

Newstead Town Board Meeting- June 14, 2010

A Regular Meeting was called to order by the Newstead Town Board on Monday, June 14, 2010 at 8:05pm 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.

Councilman Rooney led the pledge to the flag.

Minutes from the previous regular meeting held on May 24, 2010 and the Special Joint Town and Village Board meeting held on June 7, 2010 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilwoman Esposito to approve both as presented.

Carried Unanimously

Communications – The Town Clerk presented the following correspondence:

A letter from the NYS Department of State notifying the Town that Local Laws #1 & #2 of 2010 were filed on May 18, 2010.

A letter from Time Warner Cable notifying the town of the 33 programmers they are currently under negotiations with for continued service as well as some upcoming changes to programming.

A notice from Erie County Dept. of Environment & Planning on a Flood Risk Map Update Briefing by FEMA & the DEC that will be held June 11, 2010 from 10:00am-12:00pm at the ECC City Campus for local officials.

The May 2010 Operations Report was received from Amherst Central Alarm Office reporting 43 calls for Akron Fire Co and 27 calls for Newstead Fire Co.

The 2009 Annual Report was received from the Newstead Public Library.

A letter from resident Norma Bluhm was received regarding past information on accidents at the intersection of Cedar St & Carney Rd and her belief that a new study of the intersection needs to be done. She also commented on the great progress on the joint highway facility project site work.

A letter from Akron Little League Football Inc requesting use of a playing field and the shelter on September 4, 18, 25 and October 16 for home games and for practices starting September 7th.

A letter from the NYS Department of State notifying the Town that Local Law #3 of 2010 was filed on June 2, 2010.

An email from resident David Chesna requesting a speed reduction on South Newstead Rd from 55 mph to 45 mph.

A notice from Erie County Dept. of Environment & Planning on a household hazardous waste drop-off day that will be held June 19, 2010 from 9:00am-2:00pm at the ECC South Campus.

A certified resolution passed by the Towns of Holland and Amherst opposing Senate Bill S2211(A10330) that would required dog owners to microchip their dogs before being granted a dog license and Bill S2219 that would require dog owners to attend basic obedience training with their dogs before being granted a dog license.

A letter from Time Warner Cable notifying the town of several channels that will be switching from analog formats to digital formats as well as some upcoming changes to channel positions.

A letter from the Erie County Clerk notifying the town of its estimated share of the mortgage tax distribution on of about 6/15/10.

The 2009 Annual Reports for the Newstead Fire Co. Service Award Program were received from Penflex, Inc.

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

The Supervisor stated that he has emailed Mr. Chesna and told him before the town can submit the request to the County a petition signed by the residents of that area must be provided to send along with the towns written request.

Work Session: The Supervisor reported that at the last work session held the following issues were discussed: water district issues, joint facility issues, grant submissions, planning issues, assessment standards, cable tv, dog licensing issue, assessment resolutions, EMS contract, football park request, town historian phone request, limerick hall and any other items brought before the board. The Board then met jointly with the Village of Akron Board.

Privilege of the Floor – no one spoke.

Budget Transfers: A motion was made by Councilwoman Esposito, seconded by Councilman Rooney to approve the budget transfers per memo from Bookkeeper Colleen Salmon dated 6/14/10. Carried Unanimously

Approval of Bills – Councilwoman Esposito reported that the Abstract from Batch #948 from the May 24, 2010 meeting has been reviewed with the previously un-audited vouchers and everything was found in order. She presented Abstract Batches #951 & 954. Vouchers on these abstracts numbered from 543 – 625 totaling \$356,678.63 and were presented by Councilwoman Esposito, seconded by Councilman Baran to approve payment as follows:

Abstract Batch #951 & 954:

General Fund (A) -\$29,844.39, General Fund- Outside Village (B) \$1,533.08, Highway (DA) -\$0, Highway: Outside Village (DB) \$29,208.28, Capital Projects: CAP- Highway Garage- (HG) - \$8,122.97, CAP-Murder Creek (HM) \$390.00, CAP-Equip Purchase (HR02) \$108,542.14, CAP- Library Basement (HR04)- \$6,000.00, CAP- Scotland Rd (HS)- \$4,256.25, CAP- Town Hall Addition (HT) \$1,402.43, Drainage (SD)- \$490.00, Fire Protection (SF) \$117,195.90, Refuse (SR) \$31,027.88, Sewer Fund (SS) \$34.77, Sewer District #2 (SS02)- \$254.58, and Water Districts (SW1) \$40.20, (SW2) \$88.44, (SW3) \$112.56, (SW4) \$112.56, (SW5) \$2,493.04, (SW6) \$305.52, (SW7) \$10,356.93, (SW7A) \$48.24, (SW8) \$34.16, (SW9) \$88.44, (SW10) \$5,085.87, Trust & Agency(TA)- \$0
Total: \$356,678.63 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Mike stated that they have completed phase one of oil & chipping. They did several roads in the Town, several in the Village and helped Clarence complete Kelkenberg Road. Darien and Clarence also assisted in the Town and Village.

Assessor – no report.

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

Ginny Brown-Cerasani	11651 Rapids	Enclosed porch
Paul Fix	13136 Steiner	One family home
John Nunn	12402 Swift Mills	Pole barn
Peter Liberti	6760 Utley	Garage
Anthony Brandl	6320 Hake	A.G. Pool
David Powers	11732 Nice	Demolition
Noel Tucciarone	13041 Kirby	Sunroom
Dan Roland	12767 Dorsch	Addition
Jason Peters	7830 Greenbush	A.G. Pool
Bob Smith	11440 Rapids	Addition

Steven Bedford
Doug Navik
Connie Ribbeck
Town of Newstead
Newstead Fire Co
Daniel Andrusz

7045 Cedar
4573 N Millgrove
7732 Fletcher
5 Clarence Center
5691 Cummings
12067 Nice

One family home
Covered porch
Roof
Addition
Fill
Chicken coop

The Town Board accepted the report as presented.

Town Clerk- Dawn presented the May 2010 Dog Control Officers Report. She also presented the newly refurbished volume of births and deaths from 1944-1957 under the towns vital records restoration program.

Attorney for the Town – attended a meeting with Robert Davis, Scott Rybarczyk & Mike Bassanello to resolve issues with regards to the sewer and gas easements. He believes that everything is working out well.

COUNCILPERSONS:

Rooney – nothing to report.

Esposito – nothing to report.

Mayrose – nothing to report.

Baran – nothing to report.

SUPERVISOR - The May Supervisor's Report is on file with the Town Clerk. He stated that he was also at the meeting that Attorney Neill attended as well as a meeting regarding the water consolidation.

UNFINISHED BUSINESS:

Water District #10- Scotland Rd Extension – Scott stated that it is closed out at this time. A resolution to formally close it out will be presented to the Town Board at the June 28th meeting. The final cost came in between \$330,000 – 340,000. They are also continuing to work with ECWA on the pressure issues and the Hunts Corners Rd connection proposal.

Shared Public Works Facility Committee – The contracts were awarded in the joint meeting with the Village that was held last week.

Grants – nothing new to report.

Murder Creek – there will be a meeting tomorrow at the Town Hall with the Brooklyn St & Main St property owners with regards to easements.

NEW BUSINESS:

Opposition to Proposed Dog Laws:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney opposing the proposed Senate Bill S2211(A10330) that would required dog owners to microchip their dogs before being granted a dog license and Senate Bill S2219 that would require dog owners to attend basic obedience training with their dogs before being granted a dog license and generally opposing the states plan to turn licensing of dogs over to the local municipalities instead of NYS Ag & Markets. (Resolution Attached)Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye
Carried Unanimously

Awarding Bid- 13962 Bloomingdale Rd Demolition:

A motion was made by Councilman Rooney, seconded by Councilman Baran awarding the bid for demolition of the unsafe buildings located at 13962 Bloomingdale Rd and restoration of the site to

Wargo Enterprises, Inc. as lowest responsible bidder at a cost of \$19,500.00 and authorizing the Supervisor to execute all contracts for the project.

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

Approval – EMS Contract Extension:

A motion was made by Councilman Mayrose, seconded by Councilwoman Esposito approving the additional 2 year extension of the current EMS Contract with Twin City Ambulance thru 12/31/2012 per the recommendation of the Amherst, Clarence, Newstead EMS Board.

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

Approval – Akron Little League Football Park Request:

A motion was made by Councilman Baran, seconded by Councilman Mayrose approving the request by Akron Little League Football Inc for use of a playing field and the shelter on September 4, 18, 25 and October 16 for home games and for practices starting September 7th.

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

Approval – Employment Hires for Summer Recreation:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the hiring of the following employees for the summer recreation program per the recommendation of the Recreation Director and Board:

Arts & Crafts- Haley Brady (Coordinator), Keelin Brady, Claire Morgan, Elissa Pearce

Rec. Games- Jessica Bell (Coordinator), Evan Falkowski, John Rink

Sports Programs- Greg Parzych (Coordinator), Taylor Barszcz, Ashley Lauricella

Water Activities- Bo Izydorczak (Coordinator), Mitch Bramley, Nick Cwoner

Substitutes- Pat Brown, Christina Komosinski, Kellie Kreher, Rebecca Lowrey, and Emily Papke

Cummings-Aye, Rooney -Aye, Esposito-No, Mayrose-Aye, Baran-Aye Carried

Approval – Training for Zoning & Planning Boards:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney authorizing members from the Planning and Zoning Boards to attend 2 upcoming training sessions that were submitted to the Board for approval.

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

Approval – Authorization for Supervisor to sign Penflex Contract:

A motion was made by Councilman Rooney, seconded by Councilwoman Esposito authorizing the Supervisor to sign the contract with Penflex for the Newstead Fire Companies LOSAP program.

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

Approval – Authorization for the Supervisor to sign Independent Health rider:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney authorizing the Supervisor to sign a contract with Independent Health for a rider to cover dependents to age 26 effective June 1, 2010 and covering through September 2010.

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 Councilman Baran, seconded by Councilman Rooney to adjourn the meeting at 8:31pm.

Carried Unanimously

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