

Newstead Town Board Meeting- July 12, 2010

A Regular Meeting was called to order by the Newstead Town Board on Monday, July 12, 2010 at 8:00pm 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.

Highway Supt. Mike Bassanello led the pledge to the flag.

Minutes from the previous regular meeting held on June 28, 2010 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Baran to approve both as presented. Carried Unanimously

Communications – The Town Clerk presented the following correspondence:

A letter from Time Warner Cable notifying the Town of the programmers and broadcasters they are currently renegotiating for service.

The June 2010 Operations Report was received from Amherst Central Alarm Office reporting 44 calls for Akron Fire Co and 27 calls for Newstead Fire Co.

The Quarterly Report covering April 1 – June 30, 2010 was received from Allied Waste reporting 1,847+/- residential units collected for with 485.33+/- tons of solid waste collected and 67.71+/- tons of comingled recyclables collected.

The 2010 Annual Report of Department of Real Property Tax Services Equalization Rates and Tax Rates was received.

A request for liquor license renewal was received from Arrowhead Golf Club Links, LLC regarding the renewal of a “Ball Park” license and a “Rooftop” license.

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

Councilman Baran questioned the status of the Time Warner request for switching to the Buffalo market service. Town Attorney Neill gave an update on the expense to make the change.

Work Session: The Supervisor reported that no work session was held last week due to the holiday weekend.

Privilege of the Floor – no one spoke

Budget Transfers: none

Approval of Bills – Councilwoman Esposito reported that the Abstract from Batches #956 & 957 from the June 28, 2010 meeting has been reviewed with the previously un-audited vouchers and everything was found in order. She presented Abstract Batches #960 & 961. Vouchers on these abstracts numbered from 690 – 751 totaling \$216,545.66 and were presented by Councilwoman Esposito, seconded by Councilman Rooney to approve payment as follows:

Abstract Batch #960 & 961:

General Fund (A) -\$11,130.46, General Fund- Outside Village (B) \$80.50, Highway (DA) -\$0,
Highway: Outside Village (DB) \$105,972.30, Capital Projects: CAP- Highway Garage- (HG) -

\$44,776.34, CAP-Murder Creek (HM) \$0, CAP-Equip Purchase (HR02) \$0, CAP-Library Basement (HR04)- \$0, CAP- Scotland Rd (HS)- \$14,996.60, CAP- Town Hall Addition (HT) \$0, Drainage (SD)- \$0, Fire Protection (SF) \$4,336.24, Refuse (SR) \$28,532.20, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$150.00, 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) \$2,896.74, Trust & Agency(TA)- \$0
 Total: \$216,545.66

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – the crews have started replacing culverts on Moore Rd. They are continuing with road side mowing and off road ditch mowing. They repaved the entry apron at the town hall this week. The Brandl drainage project has been started with clearing of all the brush.

Assessor – no report presented. Becky is doing well and healing. She should be back to work soon.

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

Robert Strollo	13527 Bloomingdale	Shed
Michael Borth	13546 Stage	Permit renewal
Golden Pond Estates	#202	Roof
Tina Smith	11440 Rapids	Pool
Daniel Kirst	12284 Tonawanda Creek	Storage building
Jeff Fancher	4413 Billo	One family home
Jeff Fancher	4413 Billo	Driveway
Robert Bebee	6801 Moore	Permit renewal
Craig Huber	4025 Pohl	Addition
Uncle Sam’s Antiques	11111 Main	Sign
Timothy Trzenski	7746 Moore	Permit renewal
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Joe Frey/The Rothland’s	12089 Clarence Center	Demolition
Joe Frey/The Rothland’s	12292 Clarence Center	Seasonal tent
Edward Hartranft	5715 Barnum	Roof & siding
Philip Lazzazero	12454 Lesswing	Pole barn addition
Daryll Santillo	11735 Clarence Center	Sunroom
Mark Maier	12956 Carney	A.G. pool
Leisurewood Campgrounds	5720 Cummings	ROW Access
Douglas Wall	5660 Cummings	A.G. pool
Brian & Darren Wight	7592 Scotland	Pole barn
Eric & Robby Sponholz	7842 Moore	I.G. pool
Doug Geiger	13382 Steiner	Pole barn

The Town Board accepted the report as presented.

Town Clerk- Dawn presented the June Dog Control Officers report.

Attorney for the Town – Nothing at this time

COUNCILPERSONS:

Rooney- Nothing at this time

Esposito- Nothing at this time

Mayrose- reported he met with Mike and Wes Rehwaldt on installation of AED units at the parks.

Baran- Nothing at this time

SUPERVISOR- presented 2011 tentative budget schedule. Worksheet distribution will be next week. He and Carl have been working on getting easements completed for the Murder Creek project. He spent time with the State, utility companies, other municipalities and the state police working on the dumping issue on Bruning Road. It was determined thru investigation that most of the items being dumped are from the Reservation.

UNFINISHED BUSINESS:

Water District #10- Scotland Rd Extension- Scotland Rd project is finished and the close out resolution will be ready for the July 26th meeting. Scott is continuing to meet with ECWA staff to work out the pressure issues.

Shared Public Works Facility Committee- site work is done, water & sewer will be completed this week. The finalized contracts have been distributed. A pre-construction meeting will be held soon.

Grants- nothing new on salt shed grant. 2 Recreation grants are being submitted this week.

Murder Creek- nothing new

The **Town Hall Project** is moving along. The Town Court will be moving in with the Village Court this week until work is finished. Town Board meetings will be moved to the Newstead Senior Center starting with the first meeting in August. The Planning Board will continue to meet at the Town Hall throughout construction using the conference room.

NEW BUSINESS:

Approval of Joint Facility Changer Order- 7th Bay:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose authorizing the proposed change order to add a 7th bay on to the Joint Highway Facility project for an amount not to exceed \$165,000.

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

Approval of Transfer of Title- Clarence Center Rd property:

A motion was made by Councilman Mayrose, seconded by Councilwoman Esposito authorizing the proposed transfer of title on the Clarence Center Rd property for the Joint Highway Facility project to reflect joint ownership by both the Town and the Village of Akron.

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

Approval of Code Enforcement Contract:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the proposed contract with the Village of Akron for Code Enforcement services subject to the terms set forth in the resolution.

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

Approval of Akron Central Tax Collection Contract:

A motion was made by Councilman Baran, seconded by Councilman Rooney approving the proposed contract with Akron Central School for tax collection services for the 2010-2011 cycle.

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

Approval of Clarence Central Tax Collection Contract:

A motion was made by Councilwoman Esposito, seconded by Councilman Mayrose approving the proposed contract with Clarence Central School for tax collection services for the 2010-2011 cycle.

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

Special Use Permit: Home Based Business- 7463 Maple Rd:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the request for a Special Use Permit for a Home Based Business operating at 7463 Maple Rd as a landscaping & construction business owned by Paul Herberger subject to the terms set forth in the resolution.

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

Approval – Liquor License Renewal- Arrowhead Golf Course:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the liquor license renewal requests by Arrowhead Golf Course for a “Ball Park” license and a “Rooftop” license.

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

PIP Deposit- Haven Rd Subdivision:

A motion was made by Councilwoman Esposito, seconded by Councilman Rooney approving the posting of a cash deposit by Stanley Tatara in lieu of a bond on the Haven Road Subdivision project, which shall total approximately 105% of the estimated cost of work yet to be performed a total of \$385,195.00 and subject to the terms set forth in the resolution.

(Resolution Attached)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 Rooney, seconded by Councilman Baran to adjourn the meeting at 8:37pm.

Carried Unanimously

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