

Newstead Town Board Meeting- November 12, 2007

A Regular Meeting was called to order by the Newstead Town Board on Monday, November 12, 2007 at 8:00PM at the Newstead Town Hall.

Present: David Cummings- Supervisor
Tom George- Councilman
Harold Finger- Councilman
Mark Decker- Councilman
Justin Rooney- Councilman
Mike Bassanello- Highway Supt.
Rebecca Baker- Assessor
John Good- Code Enforcement Officer
Nathan Neill- Town Attorney
Andrew Casolini- Town Engineer
Dawn D. Izydorczak- Town Clerk
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present.

Supervisor Cummings led the pledge to the flag.

Minutes from the previous regular meeting held on October 22, 2007 were presented for approval. A motion was made by Councilman Finger, seconded by Councilman George to approve as presented. Carried Unanimously

Communications – The Town Clerk presented the following:

A letter from resident Holly Rankie requesting waterlines be extended to the Burdick Road area.

A flyer was received from the NYS DEC announcing upcoming wastewater treatment infrastructure resources and outreach meetings in Cortland, Chautauqua and White Plains.

A letter was received from Assemblyman Mike Cole requesting the Town Board to pass a resolution officially taking a stand in opposition to the Governors proposal on driver's licenses for illegal aliens.

A Notice of Complete Application was received from the NYS DEC regarding County Line Stones permit request for an Article 19 Air State Facility for their quarry on Crittenden Rd.

A copy of the Senior Coordinators "Procedures for Sewage Backups" at the Senior Center was received.

A request was received from the County for updated insurance certificates for the snow removal and ice control agreement.

A notification was received from the Erie County Department of Public Works Division of Highways announcing a new load limit posting for the Brooklyn Street Bridge of 3 Tons. This is down from an existing 6 tons load limit posting.

The October 2007 report was received from Amherst Central Alarm office reporting 35 calls for Akron Fire Co. and 25 calls for Newstead Fire Co.

A copy of the October/November 2007 Family Justice Court News & Views was received.

Notification of a new low income spay/neuter program being offered thru County Village Pet Care Hospital in Alden was received. Those interested can see the Town clerk.

The Town of Alden Town Board sent copies of their newly adopted Local Laws No. 3 thru 10 updating their town code.

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

Work Session: The Supervisor reported that at the last two work sessions held the following items were discussed: water district #10 issues, sewer district #1 issues, grant submissions, CAC issues, joint facilities study, planning issues, budget items, highway department purchases, sno-seekers request, EMS contract, knox boxes for businesses, senior center repairs, Assemblyman Cole's request.

Privilege of the Floor – No one spoke

Approval of Bills -Councilman Decker reported that the Abstract from Batch #650 & 655 from the October 22, 2007 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #657 & 658. Vouchers on this abstract numbered 1067-1074 & 1075 - 1126, totaling \$109,385.15 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch #657 & 658:

General Fund (A) -\$19,678.44, Fund (B) \$694.98, Highway (DA) -\$0, Highway: Outside Village (DB) \$28,131.02, Capital Projects: CAP-WD#10 (HI)- \$25,804.58, Reserve- Roof Repair (HR01)- \$0, (HL) October Storm- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$3,923.52, Refuse (SR) \$21,965.53, Sewer Fund (SS) \$3,121.80, Sewer District #2 (SS02)- \$175.50, 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) \$2,215.50, Trust & Agency(TA)- \$0 :Total: \$109,385.15 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway –He wanted to thank those who helped plant the trees this past weekend including residents from Akron, Newstead, and Clarence and Cub Scout Pack 531 and Boy Scout Troop 559 members. There are 20 trees left to plant. Even though it was not the easiest digging it went very well. Everyone worked hard.

Assessor – The Assessor informed the board that the adoption of the proposed Cold War Veterans exemption has a timing issue and needs to be discussed as soon as possible. She also questioned the figure that was reported in the last meetings minutes of a \$800,000 change in assessment values. She stated that the value of granted small claim adjustments came to a total of \$240,450 and the \$800,000 figure is not due to assessment changes, but the total original requested reductions.

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

James Mayrose	7204 Scotland	Roof
Robert Moore	11467 Rapids	Lean-to
Tom Dorr	12360 Meahl	Repair fire damage
Janet Haist	11288 Main	Roof
Doug Navik	4573 N. Millgrove	Roof
Daniel Egan	7858 Brackett	Roof
Scott Dieterle	12869 Clarence Center	Addition
Steven Bork	7574 Greenbush	Wall repair

The Town Board accepted the Building Report as presented.

The Code Enforcement Officer stated that the Knox Boxes issue will be discussed with the Village for all local businesses. The Village and Town have registered together with the Knox Boxes Company under one jurisdictional number, as previously agreed upon.

Town Clerk- Presented October Dog Control report from Dog Control Officer.

Attorney for the Town – Nothing at this time

COUNCILPERSONS

George-Nothing at this time

Finger-He thanked the Highway workers who volunteered their time on the tree planting project and the groups that assisted. All the trees were set very well and look good.

Decker- He will be out of town for the next work session and drainage meeting. He asked Councilman Rooney to let the Drainage committee know he won't be there.

Rooney- Nothing at this time

SUPERVISOR- The October Supervisor's report is on file with the Town Clerk. He met with Wendel and USDA representatives to discuss water funding. He also met with the grant writer on several applications that are in process. He would like to discuss at the next work session some pending assessor's issues and the Right to Farm law.

UNFINISHED BUSINESS

Water District #10- Phase 2 & Extensions-They are waiting for Milhurst to complete work so that the closeout paperwork can be completed and final payment authorized.

Shared Public Works Facility Committee-The Town Board, Village Board and the DPW and Highway Superintendents met to discuss breaking down the project for bidding. They are waiting for some final numbers from Andrew.

NYS Toll Barrier- waiting for a response from NYS Thruway Authority.

Sewer District #1- ADESA is working with Wendel on equipment, the concrete pad and phone lines. The agreement submitted to ADESA is pending upon receipt of an executed copy.

NEW BUSINESS:

Public Hearing- Ambulance Service Contract with Twin City:

A motion was made by Councilman Rooney, seconded by Councilman George approving the calling of a public hearing on November 26, 2007 at 7:50pm at the Newstead Town Hall to hear comments on the proposed service contract with Twin City Ambulance Service for a period of 3 years.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Rooney-Aye

Carried Unanimously

NOCO Energy Corp-Fuel Storage Tank Project:

A motion was made by Councilman Decker, seconded by Councilman Finger declaring Lead Agency status on the proposed 20,000 gallon above ground fuel storage tank project to be located at its Main Road site and authorizing the building department to coordinate notifications and mailings.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Rooney-Aye

Carried Unanimously

Airport Hanger Site Plan- Lead Agency:

A motion was made by Councilman Decker, seconded by Councilman Finger declaring Lead Agency status on the proposed site plan for the Akron Airport to construct a 4,500 sq. ft. hanger and authorizing the building department to coordinate notifications and mailings.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Rooney-Aye

Carried Unanimously

Global Crossing Refund:

A motion was made by Councilman Finger, seconded by Councilman Decker approving the issuance of a refund check in the amount of \$499.47 to Global Crossings North America Networks Inc. as a settlement amount on taxes for 2004 – 2006.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Rooney-Aye

Carried Unanimously

Annual Snow Contract with Erie County:

A motion was made by Councilman George, seconded by Councilman Decker approving the snow contract as presented for 2008 subject to the terms set forth in the resolution and authorizing the Supervisor to execute the agreement with Erie County on behalf of the Town.

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

Proclamation- Native American Indian Heritage Month:

A motion was made by Supervisor Cummings, seconded by Councilman Finger authorizing the proclamation of the month of November Native American Indian Heritage Month in the Town of Newstead.

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

2008 Budget Approval:

A motion was made by Councilman George, seconded by Councilman Rooney approving the Tentative Budget for 2008 with modifications presented to the Board.

Cummings-Aye, George-Aye, Finger-Aye, Decker-No, Rooney-Aye
Carried

Annual Appointments Advertising:

A motion was made by Councilman Finger, seconded by Councilman Decker approving the ad for requests for applications for annual appointed positions in the town and authorizing the Clerk to publish in the local papers with addition of the following positions to the ad: Town Historian, Community Advisement Committee and Library Board.

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

Bidding Authorization- New Town Truck:

A motion was made by Councilman Rooney, seconded by Councilman George authorizing the Highway Supt. to bid out the purchase of 1 new truck for the highway department.

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

Authorization letter for Engineering Services:

A motion was made by Councilman Finger, seconded by Councilman Decker authorizing the Supervisor to sign the authorization letter for engineering services by Wendel on the proposed project at 12963 Main Rd for a Retail Plaza Site.

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

Assessor's Hours change:

A motion was made by Councilman George, seconded by Councilman Finger approving the change in the office hours for the Assessor from 32 hours per week to 24 hours per week effective November 19, 2007 with hours of 8:00am -4:30pm on Monday, Tuesday, Thursday.

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

Opposition to Governor Spitzer's Illegal Alien License Plan:

A motion was made by Councilman Rooney, seconded by Councilman George issuing a strong opposition to Governor Spitzer's plan to issue driver's licenses to illegal immigrants.

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

Northern Erie Sno-Seekers Agreement

A motion was made by Councilman George, seconded by Councilman Decker approving the Northern Erie Sno-Seekers use of areas of the bike path and town park for the winter 2007-2008 snowmobile season, subject to the stipulations set forth in the resolution.

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

The Supervisor stated that the Terms and Conditions for employees needs to be discussed with staff members before end of year.

The Supervisor stated no action would be taken in Executive Session.

Question Period-No one spoke

There being no further business to come before the board a motion was made by Councilman Decker, seconded by Councilman Finger to adjourn the meeting at 9:55 PM.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorzak, Town Clerk