

Newstead Town Board Meeting- September 8, 2008

A Public Hearing was called to order by the Newstead Town Board on Monday, September 8, 2008 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
John Good- Code Enforcement Officer
Dawn D. Izydorzak- Town Clerk
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing to order on Local Law #3 of 2008 regarding amendments to the Subdivision Law of the Town of Newstead.

The Clerk read the proof of publication.

Comments: No one spoke

Supervisor stated that this amendment to the subdivision law will provide provisions that will protect prospective purchasers of subdivided property.

There being no further comments a motion was made by Councilman George, seconded by Councilman Finger to close the public hearing at 7:55pm. Carried Unanimously

A regular meeting of the Town board was called to order at 8:00pm with the same members present as listed above.

Councilman Rooney led the pledge to the flag.

Minutes from the previous regular meeting held on August 25, 2008 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 forwarded from the Town of Alden regarding the proposed Buffalo Gun Club project on Billo Rd.

A letter from Erie County Water Authority notifying the town of an increase in hydrants in Water District #10 due to the expansion.

A petition signed by Koepsel Rd residents requesting water to be installed on Koepsel Rd.

A letter from Abate Associates informing the town that the bridge over Tonawanda Creek Rd on Cedar St and Foote Rd is slated for replacement. They are requesting any plans the town is aware of for development in that vicinity to be forwarded to them.

The August 2008 Operations Report was received from Amherst Central Alarm Office reporting 49 calls for Akron Fire Co. and 28 calls for Newstead Fire Co.

A letter from ACS Athletic Director Matthew McKenna requesting use of the town park soccer fields for the modified soccer teams fall practices.

A letter from National Fuel Gas advising the town they are in the process of planning pipeline replacement projects and requesting a list from the town of projects planned in our jurisdiction for road paving/replacements, sewer and water lines, and sidewalk replacements.

A letter from Time Warner Cable informing the town of the providers they are currently under negotiations with for service.

A letter from Time Warner informing the town of its new interactive technology being implemented known as “Switched Digital Video (SDV)”.

A copy of a report was received from University of Buffalo Regional Knowledge Network outlining what they feel are the recent demographic changes within the town.

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 no work session was held last week due to the holiday weekend. The following issues were discussed prior to tonight’s meeting: water district issues, joint facility issues, planning issues, personnel issues, Freight Rail Hauling capacity resolution, as well as other necessary issues. Tonight an Executive Session was held from 6:45pm-7:35pm on personnel matters.

Privilege of the Floor – No one spoke

Budget Transfers: none

Approval of Bills -Councilwoman Esposito reported that the Abstracts from Batches #744 from the August 25, 2008 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #746. Vouchers on this abstract numbered 897- 936 totaling \$69,890.30 and were presented by Councilwoman Esposito, seconded by Councilman Rooney to approve payment as follows:

Abstract Batch #746:

General Fund (A) -\$16,647.77, General Fund- Outside Village (B) \$550.12, Highway (DA) -\$0, Capital Projects: CAP-WD#10-phase 3 (HI)- \$8,938.69, Murder Creek Stabilization (HM) - \$0, Highway: Outside Village (DB) \$1,573.22, Drainage (SD)- \$0, Fire Protection (SF) \$4,456.06, Refuse (SR) \$28,010.55, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$0, 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) \$6,039.61, Trust & Agency(TA)- \$0,
Total: \$69,890.30 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – The bike path re-blacktopping project has been completed, all of the markers have been installed, and 3 of the 11 location signs are up.

Assessor – reported the newest sales data analysis based on new sales within the town and she is putting flyers out all over town regarding the change in taxable status day to March 1st.

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

Michael Swiatowy	13780 Main	Roof
Dennis Hudomint	11922 Buckwheat-lot27	Patio deck
Sherwood Slovick	6325 Utlej	Shed
Thomas Richardson	12795 Stage	Garage
Jamie Spagnuolo	12122 Clarence ctr	Outdoor wood furnace
Stoldt	6320 Utlej	Driveway
Chad Comeau	6320 Utlej	One family home
Daniel O'Dell	6013 Crittenden	Porch enclosure
Faith Fellowship Church	11478 Main	Carport entry
Timothy Trzenski	7746 Moore	Garage
Timothy Trzenski	7746 Moore	Windows, roof, siding

Joseph Baumler	12891 Steiner	Garage
Cornerstone Development	6137 Dye	Driveway
Cornerstone Development	6137 Dye	One family home

The Town Board accepted the report as presented.

Town Clerk- School tax bills will be ready for mailing at end of week and Primary Day is tomorrow, September 9th.

Attorney for the Town –Nothing at this time

COUNCILPERSONS

George- Nothing at this time

Finger- Nothing at this time

Rooney-He attended the CAC meeting Thursday night with Carl Klingenschmitt.

Esposito- Nothing at this time

SUPERVISOR-He attended the Association of Erie County Government meeting, the Supervisors meeting in Elma and had lunch at the Newstead Senior Center today with County Executive Chris Collins who was touring the center.

UNFINISHED BUSINESS

Water District #10- Phase 3 – Hiller and North Millgrove water lines are being finalized with testing and chlorination processes. They started on Tonawanda Creek Rd this week and are installing all services.

Phase #4- securing grant funding is in process.

Shared Public Works Facility Committee – there is nothing new other than a pending Village Board action tonight at their meeting. Tom has some additional comments on the proposed agreement for Nathan.

GIS- There will be a motion later for employees to attend GIS Conference training and the kick-off meeting with the GIS committee was held last Friday.

NEW BUSINESS:

Public Hearing- 28-lot subdivision Stage & Havens Rd:

A motion was made by Councilman Finger, seconded by Councilman George issuing approval to call a public hearing on the proposed 28-lot subdivision with public improvement at Stage and Havens Roads on September 22, 2008 at 7:50pm at the Town Hall. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Budget Amendment- Northern Erie Sno-Seekers:

A motion was made by Councilman Rooney, seconded by Councilman Finger issuing approval for an amendment to the 2008 adopted budget to reflect a donation from the Northern Erie Sno-Seekers, Inc. to be contributed to the maintenance of the bike path. Increase Appropriations A7110.410 \$250.00 and Increase Revenues A2705 \$250.00. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Public Hearing- Community Development Block Grants:

A motion was made by Councilwoman Esposito, seconded by Councilman Rooney issuing approval to hold a public hearing to receive public comments on the use of potential CDBG funds for 2009 on September 22, 2008 at 7:55pm at the Town Hall.

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

Opposition to changes in Registrars/Public Health Law:

A motion was made by Councilman George, seconded by Councilman Rooney opposing the proposed changes to the Public Health Law that would consolidate the functions of the local Registrars of Vital Statistics to the County and appealing to our County and State officials to oppose the same.

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

Councilman George stated that this law was poorly thought out regarding the process and feels this information should be available from both entities and made electronically available.

Councilman Rooney stated that the residents would be paying more for gas and services when the local Registrars are able to give the same service for a lower price right here in town.

Budget Amendment- NYS DEC Grant:

A motion was made by Councilman Finger, seconded by Councilman George issuing approval for an amendment to the 2008 adopted budget to reflect a grant received from the NYS DEC to reimburse the town for the recent planting of trees in the town park and other town areas. Increase Appropriations A7110.4 \$6,000.00 and Increase Revenues A2770 \$6,000.00.

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

Public Hearing- NOCO Energy Corp- 13613 Main Rd:

A motion was made by Councilwoman Esposito, seconded by Councilman Finger approving the calling of a public hearing to hear comments on the proposed replacement of an 18,000 gal propane tank with a 30,000 gal. tank at 13613 Main Rd, on October 13, 2008 at 7:50pm at the town hall.

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

Wendel Duchscherer Engineering Fees Approval:

A motion was made by Councilman George, seconded by Councilman Rooney approving the engineering fees as proposed by Wendel Duchscherer for reviewing the 13661 Main Road warehouse project in an amount of \$300.00.

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

GIS Conference Training Approval:

A motion was made by Councilman Rooney, seconded by Councilman Finger authorizing the GIS Manager Rebecca Baker, Jennifer Heberling and John Good to attend the NYS GIS Conference in Liverpool, NY with expenses to be covered by the GIS grant received, as well as any other budget funds that are necessary.

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

ACS Request for Use of Town Park:

A motion was made by Councilman Finger, seconded by Councilman George approving the request of the Akron Central School for use of the town park fields for the modified soccer team's practices subject to meeting with Superintendent Bassanello and Councilman Finger to coordinate the field's to be used.

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

Justice Court Grant:

A motion was made by Councilman Rooney, seconded by Councilman George authorizing the Town Justices to make application to the Office of Court Administration for grant funding for 2009.

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

Carried Unanimously

Supervisor Cummings stated that Erie County Legislator Michael Ranzenhofer is addressing the Cedar Street/Carney Road intersection regarding its recent numerous accidents. He is requesting that Leg. Ranzenhofer also look at the Davison Road/Howe Road intersection.

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 8:31PM.

Carried Unanimously

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