupational Safety & Health Hazard Abatement Board notifying the town that they have been awarded \$2,011 for their proposed safety & training project submitted to the Board for the period of 8/1/09 – 7/31/10.

Erie County Department of Environment & Planning has provided the town with brochures on housing rehabilitation, rental rehabilitation, first time home buyer and housing accessibility programs. They are available at the Town Clerks information center.

The May 2009 Operations Report was received from Amherst Central Alarm Office reporting 64 calls for Akron Fire Co. and 29 calls for Newstead Fire Co.

A letter and a Certificate of Appreciation for Participation for display were received from the Erie-Niagara Tobacco-Free Coalition thanking the town for their support of their tobacco-free program.

Two letters were received from Time Warner Cable outlining upcoming changes to their services.

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 at the work session held last week the following issues were discussed: water district issues, Joint Facilities, grant submissions, police contracts with the Village, planning issues, Town Park policy issues, bike path, liquor license renewals, personnel issues and any other items found necessary.

**Privilege of the Floor** – no one spoke

**Budget Transfers:** a motion was made by Councilman Finger, seconded by Councilman George approving the budget transfers as requested by Bookkeeper Colleen Salmon in a memo dated 6/8/09.  
Carried Unanimously

**Approval of Bills** -Councilwoman Esposito reported that the Abstracts from Batches #831 from the May 26, 2009 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #835. Vouchers on this abstract numbered 563 – 630 totaling \$212,463.81 and were presented by Councilwoman Esposito, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #835:

General Fund (A) -\$18,432.48, General Fund- Outside Village (B) \$907.00, Highway (DA) -\$0, Capital Projects: CAP-WD#10-phase (HI)- \$0, Library Basement (HR04)- \$23,223.710, Murder Creek Stabilization (HM) - \$0, Highway Garage- Cap (HG) - \$0, Highway: Outside Village (DB) \$92,083.24, Drainage (SD)- \$1,363.00, Fire Protection (SF) \$31,017.79, Refuse (SR) \$28,954.88, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$0, and Water Districts (SW1) \$40.20, (SW2) \$88.44, (SW3) \$112.56, (SW4) \$112.56, (SW5) \$2,499.04, (SW6) \$305.52, (SW7) \$10,526.93, (SW7A) \$48.24, (SW8) \$32.16, (SW9) \$88.44, (SW10) \$2,627.62, Trust & Agency(TA)- \$0  
Total: \$212,463.81  
Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – Mike attended highway school in Ithaca last week. Oiling and stoning of the town roads is completed and they will begin shoulder work on 13 roads this week. Roadside mowing and field ditching work is also in progress and will be on-going thru the summer.

**Assessor** – nothing reported

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

Mark Nowakowski	7065 Draper	AG Pool & deck
Steven Denzler	13626 Steiner	Windows & deck
Karen Przybyl	12572 Meahl	Pool & deck
Walter Smigiera	13616 Bloomingdale	Porch
Mike Young	11131 Hunts Corners	Pole barn
Mark Gordon	6817 Sandhill	Shed
Kevin Stoldt	13009 Dorsch	One Family Home
Peter Liberti	6760 Utley	One Family Home
Robert Meyers	5872 Crittenden	Hot tub & roof

The Town Board accepted the report as presented.

**Town Clerk**- Recreation sign ups have and are off to a very brisk start with am rec full and pm rec filling up fast. We are in our last 30 days of tax collection.

**Attorney for the Town** – nothing to report

**COUNCILPERSONS:**

**George**- nothing to report

**Finger**- met with the selection committee on hiring a new Senior Director. The new bathrooms in the library are done except for some pieces of tile and they have ok'd the use of the new storage room. The rec items in the main lower room will be moved to the rear of the room and at some point need to be moved.

**Rooney-** attended the recreation meeting where they went over the hiring process used this year. He feels they did a very good job and liked the inclusion of the coordinators in the process. He thought it was a valuable experience for them. He also attended the Clarence hollow Business Associations meeting where he picked up some good information on promotion of the bike path. He suggested working together with Clarence in the future on this endeavor and brought some brochures for the Clerk's office to hand out to residents.

**Esposito-** she also attended the recreation board meeting as well as the celebration committee meeting. The next celebration meeting is June 17<sup>th</sup> and they are always looking for more interested individuals to get involved. July 4<sup>th</sup> is just around the corner.

**SUPERVISOR-** The May Supervisors Report is on file with the Town Clerk. The Supervisor along with several other town and village officials from here and Clarence and Alden attended a meeting with Assemblywoman Jane Corwin here at our town hall to discuss proposed legislation on consolidation in the Assembly and the Senate. He also met with the search committee on the Senior Director position. He and Nathan met with the attorneys on the Muir Woods project and with the ECWA on the low pressure issues in the town as well as the Scotland Rd project.

### **UNFINISHED BUSINESS:**

**Water District #10-** Phase 4/Consolidation- USDA Rural Development will be meeting with the town this week to discuss future funding options.

**Shared Public Works Facility Committee-** The design and construction management teams have been given the ok to proceed and an all day workshop on the project with all the interested parties is to be scheduled soon.

**GIS-** training is ongoing as well as scanning of documents. The supervisor thanked Jennifer for her work on the plans preparation for scanning.

### **NEW BUSINESS:**

#### **Determination of Non-Significance- Scotland Rd Water Project:**

A motion was made by Councilman Finger, seconded by Councilman George issuing a SEQR Determination of Non-Significance on the proposed Scotland Rd water line project and authorizing the Supervisor the sign the EAF form on the project.

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

#### **Public Hearing- Scotland Rd Water Project:**

A motion was made by Councilman Rooney, seconded by Councilman George approving the calling of a public hearing on the proposed Scotland Rd water line project at the town hall on June 22, 2009 at 7:50pm to hear comments on the proposed project.

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

#### **Lead Agency- 5149 Crittenden Rd Day Care Project:**

A motion was made by Councilwoman Esposito, seconded by Councilman Finger issuing a declaration of lead agency status on the proposed day care center at 5149 Crittenden Rd and authorizing the building department to conduct a coordinated review.

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

#### **Liquor License Renewal Approval- 11986 Main Rd:**

A motion was made by Councilman Rooney, seconded by Councilman George approving the liquor license renewal application for The New Dog House, Inc. located at 11986 Main Rd and waiving the 30 day waiting period.

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

**Wendel Duchscherer- Water Service Contract:**

A motion was made by Councilman George, seconded by Councilman Finger approving the proposed contract with Wendel Duchscherer for engineering services on the proposed Scotland Rd waterline connection project in an amount not to exceed \$37,000, and an additional \$3,500 for bidding expenses and soil boring expenses at an as costs basis.

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

**Refund Approval:**

A motion was made by Councilman George, seconded by Councilman Finger approving the reimbursement to Margaret McGowan in full for penalties paid to the town due to errors.

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

**Question Period-** no one spoke

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilwoman Esposito to adjourn the meeting at 8:32pm.

Carried Unanimously

Respectfully Submitted,  
Dawn D. Izydorcak, Town Clerk