

Newstead Town Board Meeting- October 10, 2011

A public hearing was called to order by the Newstead Town Board on Monday, October 10, 2011 at 7:55pm at the Newstead Town Hall.

Present: David L. Cummings- Supervisor
Justin Rooney- Councilman
Cheryl Esposito- Councilwoman
James Mayrose- Councilman
Richard Baran- Councilman
Nathan Neill- Town Attorney
Dawn Izydorczak- Town Clerk
Jennifer Heberling- Deputy Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing to order on the proposed uses for 2012 Community Development Block Grant Funds. The Supervisor attended a meeting on September 29th with regards to the Community Development Block Grants and the funds are being reduced this year. There is \$600,000 worth of funding for projects for 23 communities.

The Town Clerk read the proof of publication.

Comments: No one appeared to speak.

There being no further comments a motion was made by Councilman Mayrose, seconded by Councilman Baran to close the public hearing at 8:00 pm.

The regular meeting of the Newstead Town Board convened at 8:00pm with the same members present as listed above.

Councilman Mayrose led the pledge to the flag.

Minutes from the previous regular meeting held on September 26, 2011 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Rooney to approve as presented. Carried Unanimously

Communications – The Town Clerk presented the following correspondence:

A letter was received from Time Warner Cable notifying the town of the programmers and broadcasters that they are currently under negotiations with for continued or new service.

A brochure on Pipeline Public Awareness was received from the Empire Pipeline group.

The September 2011 Operations Report was received from Amherst Central Alarm Office reporting 26 calls for Akron Fire Co and 30 calls for Newstead Fire Co.

The July 1 – September 30, 2011 Quarterly Report was received from Allied Waste reporting 406.05 +/- tons of solid waste collected and 82.39 +/- tons of co-mingled recyclables collected.

Erie County Department of Environment & Planning has announced its next Household Hazardous Waste drop-off day on October 22, 2011 at the Honeywell Specialty Materials site at 20 Peabody St in Buffalo from 9:00am – 2:00pm.

Erie County Department of Environment & Planning has announced its next Prescription Drug Drive in & drop-off day on October 29, 2011 at multiple sites throughout the County from 10:00am – 2:00pm.

A copy of the Erie County Multi-Jurisdictional Hazard Mitigation Plan Update “Plan Facts” has been received. The Town is seeking input from residents on this plan update.

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

Work Session: The Supervisor reported that at the last work session held the following items were discussed: Drainage issue was discussed with the Highway Dept., a meeting with the Disaster Coordinator was held, Quarry Hill residents were present to talk to the board about issues in the park, water districts issues, building projects updates, planning issues, murder creek project update, airport ZBA meeting, proposed grants, budget, as well as any other issues brought before the board.

Privilege of the Floor – Harold Finger, 158 East Ave. – thanked the town board members for attending the ZBA meeting last week regarding the airport. There have been times it has been difficult for him to address the issues regarding the airport as his son-in-law is a pilot that flies in and out of this airport. He has very seldom spoken out about the noise and number of flights but more about the environmental impact of the airport, especially the drainage. He really wants to protect the village/town from the ground issues. He thanked the board again for their support.

Bob Scheib, 51 Brooklyn St. – also thanked the board for attending the ZBA meeting.

Supervisor Cummings stated that the boards work together very often and they need to be there to support each other.

Budget Transfers: a motion was made by Councilwoman Esposito, seconded by Councilman Rooney to approve the proposed budget transfers as submitted in a memo dated 10/10/11 by Bookkeeper Colleen Salmon. Carried Unanimously

Approval of Bills – Councilwoman Esposito reported that the Abstract from Batch(es) # 1111 plus a bond transfer from the September 26, 2011 meeting has been reviewed with the previously un-audited vouchers and everything was found in order. She presented Abstract Batch(es) #1112 + 1115 for payment. Vouchers on this abstract numbered from 1091- 1162, totaling \$82,507.87 and were presented by Councilwoman Esposito, seconded by Councilman Baran to approve payment as follows:

Abstract Batches #1112 + 1115:
General Fund (A) -\$25,250.88, General Fund- Outside Village (B) \$28.00, Highway (DA) -\$0, Highway: Outside Village (DB) \$5,343.00, Capital Projects: CAP- Highway Garage- (HG) - \$4,322.07, CAP-Murder Creek (HM) \$3,926.66, CAP- Equipment Purchase (HR02)- \$0, CAP- Scotland Rd (HS)- \$0, CAP- Town Hall (HT)- \$0, CAP- Water Improvement (HW)- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$5,986.24, Refuse (SR) \$30,916.81, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$164.72, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$6,765.49, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0
Total: \$82,703.87 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – not present

Assessor – no report

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

Steve Blochwitz	13059 Dorsch	Pole barn
Chris Ginestre	4564 S Ayers	Shed
Ron Snyder	12178 Hunts Corners	Lean-to
Timothy Susfolk	6149 Dye	Shed
Patrick Galla	5475 Barnum	Permit renewal
Wyeth Jones	11273 Rapids	Covered porch
Leisurewood Campground	5720 Cummings	ROW Access
Ray Braun	11891 Main	Deck & awning
Charles Fischer	11105 Keller	Roof
Stephen Ward	7267 Greenbush	Equine stable & pole barn

The Town Board accepted the report as presented.

Town Clerk - nothing to report

Attorney for the Town – nothing to report

COUNCILPERSONS:

Rooney – attended the Bloomingdale Cemetery Association meeting and sat in on a session of court. He discovered that court is a very complex process and he learned a lot.

Esposito – thanked Melissa & John Schrock for the library fundraiser they sponsored. It was a lot of fun and very successful.

Mayrose – also thanked the Schrock's for the library fundraiser. It was a very fun time. He has attended the assessment advisement meeting, the cemetery meeting, ZBA meeting, joint facility meetings, park master plan meeting, highway contract negotiation meeting. He also attended court and feels it was very beneficial and is even considering bringing his children back to sit in on a session.

Baran – he reported that building repairs are winding down. The Senior Center roof will be started once the fire hall portion is completed.

SUPERVISOR – the update to the Erie County Multi-Jurisdictional Hazard Mitigation Plan is underway. Any Town residents that are interested in learning about the process, have questions, or would like to offer their input, please pick up a copy of the Plan Fact Sheet or check the Town's websites for more information. He has attended the Association of Erie County Governments meeting, a meeting on Rural Transit Van, a meeting on CDBG, joint facility meetings, murder creek meetings, and the highway contract negotiations meeting.

UNFINISHED BUSINESS:

Water Districts – a meeting will be held Tuesday this week on the water bids and water pressure issues.

Shared Public Works Facility Project – Open house is still on schedule for October 22nd. The fencing and an electronic gate are in process of being installed. There are only a few small punchlist items to be completed and the floor issue to be resolved.

Murder Creek Project – Eastwood final pay requests are being reviewed. CATCO began work with most phases of their work being completed. They are finishing brush pick up and removal of the cofferdam and establishing the south bank with work to be completed around October 12th.

NEW BUSINESS:

Approval- Northern Erie Sno-Seekers Renewal:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the Northern Erie Sno-Seekers snowmobile group use of the bike path sections for their 2011-12 season subject to the terms set forth in the resolution.

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

Site Plan Approval- 1111 Main Rd Storage Units:

A motion was made by Councilwoman Esposito, seconded by Councilman Rooney issuing a negative SEQR declaration on the project and approving the proposed site plan dated August 1, 2011 for construction of a 3,750 sq. ft. storage unit building to be located at 11111 Main Rd by owner Kelly Schultz, subject to the terms set forth in the resolution.

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

Havenwood Subdivision- PIP Permit- Phase II:

A motion was made by Councilman Rooney, seconded by Councilman Baran approving Public Improvement Permit for Phase II of the 29-lot major subdivision project located on Havens & Stage Roads by owner Stan Tatara, subject to the terms set forth in the resolution and authorizing the Supervisor to sign the PIP Permit.

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

Public Hearing-Local Law #5 of 2011- Override of 2012 Tax Cap:

A motion was made by Councilman Baran, seconded by Councilwoman Esposito calling a public hearing on the proposed Local Law #5 of 2011 that will override the tax limit as established in GML Section 3-C, to be held on October 24, 2011 at 7:50pm at the Newstead Town Hall.

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

Niagara Specialty Metals Project Waiver:

A motion was made by Councilman Mayrose, seconded by Councilwoman Esposito issuing approval for the Code Enforcement Officer to submit a waiver request to New York State on the placement of fire hydrant requirement on the Niagara Specialty Metals building project.

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

Question Period – Bob Scheib stated that now that the hydro-seeding is done on the murder creek bank area the result is just beautiful. He encouraged everyone to go and check out the final results along the bank or Murder Creek. He also thanked Doc Burke & Carl for all their hard work. The project really looks nice.

Harold Finger stated it is great news that the Senior Center roof is being re-done as it has been a problem for a long time. He thanked the board for doing the project. He has noticed the on-going development at the library lower level. Many of his art pieces are on display upstairs in the library and he questioned the development of the lower level portions that will not be utilized for the historians offices. He has a lot of ideas and concepts for the main room use of space and offered his services in the development of the space. He would like to be involved with the projects design.

Supervisor Cummings thanked him for the offer and stated he would be contacted.

There being no further business to come before the board a motion was made by Councilman Baran, seconded by Councilman Rooney to adjourn the meeting at 8:39pm.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorcak, Town Clerk