

Newstead Town Board Meeting- August 9, 2010

A Public Hearing was called to order by the Newstead Town Board on Monday, August 9, 2010 at 7:45pm at the Newstead Senior Center.

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 Esposito who is on vacation.

The Supervisor called the public hearing to order for comments on proposed Local Law #4 of 2010 regarding offering the retirement incentive Part A to eligible employees of the town.

The Town Clerk read the proof of publication.

Comments: Dave DeYoung of Carney Rd thanked the board for considering this incentive.

There being no further comments, a motion was made by Councilman Mayrose, seconded by Councilman Rooney to close the public hearing on Local Law #4 of 2010 at 7:50pm.

Carried

The Supervisor called the public hearing to order at 7:50pm for comments on proposed Local Law #5 of 2010 regarding offering the retirement incentive Part B to eligible employees of the town.

The Town Clerk read the proof of publication.

Comments: no one spoke

There being no further comments, a motion was made by Councilman Baran, seconded by Councilman Mayrose to close the public hearing on Local Law #5 of 2010 at 7:54pm.

Carried

The Town Board called their regular meeting to order at 8:00pm with the same members present as listed above.

David DeYoung led the pledge to the flag.

Minutes from the previous regular meeting held on July 26, 2010 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Baran to approve both as presented.

Carried

Communications – The Town Clerk presented the following correspondence:

A letter from John Wargo owner of Wargo Enterprises at 5055 Havens Rd requesting the towns approval to install a light at the end of the properties driveway at his own expense.

A letter from Time Warner Cable notifying the town of the current programming changes to take effect in August and September and the current programmers they are under renegotiation with for service.

The July 2010 Operations Report was received from Amherst Central Alarm Office reporting 44 calls for Akron Fire Co and 28 calls for Newstead Fire Co.

The NYS Office of Real Property Services has issued an equalization rate for the Town of 99% for the 2010 Assessment Roll.

The NYS DEC and FEMA have teamed up to offer a 4 day Community Rating System class under their Floodplain Management Program. Anyone interested in attending the class or more information can see the Clerk for the forms.

A certified resolution passed by the Town of Brant regarding their support of the Marcellus Shale gas formation production issue and ask the state legislature to stand aside on the issue and Governor Patterson to allow the project to progress.

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

Work Session: The Supervisor reported that no work session was held last week.

Privilege of the Floor – no one spoke

Budget Transfers: none

Approval of Bills – Councilman Mayrose reported that Councilwoman Esposito has reviewed the Abstract from Batches #965 & 966 from the July 26, 2010 meeting with the previously un-audited vouchers and everything was found in order. He presented Abstract Batches #968 & 971. Vouchers on these abstracts numbered from 809 - 859 totaling \$121,151.87 and were presented by Councilman Mayrose, seconded by Councilman Baran to approve payment as follows:

Abstract Batch #968 & 971:

General Fund (A) -\$9,324.39, General Fund- Outside Village (B) \$673.52, Highway (DA) -\$0, Highway: Outside Village (DB) \$2,882.61, Capital Projects: CAP- Highway Garage- (HG) - \$63,383.77, CAP-Murder Creek (HM) \$0, CAP- Equipment Purchase (HR02) \$0, CAP-Library Basement (HR04)- \$0, CAP- Scotland Rd (HS)- \$431.00, CAP- Town Hall Addition (HT) \$2,561.37, Drainage (SD)- \$0, Fire Protection (SF) \$4,336.24, Refuse (SR) \$30,785.11, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$160.00, and Water Districts (SW1) \$40.20, (SW2) \$88.44, (SW3) \$124.06, (SW4) \$112.56, (SW5) \$2,488.54, (SW6) \$305.52, (SW7) \$426.12, (SW7A) \$48.24, (SW8) \$32.16, (SW9) \$88.44, (SW10) \$2,859.58, Trust & Agency(TA)- \$0
Total: \$121,151.87 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – nothing at this time

Assessor – no report presented

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

Faith Fellowship church	11478 Main	Sign
A. Pingitore	4954 S Newstead	Addition
Gordon Dorr	11430 Stage	Roof
Matthew Priebe	6032 Crittenden	A.G. Pool
Steven Bedford	7045 Cedar	Pond
James DeLaurentis	12255 McNeeley	Garage
Susan Brown	8010 Burdick	Pole barn
Susan Brown	8010 Burdick	Floodplain development
Kelly Schultz	Stage & Billo	fill
William Leiker, Jr.	7431 Cedar	I.G. Pool
Rickey Franczak	13822 Main	Roof

The Town Board accepted the report as presented. They also received an update report of Open Permits and Violations.

Town Clerk- Dawn presented the Dog Control Officers report for July.

Attorney for the Town – nothing at this time

COUNCILPERSONS:

Rooney- nothing at this time

Esposito- not present

Mayrose- nothing at this time

Baran- he has been having a hard time getting bids on the interior repairs at the Senior Center from the roof leak earlier this spring so they have decided the work will be done by the contractor that is doing the roof repair work to fix a flashing problem.

SUPERVISOR- he and Councilman Mayrose met with the Fire Chiefs again tonight to further negotiate the terms of the fire contracts.

UNFINISHED BUSINESS:

Water District #10- Scott provided the Board with information on cost estimates to continue projects in the few un-serviced areas left in town. They are continuing to address pressure issues with ECWA and finally received the data they have been waiting for from ECWA. Councilman Baran questioned when the water tank will be refilled. Scott stated he did not know, the water pressure issues needed to be addressed first.

Shared Public Works Facility Project- a pre-construction meeting was held this afternoon and they are continuing to prep for construction within the next 2 weeks.

Town Hall Project- masonry is complete, steel is being erected with roofing to begin this week.

Grants- nothing new to report

NEW BUSINESS:

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

A motion was made by Councilman Baran, seconded by Councilman Mayrose issuing a Determination of Non-Significance of Local Law for the proposed Local Law #4 regarding offering the retirement incentive Part A to eligible employees of the town.
(Resolution Attached)Cummings-Aye, Rooney -Aye, Esposito-Absent, Mayrose-Aye, Baran-Aye
Carried

A motion was made by Councilman Baran, seconded by Councilman Rooney approving and adopting the proposed Local Law #4 regarding offering the retirement incentive Part A to eligible employees of the town.
(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 Mayrose, seconded by Councilman Baran issuing a Determination of Non-Significance of Local Law for the proposed Local Law #5 regarding offering the retirement incentive Part B to eligible employees of the town.
(Resolution Attached)Cummings-Aye, Rooney -Aye, Esposito-Absent, Mayrose-Aye, Baran-Aye
Carried

A motion was made by Councilman Mayrose, seconded by Councilman Baran approving and adopting the proposed Local Law #5 regarding offering the retirement incentive Part B to eligible employees of the town.
(Resolution Attached)Cummings-Aye, Rooney -Aye, Esposito-Absent, Mayrose-Aye, Baran-Aye
Carried

Approval – Training Request:

A motion was made by Councilman Baran, seconded by Councilman Mayrose approving the training request by Bill Kaufman to attend ZBA classes and approving the Bookkeeper, Town Clerk and Building Administrator to attend a SEMO Public Assistance Workshop.

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

Approval – Town Park Use Request:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the request made by the NY Premier Soccer group to use fields at the town park for practices on specific dates in September & October.

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

Approval – Building Dept. Form Revision:

A motion was made by Councilman Mayrose, seconded by Councilman Baran approving the revisions made to the Building Departments Inspection Documentation Form as presented.

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

Approval – Workman’s Comp Procedure Policy:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the Workman’s Compensation Procedure Policy, as developed in conjunction with the Towns Workman’s Comp Administrator, Fred Thomas Agency and the Fire Departments, as presented.

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

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 Mayrose to adjourn the meeting at 8:22pm.

Carried

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