

Newstead Town Board Meeting- August 11, 2008

A Regular Meeting was called to order by the Newstead Town Board on Monday, August 11, 2008 at 8:00pm at the Newstead Town Hall.

Present: David Cummings– Supervisor
Tom George- Councilman
Harold Finger- Councilman
Cheryl Esposito- Councilwoman
Nathan Neill- Town Attorney
Mike Bassanello- Highway Supt.
Scott Rybarczyk- Town Engineer
John Good- Code Enforcement Officer
Dawn D. Izydorczak- Town Clerk
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present except Councilman Rooney who is out of town.

Supervisor Cummings led the pledge to the flag.

Minutes from the previous regular meeting held on July 28, 2008 were presented for approval. A motion was made by Councilman Finger, seconded by Councilwoman Esposito to approve as presented. Carried

Communications – The Town Clerk presented the following:

A letter from NYS Senator Mary Lou Rath informing the town that grants have been awarded in the amount of \$30,000 towards the cost of improvements to the bike path and \$1,500 for the purchase of a defibrillator for the Senior Center.

The 2nd quarter report was received from Waste Management reporting 121.44 tons of solid waste and 19.34 tons of recycling collected.

The July 2008 Operations Report was received from Amherst Central Alarm Office reporting 44 calls for Akron Fire Co. and 31 calls for Newstead Fire Co.

A notice was received from the Town of Pembroke regarding a public hearing on their proposed Local Law No. 1 of the year 2008 which will result in several amendments to their code.

A notice from Tennessee Gas Pipeline that they will be mowing their right-of-ways over the next several weeks.

A copy of a letter from resident Norma Bluhm to the Akron Bugle for publication was received by the Board.

A letter from Time Warner Cable announcing the agreements with 17 programmers they are currently under negotiations with for service.

A copy of the proposed ordinance from the Town of Lancaster entitled “Transit Road Access Management” requesting comments on the proposed law from the Board.

An letter from the Retired Public Employees Association, Inc. Western New York Chapter announcing a seminar to be held at the Leonard Post VFW Post at 2450 Walden Ave in Cheektowaga on Monday, October 6, 2008 from 5:30 – 8:30pm for any public employees considering retirement in the next three to five years.

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

Work Session: The Supervisor reported that at the last work session held the following issues were discussed: budget item with the Town Clerk, highway contract negotiation, water district issues, grants, planning issues, denio building basement project, personnel issues, and an executive session with the Village Board on the Joint Highway Facility project contracts.

Privilege of the Floor – Tony Brandl of 6320 Hake Road spoke regarding the current drainage and flooding problems on his property. Mr. Brandl presented pictures and a report documenting the

progression of the problem to the board. The report documents 8 different floods on his property. He stated ever since the water lines were put in and they filled in his ditch the problem has gotten worse. He has spoken several times with Don Kreher, Chairman of the Drainage Committee about this problem, which has progressively gotten worse every year. The drainage begins on Main Road, flows down Cummings Road and crosses Hake over the bike path and pools on his property.

Supervisor Cummings visited his property last week and spent 45 minutes with him viewing the drainage and flooding problems on his property. Copies of the report will be made for each board member and the drainage committee. Both boards will review it along with the Town Engineers.

Budget Transfers: none

Approval of Bills -Councilwoman Esposito reported that the Abstracts from Batches #736 & 737 from the July 28, 2008 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #741. Vouchers on this abstract numbered 791- 842 totaling \$136,603.24 and were presented by Councilwoman Esposito, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #741:
 General Fund (A) -\$42,973.81, General Fund- Outside Village (B) \$888.65, Highway (DA) -\$0,
 Capital Projects: CAP-WD#10-phase 3 (HI)- \$20.20, Murder Creek Stabilization (HM) - \$0,
 Highway: Outside Village (DB) \$52,856.34, Drainage (SD)- \$0, Fire Protection (SF) \$4,285.22,
 Refuse (SR) \$28,869.79, Sewer Fund (SS) \$80.77, Sewer District #2 (SS02)- \$133.03, and Water
 Districts (SW1) \$42.72, (SW2) \$88.44, (SW3) \$112.56, (SW4) \$112.56, (SW5) \$2,438.22, (SW6)
 \$325.22, (SW7) \$426.12, (SW7A) \$48.24, (SW8) \$32.16, (SW9) \$88.44, (SW10) \$2,780.75, Trust
 & Agency(TA)- \$0,
 Total: \$136,603.24 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway –The new truck was delivered today and he invites the board members to come to see it. He needs work session time to discuss what options to consider for getting rid of the old truck.

Assessor – no report

Building Office –the building report was presented by Building Administrator Christine Falkowski:

Daniel Kurdziel	7435 Cedar	Chimney repair
John Easton	13408 Martin	One family home
Tim Prise	5547 Barnum	One family home
John Olaf	11044 Crego	Roof
Leisurewood Campground	5720 Cummings	Office roof
Jesse Blair	5605 Cummings	Addition
Sam Militello	12275 Meahl	Pool deck
Michael Cocco	7451 Maple	Roof
Paul Schumacher	7432 Cedar	Addition
T. Mages & J. Fox	6910 Cedar	Addition
James Marfurt	4870 N Millgrove	Pole garage

The Town Board accepted the report as presented. CEO Good reported there was a house fire on Fletcher Road last Thursday and he is in contact with owners about demolition once the insurance company process is complete.

Town Clerk- She presented the July Dog Control Officers report. A case of rabies was found in a raccoon on Meahl Rd. This is the 4th case discovered in Newstead this summer.

Attorney for the Town –Nothing at this time

COUNCILPERSONS:

George- Nothing at this time

Finger-The notice for Akron Bugle on the re-opening of the Denio is ready. The board reviewed and o.k.'s its publishing.

Rooney- Not present

Esposito- The audit of Judge Freeman's records is complete and she will be conducting Judge Campbell's audit this week.

SUPERVISOR- the July Supervisors Report is on file with the Town Clerk and available for review.

UNFINISHED BUSINESS:

Water District #10- Phase 3 –There is a pre-construction meeting tomorrow at 10am at Town Hall. The tentative construction schedule was submitted by Milherst with installation of waterline set to begin on August 18-22 on Hiller Road, August 25-29 on North Millgrove Rd, and September 2-5 on Tonawanda Creek Road. The substantial completion date is September 26th, with final completion set for October 10th.

Shared Public Works Facility Committee- They will be working after the general meeting on the proposed inter-municipal agreement.

Mitigation Grant- nothing new to report.

GIS- nothing new to report.

NEW BUSINESS:

Joint Facility Purchase Option Proposal:

A motion was made by Councilman George, seconded by Councilman Finger authorizing the Supervisor to negotiate a proposed purchase contract and/or purchase option together with the Village of Akron Mayor for the purchase of real property located at 13760 Indian Falls Rd, subject to final approval by the Town Board as to the purchase price and other such provisions as may be required upon advice of Council for the town and village.

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

WD #10-Hydrant Fees to ECWA :

A motion was made by Councilman Finger, seconded by Councilwoman Esposito issuing approval to pay Erie County Water Authority fire hydrant tariff charges on all hydrants located within Water District #10.

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

Question Period- No one spoke

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 8:24 PM.

Carried

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