

Newstead Town Board Meeting- November 23, 2009

A Public Hearing was called to order by the Newstead Town Board on Monday, November 23, 2009 at 7:50pm at the Newstead Town Hall.

Present: David Cummings– Supervisor
Tom George- Councilman
Harold Finger- Councilman
Justin Rooney- Councilman
Cheryl Esposito- Councilwoman
Mike Bassanello- Highway Supt.
Nathan Neill- Town Attorney
Scott Rybarczyk- Town Engineer
John Good- Code Enforcement Officer
Dawn Izydorczak- Town Clerk

Roll Call was taken with all board members present.

Supervisor Cummings called the public hearing on proposed Special Use Permit request and site plan approval for a new animal hospital to be located at 12638 Main Rd to order at 7:50pm.

The Town Clerk read the proof of publication.

Carolyn Barrett from Silvestri Architects presented the plan on the project. Dr. Corrie stated the original building will be kept and turned into a doggie day care with the remainder of the building continuing to be a residential use. She stated they want to be a good neighbor and the project to be an asset to the community. They have worked very hard on this project to make it the best for everyone concerned.

Comments: no one spoke

There being no further comments a motion was made by Councilman Finger, seconded by Councilman George to close the public hearing on the new animal hospital at 8:01pm.

Carried Unanimously

A regular meeting of the Newstead Town Board was called to order at 8:01pm with the same board members present as listed above.

CEO John Good led the pledge to the flag.

Minutes from the previous regular meeting held on November 9, 2009 and the special meeting held on November 16, 2009 were presented for approval. A motion was made by Councilman George, seconded by Councilman Finger to approve as presented.

Carried Unanimously

Communications – The Town Clerk presented the following:

An announcement regarding a new program called the Erie County Housing/Homeless Outreach Program (ECHO) that has been established to help families and homeowners in crisis. Brochures are available at the Clerk's office.

Announcements for newly elected official's schools coming up on December 8th via teleconference and January 13th – 15th in Rochester.

A motion was made by Councilwoman Esposito, seconded by Councilman Finger to receive and file correspondence as presented.

Carried Unanimously

Work Session: The Supervisor reported that at the last work session held the following issues were discussed: a public hearing and special meeting, meeting with Greg Papke, water district issues, Joint Facilities, town hall addition, grant submissions, multiple planning issues, fire contracts, town park policy amendments, as well as any other items found necessary.

Privilege of the Floor – no one spoke

Budget Transfers: a motion was made by Councilwoman Esposito, seconded by Councilman Finger approving the budget transfers as requested by Bookkeeper Colleen Salmon in a memo dated 11/23/09. Carried Unanimously

Approval of Bills -Councilwoman Esposito reported that the Abstract from Batch # 889 from the November 9, 2009 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #891. Vouchers on this abstract numbered from 1250 - 1296 totaling \$160,229.40 and were presented by Councilwoman Esposito, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #891:
General Fund (A) -\$48,792.33, General Fund- Outside Village (B) \$6,382.00, Highway (DA) -\$0, Capital Projects: CAP- Highway Garage- (HG) - \$71,121.65, CAP- Town Hall Addition (HT) \$0, CAP-WD#10 (HI)- \$0, CAP- Murder Creek (HM)- \$0, CAP- Scotland Rd (HS)- \$0, Highway: Outside Village (DB) \$33,588.00, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$27.20, Sewer District #2 (SS02)- \$81.07, and Water Districts (SW1) \$0, (SW2) \$0, (SW3) \$35.75, (SW4) \$0, (SW5) \$81.40, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$120.00, Trust & Agency(TA)- \$0
Total: \$160,229.40 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Mike thanked Laura Winchester of the Buffalo News for her coverage of the highway superintendents meeting at Colden Lakes. Every year they hold a toy drive for the Christmas season which are distributed to needy families. Laura did a nice job on the article in the news. The highway department and crews are ready for snow and continuing work on the joint facility.

Assessor – no report presented. The supervisor reported that Becky’s annual evaluation was completed this week by himself and Councilwoman Esposito.

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

Perry Miller	16 Golden Pond	Roof
Randy Fancher	13661 Main	Remodel warehouse
James Marfurt	4870 N Millgrove	Permit renewal
Joseph Ciotuszynski	11280 Main	Addition/Roof/Siding
Dave Gustafson	13046 Carney	Garage addition
Carl Domesciz	7548 Greenbush	Woodburning stove
Lavern Hastrich, Jr.	13600 Steiner	Roof
Kurt Schie	6696 Utleigh	Dormer

The Town Board accepted the report as presented. The Supervisor reported that John’s annual evaluation was completed last week by himself and Councilwoman Esposito.

Town Clerk- final few days of school tax collection. Niagara and Genesee Counties are complete and returned to respective County Treasurers.

Attorney for the Town – nothing at this time

COUNCILPERSONS:

George- nothing at this time

Finger- work on offices at the Denio building is done except painting. The highway crew will be helping to move the offices tomorrow.

Rooney- nothing at this time

Esposito- Attended Celebration Committee meeting on New Year’s Eve activities. A Court consolidation meeting was held with Judge Markey from the Town of Aurora Courts who gave some

insight into his experience with consolidating the Courts in Aurora. He will continue to offer support and guidance discussing possibilities as we move through this process.

SUPERVISOR- the October Supervisor's Report is on file with the Town Clerk. Attended the quarterly County Executives meeting, which featured the Departments of Social Services and Veterans Affairs. Attended the Association of Erie county Governments meeting where he was appointed a director again for next year. Attended the Supervisor's meeting in Elma where the topic was EMP's. He has his monthly meeting with the Mayor tomorrow.

UNFINISHED BUSINESS:

Water District #10- Scotland Rd Extension/Consolidation- working on insurance and permits with New Frontier to start the work.

Shared Public Works Facility Committee- Councilman George commended the town and village work forces and the management team for all the great work done on the site so far. The Supervisor addressed a question regarding the fencing along the Cowan property side. He stated no new fencing will be put up yet and they will address the issue with Mrs. Cowan in the Spring. She is very pleased with the work she has seen so far on the site.

Councilman George stated the pond work and grading will be done in the Spring and will be very aesthetically pleasing when complete.

Grants- nothing new. Anne Siske will present her yearly report next month as well as a grants time table for next year.

NEW BUSINESS:

Public Hearing- 2010 Fire Contracts:

A motion was made by Councilman Finger, seconded by Councilman Rooney approving the calling of a public hearing on the proposed 2010 Fire Contracts for Akron and Newstead Fire Companies on December 14, 2009 at 7:55pm at the Newstead Town Hall.

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

Northern Erie Sno-Seekers Contract for 2009-2010 season:

A motion was made by Councilman Rooney, seconded by Councilman George approving the contract with Northern Erie Sno-Seekers Snowmobile Club for the 2009-2010 season subject to the terms set forth in the resolution and authorizing the Supervisor to execute the contract.

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

Consolidation of Water Districts- Permissive Referendum:

A motion was made by Councilwoman Esposito, seconded by Councilman Finger approving the consolidation of all the eleven (11) existing water districts held by the Town into a single water district to be known as "Town of Newstead Consolidated Water District No. 1" subject to the terms set forth in the resolution effective 12/31/2010 and subject to a permissive referendum.

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

SEQR & Lead Agency- Local Law #6:

A motion was made by Councilman George, seconded by Councilwoman Esposito issuing a declaration of lead agency and authorizing a coordinated review for a Type 1 action under SEQR on the proposed Local Law #6 of 2009 amending Article III of the Zoning Law.

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

Public Hearing- Local Law #6 of 2009- Amending Zoning Law:

A motion was made by Councilman George, seconded by Councilman Finger approving the calling of a public hearing to hear comments on the proposed Local Law #6 of 2009 amending Article III of the Zoning Law on December 28, 2009 at 7:40pm at the Newstead Town Hall.

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

Public Hearing- Local Law #7 of 2009- Amending Subdivision Law:

A motion was made by Councilman Finger, seconded by Councilman George approving the calling of a public hearing to hear comments on the proposed Local Law #7 of 2009 amending the Subdivision Law on December 28, 2009 at 7:50pm at the Newstead Town Hall.

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

Approval of Demolition Bid for 13414 Main Rd:

A motion was made by Councilman Rooney, seconded by Councilman George approving the low bid for demolition of a home located at 13414 Main Rd by Empire Building Diagnostics in the amount of \$11,200.00 and authorizing the Supervisor to execute all the necessary documents.

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

Town Park Policy Amendments:

A motion was made by Councilman Finger, seconded by Councilwoman Esposito approving the amendments to the Town Park Policy and application and authorizing the Clerk's office to start using the new forms immediately.

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

Appointment to ACS Budget Advisory Committee:

A motion was made by Councilman Rooney, seconded by Councilman Finger approving the appointment of Councilman-elect Jim Mayrose to the Akron Central Budget Advisory Committee for the 2010 budget process.

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

Councilman Finger took a moment to acknowledge the recent articles in the Buffalo News featuring Councilman Tom George and incoming Councilman-elect Jim Mayrose. The articles were very nice and show how professional and well respected these gentlemen are in their fields and what an asset they are to the Town.

Question Period- no one spoke

There being no further business to come before the board a motion was made by Councilman Rooney, seconded by Councilman Finger to adjourn the meeting at 8:45pm.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorczak, Town Clerk