

Newstead Town Board Meeting- August 24, 2009

A Regular Meeting was called to order by the Newstead Town Board on Monday, August 24, 2009 at 8:00pm 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
Scott Rybarczyk- Town Engineer
John Good- Code Enforcement Officer
Dawn Izydorzak- Town Clerk
Jennifer Heberling- Deputy Clerk

Roll Call was taken with all board members present.

Town Engineer Scott Rybarczyk led the pledge to the flag.

Minutes from the previous regular meeting held on August 10, 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:

Erie County will be hosting a computer/electronics, textiles & bike drop-off Saturday, September 26, 2009 from 9:00am – 1:00pm at the Erie Community College South Campus in Orchard Park.

Erie County will be hosting a household hazardous waste drop-off Saturday, September 12, 2009 from 9:00am – 2:00pm at Honeywell, 20 Peabody Street in Buffalo.

A certified resolution passed by the Erie County Legislature requesting a budget modification in the 2009 Budget for the purpose of purchasing larvacide for the Project SWAT mosquito control program in the amount of \$70,000.

A certified resolution passed by the Town of Concord regarding their support for a law to govern the road salt contracts with municipalities & the State.

A certified resolution passed by the Town of Holland regarding their support for a law to govern the road salt contracts with municipalities & the State.

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

Work Session: The Supervisor reported that at the work session held last week the following issues were discussed: 2010 budget meetings, water district issues, Joint Facilities, grant submissions, multiple planning issues, and contract negotiations as well as any other items found necessary.

Privilege of the Floor – Mark Thomas of 150 East Avenue expressed the concerns of several members of the Seniors Association regarding issues with the Senior Directors position and asked for clarification from the board on the subject. The Supervisor explained the search process that took place, along with the County Personnel Department when Theo Abraham retired. He stated the new director has not been fired but there have been issues that came up with County Personnel regarding her hiring and he has been working closely with the new Director and the County to hopefully resolve those issues. Supervisor Cummings explained the Town must follow the rules & regulations set forth by Erie County Personnel and Civil Service, we have no choice. If a new search process takes place the seniors will once again have seats on the selection committee. The Town needs to do what is right and no matter the outcome of this must move forward. After a meeting with the Supervisor this morning the new Director knew exactly where this issue stood and what was going on.

Marion Chapman of 20 Brooklyn St thanked the Board for their time on this matter and she just wanted to state she supports Debbie and feels she is doing a great job.

Budget Transfers: a motion was made by Councilman Finger, seconded by Councilman Rooney approving the budget transfers as requested by Bookkeeper Colleen Salmon in a memo dated 8/24/09. Carried Unanimously

Approval of Bills -Councilwoman Esposito reported that the Abstracts from Batches #853, 857 & 858 from the August 10, 2009 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batches #862 & 863. Vouchers on these abstracts numbered from 904- 930 & 950 totaling \$64,012.83 and were presented by Councilwoman Esposito, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #862 & 863:
General Fund (A) -\$10,199.27, General Fund- Outside Village (B) \$14.30, Highway (DA) -\$0, Capital Projects: CAP-WD#10 (HI)- \$0, Library Basement (HR04)- \$0, Highway Garage- Cap (HG) - \$0, Highway: Outside Village (DB) \$9,298.52, Drainage (SD)- \$0, Fire Protection (SF) \$43,237.70, Refuse (SR) \$1,062.99, Sewer Fund (SS) \$33.21, Sewer District #2 (SS02)- \$79.39, and Water Districts (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$45.65, (SW6) \$11.55, (SW7) \$0, (SW7A) \$0, (SW8) \$14.85, (SW9) \$0, (SW10) \$15.40, Trust & Agency(TA)- \$0
Total: \$64,012.83 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Mike was not present as he was attending a CHIPS contract meeting. The Supervisor reported that Koepsel, Greenbush & Tonawanda Creek Roads are receiving their final top coat of new paving this week. They are only patching Burdick Rd in anticipation of bridge repairs on that road next year.

Assessor – nothing to report

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

Dominic Morlacci	5155 Crittenden	Remodel building
Brian Hake	13275 Stage	Roof
Joseph Bragg	8294 Greenbush	Addition
Joseph Bragg	8294 Greenbush	Floodplain development
John Przybyla	5371 Barnum	Pole barn
Mark Braun	6838 Cedar	A.G. Pool
Rene Carbonell	11848 Nice	One family home
David Wadel	11919 Meahl	Roof
Monica Muggleberg	11714 Rapids	Roof
Greg Russell	13736 Martin	Roof
Alexander Gaik	5661 Barnum	Roof
Douglas Kokonovich	12430 Clarence Center	One family home
Randy Schafer	6557 Utley	Roof
Randy Greiner	6711 Cedar	Porch

The Town Board accepted the report as presented.

Town Clerk- nothing to report

Attorney for the Town – nothing to report

COUNCILPERSONS:

George- nothing to report

Finger- he and the Supervisor met with the Akron & Newstead Fire Companies to begin contract negotiations.

Rooney- nothing to report

Esposito- nothing to report

SUPERVISOR- over the past two weeks he has met with CAC Chairman Carl Klingenschmitt & grant writer Anne Sisk regarding upcoming grants, the Senior Director regarding employment issues, and has spent considerable time working on the 2010 Budget.

UNFINISHED BUSINESS:

Water District #10- Scotland Rd Extension/Consolidation- The Scotland Rd ECWA and ECDOH submissions are in and they are ready to start the bid process once those replies come in.

Shared Public Works Facility Committee- the grading plans will be done by the end of the week. They have started clearing the site this week and will be ready to begin site work next week.

Grants- 6 grants the town will be applying for are due in the next two months. Several people will be working hard on these applications over the next 8 weeks.

NEW BUSINESS:

Bond Approval- Town Hall Addition:

A motion was made by Councilwoman Esposito, seconded by Councilman George issuing approval for the issuance of \$575,000 in serial bonds for an addition to the town hall for court consolidation. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Silvestri Architects Contract Approval:

A motion was made by Councilman Finger, seconded by Councilman Rooney approving the contract with Silvestri Architects for architectural & engineering services on the town hall addition in the amount of \$31,500 per their proposal dated 8/7/09. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Completion of Justice Court Audit:

A motion was made by Councilman Rooney, seconded by Councilman George approving the submission by Councilwoman Esposito of the final examination and audit of the justice court records for 2008 and authorizing a copy of the resolution be sent to the Director of Internal Audit at the NYS Office of Court Administration. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Public Hearing- Drainage District Amendment:

A motion was made by Councilman George, seconded by Councilman Finger approving the calling of a public hearing on September 28, 2009 at 7:30pm to hear comments on the proposed amendment to the previously adopted Town Drainage District. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Police Contract Inter-Municipal Agreement:

A motion was made by Councilman Finger, seconded by Councilwoman Esposito approving the 3 year Inter-municipal Agreement between the Village of Akron & Town of Newstead to provide for police personnel at court sessions and detail policies for police responses to calls within the town. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

NYS Parks Grant Application Approval:

A motion was made by Councilman Finger, seconded by Councilman Rooney approving the application to the NYS Office of Parks, Recreation & Historic Preservation for grant funding in the amount not to exceed \$100,000 for a town park softball project and authorizing the Supervisor to execute any and all paperwork necessary for the grant. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

E & WG Foundation Grant Application Approval:

A motion was made by Councilman Rooney, seconded by Councilman George approving the application to the E & WG Foundation for grant funding in the amount not to exceed \$30,000 per year for a four year phased construction project at the Newstead Library Lower Level and authorizing the Supervisor to execute any and all paperwork necessary for the grant.

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

Approval of Request for GIS Training:

A motion was made by Councilman George, seconded by Councilman Finger approving the request by Rebecca Baker & Jennifer Heberling to attend GIS Training sessions on behalf of the town in October in Lake Placid.

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

Advertisement of County Drop-off Dates:

A motion was made by Councilman George, seconded by Councilman Finger approving the publication in the Akron Bugle and the Pennysaver the upcoming dates for the Erie County Hazardous Waste & Computers/Electronics drop-offs.

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

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 8:35pm.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorczak, Town Clerk