

Newstead Town Board Meeting- November 26, 2007

A Public Hearing was called to order by the Newstead Town Board on Monday, November 26, 2007 at 7:50PM 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.

The Supervisor called the public hearing to order on the proposed ambulance service contract with Twin City Ambulance Service.

The Clerk read the proof of publication.

The Supervisor questioned if any copies of the contract had been requested and the Town Clerk stated no, none were requested. The Supervisor stated that many details of the contract had been hammered out over several months by the committee and that the final result was a good contract for everyone involved. He acknowledged that Chief Keith Hawes was present to answer any questions.

Comments: No one spoke

There being no further comments, a motion was made by Councilman George, seconded by Councilman Finger to close the public hearing at 7:59pm.

A regular meeting of the Newstead 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 November 12, 2007 were presented for approval. A motion was made by Councilman Finger, seconded by Councilman Decker to approve as presented. Carried Unanimously

Communications – The Town Clerk presented the following:

A letter from the Newstead Fire Company requesting the town boards approval under their contract to purchase a pumper truck at a cost of \$319,000.

A letter was received from E & W G Foundation announcing that the town has received a \$20,500 one-time grant to complete renovations to the Denio Community building.

A Notice of Public Hearing was received from the Town of Pembroke regarding their proposed Local Law #4 of 2007 regarding wind energy and Local Law #5 of 2007 regarding proposed incentive zoning. The hearings will be held on December 5th at 7:00pm and 7:05pm respectively at the Pembroke Community Center.

A letter was received from Time Warner Cable informing the town that they are currently under negotiations with 35 channel providers, but are expected to reach agreements with them all and that effective 12/31/07 Nickelodeon GAS will be replaced with “the N”.

A letter was received from the NYS Department of Health announcing the availability of DWSRF Final Intended Use Plan funding period which runs from October 1, 2007 to September 20, 2008.

A motion was made by Councilman Finger, seconded by Councilman George 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, right to farm law, assessor’s exemption issues, joint facilities study, grant submissions, planning issues, dog control issues, terms and conditions review, senior center repairs and issues, meeting dates for end of year and beginning of 2008.

Privilege of the Floor – James Fitzpatrick of 7495 Scotland Road questioned the number of Senior’s that benefit from the exemption at the current rates and what is that cost benefit in dollars. He also questioned what change would result at the new proposed rate increases. He also requested that the Public Hearing notice be posted at the Newstead Senior Center.

Town Assessor Rebecca Baker stated that it is impossible to know how many will qualify based on the new limits, but she can provide overall numbers that qualified under the previous limits. She will provide those numbers to Mr. Fitzpatrick. She also stated that Akron Central School Administrator Cindy Tretter has calculated an average general cost of \$.08- \$.10 cents per \$1,000 of Assessed Valuation if the rates were increased to County limits in the Akron School District.

Budget Transfer:

A motion was made by Councilman Decker, seconded by Councilman Finger approving the requested budget transfers for the NYS Retirement System per memo from Bookkeeper Colleen Salmon dated 11/26/07. Carried Unanimously

Approval of Bills -Councilman Decker reported that the Abstract from Batch #657 & 658 from the November 12, 2007 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #663. Vouchers on this abstract numbered 1152-1185, totaling \$140,629.13 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch #663:

General Fund (A) -\$56,771.28, Fund (B) \$6,747.00, Highway (DA) -\$0, Highway: Outside Village (DB) \$36,114.27, Capital Projects: CAP-WD#10-ph2 (HI)- \$36,102.08, (HL) October Storm- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$1,450.00, Refuse (SR) \$0, Sewer Fund (SS) \$25.37, Sewer District #2 (SS02)- \$74.32, and Water Districts (SW1) \$52.14, (SW2) \$0 (SW3) \$3.07, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$3,275.81, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$13.79, Trust & Agency(TA)- \$0 :Total: \$140,629.13 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway –He will be meeting tomorrow with SEMO officials on stump removal issues. The Highway crews did sand on Thanksgiving.

Councilman Finger asked how Ray and Dave were doing. He said Ray Schrock is home and recovery will be slow from his car accident. He is expected to be out for a while. David Brucker is doing ok and may be back at the beginning of the new year from sick leave.

Assessor – She reported the NYS Legislature is now requiring Assessors to attend an ethics course and she will be attending a local session when it becomes available.

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

| | | |
|-------------------|-----------------------|-------------------|
| William Nadrowski | 13097 Steiner | Roof |
| Earl Prior | 12228 Clarence Center | Porch conversion |
| Justin Domres | 7429 Sandhill | Shed |
| Edmund Gabalski | 12068 Tonawanda Creek | Wood stove |
| Dennis Hudomint | 11922 Buckwheat | Manufactured Home |
| Don & Jan Caple | 6860 Maple | Lean-to |

The Town Board accepted the Building Report as presented.
CEO Good stated the telephone switching boxes that were being stored on Main Road are in the process of being removed.

Town Clerk- School tax collection ends this Friday. Correspondence was received from General Code indicating that due to delays the final edits will be received just prior to Christmas, therefore public hearings and adoption will not take place until after the first of the year.

Attorney for the Town –Nothing at this time

COUNCILPERSONS

George- Nothing at this time

Finger-Nothing at this time

Decker-Nothing at this time

Rooney-He attended the Recreation Board meeting earlier this evening and the minutes will be passed along when he receives them.

SUPERVISOR-The October Supervisors Report is completed. He is working on grant items with Carl Klingenschmitt.

UNFINISHED BUSINESS

Water District #10- Phase 2 & Extensions- They are working on close out items and focusing on Phase 3 funding thru the USDA and/or DWSRF.

Shared Public Works Facility Committee-The study is complete and they are now looking at the site plan. They will do costing and put together bid packages. A meeting needs to be scheduled with the Village.

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

NEW BUSINESS:

Ambulance Service Contract with Twin City:

A motion was made by Councilman Decker, seconded by Councilman Rooney approving the proposed Pre-Hospital Emergency Services contract with Twin City Ambulance Service for a period of 3 years and authorizing the Supervisor to execute the contracts.

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

Public Hearing: Local Law No. 5 of 2007- Right to Farm:

A motion was made by Councilman Finger, seconded by Councilman Rooney authorizing the calling of a public hearing on December 10, 2007 at 7:50pm to hear comments on the proposed Local Law No. 5 of 2007 adopting a Right to Farm law in the Town of Newstead.

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

Public Hearing- Revised Senior Exemption increase:

A motion was made by Councilman Decker, seconded by Councilman Finger authorizing the calling of a public hearing on December 10, 2007 at 7:40pm to hear comments on the proposed \$6,500 increases to the senior exemption level rates.

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

Joint Facility: SMSI Grant Application:

A motion was made by Councilman George, seconded by Councilman Finger authorizing the Supervisor to execute and submit any and all applications for a Shared Municipal Services Incentive Grant for the 2007-08 program year and request up to \$200,000 on behalf of the town and an

additional \$200,000 on behalf of the Village of Akron for a Joint Municipal Public Works Facility. The town also agrees to reserve \$200,000 in matching funds for the project and instructs the Town Attorney to draft an inter-municipal agreement with the Village of Akron for said facility project. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Rooney-Aye
Carried Unanimously

The Supervisor stated that he is hoping to get up to \$400,000 in grant funding. The town's portion of the matching funds has been set aside over several years by current and prior Town Boards.

Authorization of ADESA Agreement:

A motion was made by Councilman Rooney, seconded by Councilman George authorizing the Supervisor to execute the agreement with ADESA New York Inc. for the purchase of equipment on behalf of Sewer District No.1 and approving the installation of a back up generator for the sewer pump station for Sewer District No. 1 with a single written quote. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Rooney-Aye
Carried Unanimously

Newstead Fire Co. Truck Purchase:

A motion was made by Councilman Finger, seconded by Councilman Rooney authorizing the Newstead Fire Companies request to purchase a custom Sutphen pumper at a cost of \$319,000 in accordance with the fire contract requirements. Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Rooney-Aye
Carried Unanimously

Schedule for last Meeting of 2007:

A motion was made by Councilman Finger, seconded by Councilman Decker authorizing the scheduling of the final meeting of 2007 to pay bills and any other items necessary on Thursday, December 27, 2007 at 7:15pm. Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Rooney-Aye
Carried Unanimously

Water District #10-Phase 2 Extensions Final Close-out:

A motion was made by Councilman George, seconded by Councilman Decker approving the final pay request and Release of Liens provided by Milhurst Construction and authorizing full contract payment and release of all retained monies with the condition that the Performance Bond and Payment Bond remain on effect for a two (2) year period commencing from November 26, 2007. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Rooney-Aye
Carried Unanimously

The Supervisor stated that a Letter of Intent was sent out on a SEMO Mitigation Grant for work along Murder Creek. He thanked Carl Klingenschmitt for his swift help on this grant.

Councilman Finger stated he would like the "Guidelines for Conduct at Public Meetings" issue put back on the agenda for work session. The Supervisor stated he would put it back on along with the updating of the Terms and Conditions. The Supervisor also stated that the Sno-Seekers request regarding a monument will be put in writing for the board to consider.

CEO John Good stated that the Fletcher Road Super Fund site work is done and the DEC will be monitoring the site for the next 3 years. Town Engineer Casolini requested a report from the DEC on the site clean up for water funding purposes.

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 George, seconded by Councilman Decker to adjourn the meeting at 9:25 PM.
Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorczak, Town Clerk