

Newstead Town Board Meeting- July 26, 2010

A Regular Meeting was called to order by the Newstead Town Board on Monday, July 26, 2010 at 8:00pm at the Newstead Town Hall.

Present: David L. Cummings- Supervisor
Justin Rooney- Councilman
James Mayrose- Councilman
Richard Baran- Councilman
Mike Bassanello- Highway Supt.
Nathan Neill- Town Attorney
Scott Rybarczyk- Town Engineer
Dawn Izydorczak- Town Clerk
Jennifer Heberling- Deputy Town Clerk

Roll Call was taken with all board members present except Councilwoman Cheryl Esposito who is on vacation.

Town Attorney Nathan Neill led the pledge to the flag.

Minutes from the previous regular meeting held on July 12, 2010 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Rooney to approve both as presented. Carried

Communications – The Town Clerk presented the following correspondence:

A letter from resident Cheryl Blemaster to both the town and village regarding a request to have an American flag hung in Russell Park near the band shell.

A copy of the 2009 Annual Report was received from Erie County Water Authority.

Flyers on the Erie County Housing/Homeless Outreach Program were received.

A copy of proposed Local Law #2 of 2010 was received from the Town of Alden which would eliminate the position of Receiver of Taxes and merge it with the Town Clerk's position.

Information was received from the NYS Department of Public Service regarding a scheduled hearing August 2, 2010 from 5:00pm – 8:00pm at the Broome County Public Library in Binghamton regarding the NYS Electric & Gas Corp proposed rate increase cases and also a notice regarding mobile stray voltage testing that has been ordered for all electric utilities.

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

Work Session: The Supervisor reported that at work session held last week the following items were discussed: a meeting with Tom George on the joint facility project as well as fencing and annexation issues, water district issues, grant submissions, planning issues, personnel issues, boy scout request-Denio library, town hall project, budget 2011, as well as any other issues brought forth.

Privilege of the Floor – no one spoke

Budget Transfers: none

Approval of Bills – Councilman Mayrose reported that the Abstract from Batches #960 & 961 from the July 12, 2010 meeting has been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batches #965 & 966. Vouchers on these abstracts numbered from 752- 787 totaling \$99,879.20 and were presented by Councilman Mayrose, seconded by Councilman Baran to approve payment as follows:

Abstract Batch #965 & 966:

General Fund (A) -\$9,439.88, General Fund- Outside Village (B) \$34.23, Highway (DA) -\$0,
Highway: Outside Village (DB) \$2,908.27, Capital Projects: CAP- Highway Garage- (HG) -
\$1,175.08, CAP-Murder Creek (HM) \$220.00, CAP- Equipment Purchase (HR02) \$5.40, CAP-

Library Basement (HR04)- \$0, CAP- Scotland Rd (HS)- \$11.70, CAP- Town Hall Addition (HT) \$82,253.81, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$3,719.51, Sewer District #2 (SS02)- \$81.35, and Water Districts (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$29.97, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0, Trust & Agency(TA)- \$0
 Total: \$99,879.20 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – field ditch mowing is continuing. Today they helped install electrical wiring for defibrillators at the park buildings with the soccer/baseball representatives.

Assessor – no report presented

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

| | | |
|---------------------|-----------------------|-----------------|
| Ross Rumfola III | 11541 Miland | Pole barn |
| David Ranney | 11932 Meahl | Roof |
| Golden Pond Estates | Lot #7 | One family home |
| Matt Karcher | 13146 Carney | A.G. Pool |
| Vivian Wheat | 12434 Swift Mills | Roof |
| Nova Schlager | 11258 Clarence Center | Permit renewal |
| Mr. & Mrs. Eickler | 6674 Draper | Pole barn |
| James Anderson | 12452 Meahl | Covered porch |
| Bruce Bruyere | 8002 Kathryn | Roof |
| Chad Comeau | 6320 Utley | Pole barn |

The Town Board accepted the report as presented.

Town Clerk- Dawn reported she has been elected the District Director for the NYS Tax Receivers & Collectors Association.

Attorney for the Town – nothing at this time

COUNCILPERSONS:

Rooney- nothing at this time

Esposito- not present

Mayrose- thanked mike and the highway department for their assistance with installing the AED units at the parks.

Baran- nothing at this time

SUPERVISOR- the June Supervisors Report is on file with the Town Clerk. There will be no work session August 2nd and then starting with the August 9th meeting the Board meetings will move to the Senior Center at 5691 Cummings Rd. Councilman Mayrose & he met with the fire companies to start negotiations for a new contract.

UNFINISHED BUSINESS:

Water District #10- Scotland Rd Extension- the close out resolution will be presented tonight. They are continuing to work on pressure problems with the ECWA. Scott will start putting together cost figures for new water projects for next year.

Shared Public Works Facility Project- a kick off construction meeting was held today and a tentative construction schedule was set. Work is set to begin mid-August.

Town Hall Project- masonry is almost complete, steel is on site for roofing to begin this week.

Grants- working on 2-3 new grant applications for the fall.

2011 Budget- work sheets are due in from department heads by August 2nd. After that meetings will be set with department heads to discuss budget requests.

NEW BUSINESS:

Amendment of Standard Work Days for Employees:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the proposed amendments to the standard work day schedule for elected and appointed officials as adopted at the previous board meeting held on 6/28/10 due to errors.

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

2009 Justice Court Audit:

A motion was made by Councilman Mayrose, seconded by Councilman Baran approving the Justice Court audit conducted by Councilwoman Esposito for the year 2009 during which all records were found to be maintained in an exceptionally organized and proper manner.

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

Approval of Fencing Bid:

A motion was made by Councilman Baran, seconded by Councilman Mayrose approving the proposed quote by Capital Fence for a 6 foot fence in the amount of \$8,837 for fencing to border the Cowan property and Joint Facility property and authorizing the Supervisor to execute the contracts.

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

Change Order- Joint Facility Project:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the proposed change order for additional engineering work done by Stantec on the joint facility project as follows: \$39,000 for design services, \$7,500 for additional value engineering, \$18,500 for redesign adding 7th bay for a total of \$65,000 in change orders awarded to Stantec.

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

Drainage Work Approval- Brandl Property:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the proposed drainage work in an amount not to exceed \$2,000 for the purchase of a 3 foot diameter pipe to replace the existing pipe located on the Brandl property on Hake Rd.

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

Local Law #4 of 2010- Retirement Incentive Part A:

A motion was made by Councilman Baran, seconded by Councilman Rooney approving the calling of a public hearing to hear comments on the proposed Local Law #4 regarding offering the retirement incentive Part A to eligible employees of the town, to be held on August 9, 2010 at 7:45pm at the Newstead Senior Center, 5691 Cummings Rd.

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

Local Law #5 of 2010- Retirement Incentive Part B:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the calling of a public hearing to hear comments on the proposed Local Law #5 regarding offering the retirement incentive Part B to eligible employees of the town, to be held on August 9, 2010 at 7:50pm at the Newstead Senior Center, 5691 Cummings Rd.

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

Scotland Rd Waterline Project Closeout:

A motion was made by Councilman Mayrose, seconded by Councilman Baran approving the final completion of the Scotland Rd waterline project by New Frontier Excavating & Paving, Inc. and accepting the 2 year maintenance bond submitted by New Frontier Excavating & Paving, Inc. dated 6/28/2010 which shall run for a 2 year period from said date.

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

Approval – Cub Scout Display Case:

A motion was made by Councilman Mayrose, seconded by Councilman Baran approving the request by Cub Scout Pack 531 to place a display case in the lower level meeting room of the Denio/Newstead Community Building for their awards.

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

The town park use request by NY Premier Soccer will be addressed at the next meeting once the scheduling can be looked at.

The street light request by Mr. Wargo will also be addressed at the next meeting.

Question Period- no one spoke

The Town Board entered executive session to discuss personnel and policy issues at 8:37pm. The Town Board exited executive session at 10:00pm having taken no action.

There being no further business to come before the board a motion was made by Councilman Mayrose, seconded by Councilman Rooney to adjourn the meeting at 10:01pm.

Carried

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