

Newstead Town Board Meeting- June 22, 2009

A Public Hearing was called to order by the Newstead Town Board on Monday, June 22, 2009 at 7:50pm 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.

The Supervisor called the Public hearing on the Scotland Rd waterline extension project bond proposal to order.

The Clerk read the proof of publication.

Comments: No one spoke

The supervisor explained the purpose of completing this loop, which will help with water pressure problems in the town.

There being no further comments, a motion was made by Councilman Finger, seconded by Councilman Rooney to close the public hearing on the Scotland Rd waterline extension bonding at 8:00pm. Carried Unanimously

A regular meeting of the Newstead Town Board was called to order at 8:00pm with the same members present as listed above.

John Good led the pledge to the flag.

Minutes from the previous regular meeting held on June 8, 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 from the NYS DEC informing the town of opportunities for its Landowner Incentive Program Grassland Protection and Management. For more information see the Clerk.

A petition was signed & received from 31 residents on McNeeley Rd requesting the speed limit on that road be lowered from 55mph to 40 mph.

A copy of the April NEST meeting minutes was received from the Supervisor.

A memo was received from the Erie County Department of Environment & Planning notifying the towns of the new procedures for their offices and their new office liaisons contact information to the respective towns.

A letter was received from Matt McKenna, Athletic Director for Akron Central School requesting use of the town park soccer fields for use by the modified soccer team practices.

A motion was made by Councilman Finger, seconded by Councilwoman Esposito 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: Muir Woods, water district issues, Joint Facilities, multiple planning issues, police contracts, recreation issues, bike path issues, grant submissions, personnel issues, Murder Creek 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 Rooney approving the budget transfers as requested by Bookkeeper Colleen Salmon in a memo dated 6/22/09. Carried Unanimously

Approval of Bills -Councilwoman Esposito reported that the Abstracts from Batches #835 from the June 8, 2009 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #838. Vouchers on this abstract numbered 631-679 totaling \$127,245.93 and were presented by Councilwoman Esposito, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #838:
 General Fund (A) -\$35,706.06, General Fund- Outside Village (B) \$692.58, Highway (DA) -\$0, Capital Projects: CAP-WD#10-phase (HI)- \$0, Library Basement (HR04)- \$0, Murder Creek Stabilization (HM) - \$0, Highway Garage- Cap (HG) - \$0, Highway: Outside Village (DB) \$88,124.31, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$35.30, Sewer District #2 (SS02)- \$69.68, and Water Districts (SW1) \$0, (SW2) \$0, (SW3) \$43.00, (SW4) \$0, (SW5) \$76.00, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$2,499.00, Trust & Agency(TA)- \$0
 Total: \$127,245.93 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Oil & stoning of roads is completed and all roads have been swept. Field ditching is continuing and they are getting the town park ready for July 4th activities.

Assessor – nothing reported

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

Don Oldfield	6600 Dye	Siding
Steve Reiner	5048 Ayers	AG Pool & deck
Holly Meides	7061 Maple	Porch remodel
Nova Schlager	11258 Clarence Center	Permit renewal
Ralph Blickensderfer	7243 Maple	Roof
David Wentland	11051 Kelkenberg	Roof
Robert Willadsen	11927 Meahl	Roof
Mr & Mrs. Logan	5630 Cummings	One Family Home
Michael Steszewski	6756 Utley	One Family Home
James Nawrot	11199 Stage	deck
Boyd Peters	11463 Tonawanda Creek	Laundry room
Boyd Peters	11463 Tonawanda Creek	Floodplain development
11399 Main Rd LLC	11399 Main	Self storage units
John Farleo	7713 Greenbush	Shed
Michael Bassanello	12255 Buckwheat	Roof
Charles Fischer	11105 Keller	AG Pool & deck
Martin Dugan	13595 Stage	Deck
Bob Eldred	12499 Clarence Center	Roof
Bob Eldred	12521 Clarence Center	Roof
Kristen Sidell	11507 Miland	Covered patio
Kevin Stoldt	Dorsch Rd	Pond
Kelly Schultz Antiques	Main Rd	Special events building

The Town Board accepted the building report as presented. CEO Good explained a proposal to offer local scout troops or the fire companies a way to fund raise by selling pre-packaged house numbering packets to residents. He reminded those present that it is a violation of the town code not to have your house number properly posted on your home and/or mailbox.

Town Clerk- presented April & May Dog Control Officers Reports.

Attorney for the Town – he met with the representatives for the Muir Woods project to cover details that would be necessary prior to the property take over including costs.

COUNCILPERSONS:

George- nothing at this time

Finger- nothing at this time

Rooney- nothing at this time

Esposito- met with Trustee Wittlinger, the Justices and the town and village Court Clerks to discuss the court merger/consolidation. Everyone was assigned tasks so she requests work session time to cover some items. She also attended the celebration committee meeting and reminded everyone the 4th is fast approaching. Check out the website for up to date information.

SUPERVISOR- he presented NEST minutes. He also attended celebration meeting and reported that several of the town’s projects are nearing completion.

UNFINISHED BUSINESS:

Water District #10- Phase 4/Consolidation- survey is complete and the design is in process. They should be ready for a late summer bid.

Shared Public Works Facility Committee- the town & village closed on the Clarence Center Rd property last week. The survey & geo-tec studies will be started next week and further clearing of the property will continue. The first workshop on the project was held with all the involved town and village employees and the schematic design is in progress. The next meeting will be the 3rd week in July.

GIS- final closeout paperwork being complete & mailed by the end of the week. Very successful implementation for all those involved. It has been suggested to both fire companies that they adopt policies on how the equipment will be cared for and tracked for sign outs. If lost or stolen it is their responsibility from this point forward.

Grants- nothing new

NEW BUSINESS:

Scotland Rd Water Project Bond Approval:

A motion was made by Councilman George, seconded by Councilman Finger issuing approval on a bond issuance in the amount of \$390,000 to construct the proposed 3,500 linear feet of water line on Scotland Rd and authorizing a copy be sent to the County Clerk.

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

A motion was made by Councilman George, seconded by Councilman Rooney authorizing the Town Clerk to publish in the Akron Bugle the full bond issuance resolution on the proposed 3,500 linear feet of water line on Scotland Rd.

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

Councilman George stated this is a very difficult decision to make. He commended Ray for his years of service to the town and to its residents. He feels Ray has represented the town very professionally and loyally for over 28 years. It is a shame this decision had to be made and he wishes Ray the best.

Highway Employee:

A motion was made by Councilman Rooney, seconded by Councilwoman Esposito maintaining that highway employee Raymond Schrock is not physically fit to return to work following an accident and after a physical examination by an independent doctor has determined he cannot return to work, therefore it is necessary to terminate him from his position. The Supervisor is directed to send a letter to Mr. Schrock notifying him of this decision and his rights under the law.

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

Tennis Foundation Grant Approval:

A motion was made by Councilman Finger, seconded by Councilman Rooney approving the receipt of a \$500.00 grant from the Junior Tennis Foundation to the Recreation Department and authorizing the increase of appropriations(A7310.4) and Revenues(A2770) to account for receipt of the funding.

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

Public Hearing- 5149 Crittenden Rd Day Care Project:

A motion was made by Councilman George, seconded by Councilman Finger approving the calling of a public hearing on the proposed day care center at 5149 Crittenden Rd at the town hall on July 13, 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

McNeeley Rd Speed Study Request:

A motion was made by Councilman Rooney, seconded by Councilman Finger approving the submission of a speed study request to Erie County as requested by the petition submitted by residents of McNeeley Rd.

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

Supervisor Cummings explained that 16 applications were received and reviewed and 6 qualified applicants were interviewed for the position.

Hire of Senior Director:

A motion was made by Councilman Finger, seconded by Councilman Rooney approving the hiring of Deborah Sabbatis for the position of Director of Senior Services for the Newstead Senior Center in accordance with the Civil Service guidelines at a salary of \$39,000 effective 7/8/2009 and subject to a background check and successful passing of a civil service exam at its next offering.

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

Park Request- ACS Soccer Practices:

A motion was made by Councilman George, seconded by Councilman Finger approving the request by the Akron Central School Athletic Director for use of the town park fields for modified soccer practices pending coordination of schedules and only on fields designated by the town for such use.

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

Public Hearing- 13414 Main Rd- Unsafe Building:

A motion was made by Councilman Finger, seconded by Councilman Rooney approving the calling of a public hearing on an unsafe building located at 13414 Main Rd reputedly owned by Roy Walter, to be held on July 13, 2009 at 7:45pm at the Newstead Town Hall and authorizing publication of said legal notice in the official paper.

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

Councilman George expressed concern over not enforcing the requirement to take the waterlines to the end of the property line as required under town law. He is feels this creates a potential problem in the future of not being equitable to other town residents by allowing this resident to bypass the requirements.

Downey Rd Waterline Extension Request:

A motion was made by Councilman Rooney, seconded by Councilwoman Esposito approving the request by Vicki Lombard to extend the existing waterline on Downey Rd to 50 feet inside her property line at 7369 Downey Rd to connect to the ECWA waterlines with all costs to be covered by the owner of the property.

(Resolution Attached) Cummings-Aye, George-No, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried

Question Period- no one spoke

The meeting was ended with a moment of silence in honor of resident Millard Young who passed away this week.

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 8:41pm.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorzak, Town Clerk