

Newstead Town Board Meeting- September 27, 2010

A public hearing was called to order by the Newstead Town Board on Monday, September 27, 2010 at 7:55pm at the Newstead Senior Center.

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

Roll Call was taken with all board members present.

The Supervisor called the public hearing to order on the proposed uses for Community Development Block Grant Funds for 2011.

The Deputy Clerk read the proof of publication.

Comments: No one appeared to speak. Supervisor Cummings explained that the Rural Transit Van is always a proposed use on the grant application. Last year we received a grant for the handicapped doors at the Senior Center and the Town Hall. We also asked for sidewalks from Buell Street to the Town Hall and from Buell Street to the Town Park. We did not receive funds for that project. He suggested that we locate an area in the town that is low income that doesn't have water. One area would be Nice Road to connect to South Newstead Road which is already shovel ready. Supervisor Cummings is asking the board members for their ideas.

There being no further comments a motion was made by Councilman Mayrose, seconded by Councilman Rooney to close the public hearing at 8:12 pm. Carried Unanimously

A regular meeting of the Newstead Town Board was called to order with the same members present as listed above at 8:12 pm.

Supervisor Cummings led the pledge to the flag.

Minutes from the previous regular meeting held on September 13, 2010 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Rooney to approve both as presented. Carried Unanimously

Communications – The Deputy Town Clerk presented the following correspondence:

A request from New York Premier Soccer regarding their request to use the town park shelter on September 30th and October 24th for meetings.

Notification of a public hearing to be held in the Town of Lancaster on October 4, 2010 at 8:15pm regarding several changes to their town fee schedule.

Notification of the 2010 30-day Inclusion Period for inclusion into an Agricultural District to be held from November 1, 2010- November 3, 2010 was received from the Erie County Department of Environment & Planning. Forms are available thru the Clerk's or Assessor's office.

A letter from Time Warner Cable regarding the changes in service costs effective October 15, 2010 which for the digital sports tier will change to \$5.95 per month and the DVR cost will now be \$11.95 per month.

A notification for the Erie County Farm Bureaus Annual Meeting to be held in Batavia, NY on October 21st at 6:30pm with a cost of \$22.00 per person.

Notification of a Green Infrastructure/Low-Impact Development Workshop to be held Thursday, October 28th from 8:00am – 12:30pm at the Erie County Fire Training Center in Cheektowaga.

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

Work Session: The Supervisor reported that at the work session held last week the following issues were discussed: water district issues, joint facility & town hall projects update, planning issues, Murder Creek project, review of the tentative 2011 budget, contracts and personnel issues as well as any other issues brought before the board.

Privilege of the Floor – no one appeared to speak.

Budget Transfers: none

Approval of Bills – Councilwoman Esposito reported that the Abstract from Batches #974, 980 & 981 from the September 13, 2010 meeting has been reviewed with the previously un-audited vouchers and everything was found in order. She presented Abstract Batch #984. Vouchers on this abstract numbered from 995 - 1037 totaling \$339,043.12 and were presented by Councilwoman Esposito, seconded by Councilman Baran to approve payment as follows:

Abstract Batch #984:

General Fund (A) -\$11,536.59, General Fund- Outside Village (B) \$3,706.99, Highway (DA) -\$0, Highway: Outside Village (DB) \$18,864.35, Capital Projects: CAP- Highway Garage- (HG) - \$126,516.11, CAP-Murder Creek (HM) \$196.50, CAP- Equipment Purchase (HR02) \$776.73, CAP- Library Basement (HR04)- \$0, CAP- Scotland Rd (HS)- \$1,682.95, CAP- Town Hall Addition (HT) \$175,267.28, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$26.91, Sewer District #2 (SS02)- \$83.71, and Water Districts (SW1) \$0, (SW2) \$0, (SW3) \$53.50, (SW4) \$0, (SW5) \$20.50, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$6.00, Trust & Agency(TA)- \$305.00

Total: \$339,043.12

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – the Bruning Road fence is up by the power line and Mike doesn't feel there will be any problems with the trucks turning around. The sand and salt mixing will be finished tomorrow and they are still doing some off road ditching.

Assessor – no report.

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

Peter Noreika	12806 Dorsch	Roof
Joseph Bragg	8294 Greenbush	Permit renewal
Peter Welkley	5659 Crittenden	Permit renewal
Trinity Lutheran Church	4809 South Newstead	Roof
Matthew Landis	11586 Clarence Ctr	Garage extension
Fred Gregg	12207 Nice	Roof
Eric Gerstung	7222 Maple	One Family Home
Bill Abramo	11925 Clarence Ctr	Roof
Robert Williams	4724 South Ayers	I. G. Pool & Fence
Dan Bellis	6347 Dye	Pole barn
Alix Development	11240 Hiller	One Family Home
Alix Development	11240 Hiller	Driveway

The Town Board accepted the report as presented.

Town Clerk- nothing at this time

Attorney for the Town – Nathan stated that he needs to have a discussion with the Town Engineer concerning Eminent Domain issues and Murder Creek.

COUNCILPERSONS:

Rooney - nothing

Esposito - nothing

Mayrose – would like to thank Mike and his crew for the work they did for the dedication of the AED's.

Baran - nothing

SUPERVISOR - The August Supervisor's Report is on file with the Town Clerk. He attended the Erie County Association of Government meeting in Angola.

UNFINISHED BUSINESS:

Water District #10 – Scott told the board that he has not been able to get some requested data from Tom Wik. He is asking Supervisor Cummings for help in obtaining this information.

Shared Public Works Facility Project – starting to see progress at the site. There was a construction meeting today and they are hoping to get the building enclosed by winter.

Town Hall Project - interior work is well underway. New windows and rear doors are in. Court windows and work on new rear handicapped doors to be in by end of this week. Archives room almost ready for moving into, possibly by end of this week. Project is still on schedule.

Grants – Supervisor Cummings stated that the Community Development Block Grant is being worked on. We are also resubmitting a grant for baseball diamonds. There was a grant found by our Grant Writer for generators at the joint facility that was due today.

Murder Creek Project- comment period deadline October 3rd.

NEW BUSINESS:

2011 Budget – Public Hearing:

A motion was made by Councilwoman Esposito, seconded by Councilman Mayrose approving the calling of a public hearing on the proposed 2011 Budget to be held October 25, 2010 at 7:45pm at the Newstead Senior Center and authorizing the Town Clerk to publish the legal notice.

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

Approval – Wendel to do Water District Map, Plan & Report:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney authorizing the Supervisor to execute the proposed agreement dated 9/23/10 with Wendel Duchscherer for engineering services at a total cost of \$31,300 to prepare a map, plan & report on proposed waterline extension projects in the town.

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

Approval – Rural Transit Van Program:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose authorizing the Supervisor to file a grant application for continued funding of the Rural Transit Van Service and ranking this project as # 3.

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

Approval – Refuse Contract Extension:

A motion was made by Councilman Mayrose, seconded by Councilman Baran authorizing a two year extension on the Refuse Contract with Allied Waste (formerly BFI) commencing 1/1/2011 and ending 12/31/2012 with the per unit price to remain the same for 2011 and the per unit price increase not to exceed 2.5% for 2012 and authorizing the Supervisor to execute the extension contract.

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

Approval – Disposal Contract Extension:

A motion was made by Councilman Rooney, seconded by Councilwoman Esposito authorizing a two year extension on the Disposal Contract with Allied Waste (formerly BFI) commencing 1/1/2011 and ending 12/31/2012 with the disposal price per ton to remain the same for 2011 and to be increased by CPI for 2012 with said increase not to exceed 2.5% and authorizing the Supervisor to execute the extension contract.

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

Approval – Training Request:

A motion was made by Councilman Baran, seconded by Councilwoman Esposito approving the request by the Code Enforcement Officer to attend the “green” building training in Cheektowaga. Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

Approval – Declaration of Highway Equipment as Surplus:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the request of the Highway Superintendent to declare a truck and obsolete equipment as surplus. Cummings-Aye, Rooney-Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

Approval- Sale of Highway Truck:

A motion was made by Councilman Baran, seconded by Councilman Mayrose approving the request of the Highway Superintendent to sell a truck and obsolete equipment by bid.

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

Approval – Training Request:

A motion was made by Councilman Rooney, seconded by Councilwoman Esposito approving the request by the ZBA Chairman to attend training at Medina Middle School on September 29th.

Cummings-Aye, Ronney-Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

Approval – Electrical Inspector

A motion was made by Councilman Rooney, seconded by Councilman Mayrose authorizing Rod Maclane of Middle Department Inspection Agency, Inc. to do electrical inspections in the Town of Newstead.

Cummings-Aye, Ronney-Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

Question Period – no one spoke

Supervisor Cummings stated that the board went into Executive Session prior to the meeting to discuss contracts and personnel issues. No action was taken.

There being no further business to come before the board a motion was made by Councilman Rooney, seconded by Councilman Baran to adjourn the meeting at 8:40 pm.

Carried Unanimously

Respectfully Submitted,
Jennifer Heberling, Deputy Town Clerk