

Newstead Town Board Meeting- July 13, 2009

A Public Hearing was called to order by the Newstead Town Board on Monday, July 13, 2009 at 7:45pm 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
Dawn Izydorzak- Town Clerk
Jennifer Heberling- Deputy Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing on the unsafe building located at 13414 Main Rd to order.

The Clerk read the proof of publication.

Comments: no one spoke. The Supervisor gave a background on the site and the next steps in the process for demolition.

There being no further comments, a motion was made by Councilman George, seconded by Councilman Finger to close the public hearing on the unsafe building located at 13414 Main Rd at 7:58pm.

The Supervisor called the public hearing on the proposal for a day care center at 5149 Crittenden Rd to order at 7:58pm.

The Clerk read the proof of publication. Comments were received from several state, county and local agencies.

Comments: Jeannine Morlacci, proposed operator of the day care facility informed the board that due to the subdivision of the property the building sits on the new address of the building will be 5155 Crittenden Rd.

Chief Joe Hawes of the Akron Fire Co. spoke regarding the 5 to 6 points that were conditional on the fire companies sign off on the project.

Councilwoman Esposito questioned the distance reported on the plan of the existing fire hydrant and Chief Hawes stated he did double check the distance and it is 400', but on a diagonal. He is ok with that distance as long as the sprinklers are put in the building.

The Supervisor also requested it be noted that the Ag & Markets map submitted back to the town wrongly identifies the property as a new build with a new water source. That is incorrect as this is an existing building with an existing water source.

There being no further comments, a motion was made by Councilman Finger, seconded by Councilman George to close the public hearing on the proposed day care center at 8:07pm.

A regular meeting of the Newstead Town Board was called to order at 8:07pm with the same members present as listed above.

Supervisor Cummings led the pledge to the flag.

Minutes from the previous regular meeting held on June 22, 2009 were presented for approval. A motion was made by Councilman Finger, seconded by Councilwoman Esposito to approve as presented. Carried Unanimously

Communications – The Town Clerk presented the following:

A letter from Mary Borden requesting permission to hold a 5K Memorial Run in honor of Emily Rose Adamczak on July 18, 2009.

A letter from Time Warner Cable regarding the latest updates to their programming.

A public hearing notice from the Town of Royalton to be held on July 13, 2009 at 7:00pm regarding the approval of their Master Plan.

A public hearing notice from the Town of Alden to be held July 20, 2009 at 7:05pm regarding decreasing the number of their Planning Board members from 7 to 5.

A certified resolution adopted by the Town of Alden requesting the Senate and Assembly to make a law allowing smaller governments to chose the lowest road salt prices when contracts are presented to them by the State.

A certified resolution passed by the Town of Aurora supporting the full cleanup of the West Valley Nuclear Waste site thru waste excavation.

The Quarterly Report for April thru June was received from Allied Waste Service reporting 1,820+/- residential units collected for with 434.66+/- tons of solid waste collected and 64.71 tons of co-mingled recyclables collected.

The June Operations Report was received from Amherst Central Alarm office reporting 43 calls for Akron Fire Co and 36 calls for Newstead Fire Co.

A letter was received from Erie County DPW forwarding the request for a speed study on McNeeley Rd on to the NYS DOT.

A letter was received from the Erie County Nutrition Program notifying the town that the per meal reimbursement will go from \$0.22/meal to \$0.25/meal retroactive to 7/1/09.

A copy of the 2008-2009 Buffalo Urban League Annual Report was received.

A motion was made by Councilman George, seconded by Councilman Finger to receive and file correspondence as presented. Carried Unanimously

Councilman George requested a new multi-year analysis report of the refuse and recycling trends from Allied Waste. Dawn will take care of requesting that report.

Work Session: The Supervisor reported that at the work session held last week the following issues were discussed: water district issues, Joint Facilities, court consolidation committee report, town hall addition project, police contract, bike path property purchase, grant submissions, police garage, multiple planning issues, denio basement, limerick hall, town park and ball diamonds, as well as any other items found necessary.

Privilege of the Floor – Hazel Kellner of 12260 McNeeley Rd questioned the process of requesting a speed study and how long it will take to get results. The Supervisor and the Town Attorney addressed the questioned and explained that it could be as much as 3-4 months before we hear results.

Budget Transfers: a motion was made by Councilwoman Esposito, seconded by Councilman Finger approving the budget transfers as requested by Bookkeeper Colleen Salmon in a memo dated 7/13/09. Carried Unanimously

Approval of Bills -Councilwoman Esposito reported that the Abstracts from Batches #838 from the June 22, 2009 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batches #840, 842, 844, 846 & 847. Vouchers on these abstracts numbered from 680-681 & 703-783 totaling \$76,357.3 and were presented by Councilwoman Esposito, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #840, 842, 844, 846 & 847:

General Fund (A) -\$20,717.62, General Fund- Outside Village (B) \$154.45, Highway (DA) -\$0, Capital Projects: CAP-WD#10-phase 2(HI)- \$80.00, Library Basement (HR04)- \$0, Murder Creek Stabilization (HM) - \$0, Highway Garage- Cap (HG) - \$0, Highway: Outside Village (DB) \$13,914.05, Drainage (SD)- \$0, Fire Protection (SF) \$4,309.44, Refuse (SR) \$27,911.87, Sewer Fund (SS) \$2,580.98, Sewer District #2 (SS02)- \$157.50, 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) \$2,857.11, Trust & Agency(TA)- \$0
Total: \$76,357.30 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – The crews are half done working on road shoulders and they will finish next week. Mike received an estimate from FM Communications for work to be done on either an 800 mhz system or a UHF system. He asked the board for time to discuss both options and get their opinions. The village is currently on a UHF system. He also questioned the ability to use the tower located on the Buell St property for the new system service. Mike also explained the resolution from Alden on salt bids. The State bid comes out in April with no pricing on it and the County list comes out in July. By the time the county pricing list comes out he has already had to commit to the State bid with no idea what the price will eventually be. Councilman George questioned the Town Attorney if the State can legally keep a municipality out of the contract if they don't opt into the contract in April. Nathan will look into it. Councilman Finger also questioned past money spent on work done on the 800 mhz system. Mike explained that Sprint will be covering all the costs of the new systems.

Assessor – no report

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

Peter DiGiacomo	6889 Sandhill	I. G. Pool
Duwayne Grabenstatter	12447 Hunts Corners	Permit renewal
Vickie Lombard	7369 Downey Rd	One family home
James Schneider	11568 Meahl	Roof
Glenn Richardson	7881 Moore	Garage
Leisurewood Campground	5720 Cummings	R.O.W. access
Tom Evans	7440 Maple	Deck
Glenn Richardson	7881 Moore	Floodplain development

The Town Board accepted the report as presented.

Town Clerk- presented June Dog Control Officers Report. 2009 County/Town tax collection has ended and all unpaid files have been sent to the County. Limerick Hall has been totally cleaned out and awaits the Board's decision for its future use.

Attorney for the Town – nothing at this time

COUNCILPERSONS:

George- nothing at this time

Finger- repairs to the Denio lower level floor have been started.

Rooney- nothing at this time

Esposito- She attended the library board meeting where it was reported that circulation is up 17%. The Erie County Director of Libraries, Bridget Quinn-Carey will be visiting the Newstead Library on August 4th.

SUPERVISOR- He will be passing out 2010 Budget sheets to everyone this week. The new Senior Director was introduced to staff this week. He will see if she can attend a board meeting or work session to meet the board members.

UNFINISHED BUSINESS:

Water District #10- Phase 4/Consolidation- Scotland Rd survey, field work and preliminary design work is complete. The project is on schedule.

Shared Public Works Facility Committee- a progress meeting was held this morning and site survey work will be completed this week. Geo-technical work is set to begin next week.

GIS- Dawn reported the grant has been closed out. We are waiting for final 10% funding from the state. Thank you to everyone who worked so hard on this grant especially Becky Baker, Jennifer Heberling, Carl Klingenschmitt and Steve Morse from Bergmann.

Grants- nothing new

NEW BUSINESS:

Survey Contract Approval- Stantec:

A motion was made by Councilman George, seconded by Councilman Finger approving the bid for survey work on the Joint Highway Facility site from Stantec Consulting Services at a cost of \$14,300, which does not incur the 5% administrative charge, subject to the terms set forth in the resolution and authorizing the supervisor to sign the necessary contracts.

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

Lateral Restriction Request- 5660 Cummings Rd:

A motion was made by Councilman Rooney, seconded by Councilwoman Esposito approving the application for a lateral restriction water hardship exception request for the property located at 5660 Cummings Rd based on the proof submitted with the request.

Cummings-Aye, George-No, Finger-Aye, Rooney -Aye, Esposito-Aye Carried

Lateral Restriction Request- 6149 Dye Rd:

A motion was made by Councilman Rooney, seconded by Councilman Finger approving the application for a lateral restriction water hardship exception request for the property located at 6149 Dye Rd based on the proof submitted with the request.

Cummings-Aye, George-No, Finger-Aye, Rooney -Aye, Esposito-Aye Carried

Request for Training:

A motion was made by Councilman George, seconded by Councilman Finger approving the request by Christine Falkowski and Julie Brady of the Planning & Building departments to attend a training session in August.

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

5K Memorial Run Request:

A motion was made by Councilman Finger, seconded by Councilman Rooney approving the request by Mary Borden for use of the village/town roads for a 5K Memorial Run honoring Emily Adamczak as a benefit to cover funeral expenses for the family.

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

Appointment of Fire Contract Committee:

The Supervisor announced the appointment of himself and Councilman Finger to a fire contract negotiation committee for 2009.

Question Period- no one spoke

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilman Rooney to adjourn the meeting at 8:37pm.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorczak, Town Clerk