

Newstead Town Board Meeting- November 28, 2011

A regular meeting was called to order by the Newstead Town Board on Monday, November 28, 2011 at 8:00pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
Justin Rooney- Councilman
Cheryl Esposito- Councilwoman
James Mayrose- Councilman
Richard Baran- Councilman
Mike Bassanello- Highway Supt.
Scott Rybarczyk- Town Engineer
Nathan Neill- Town Attorney
Dawn Izydorczak- Town Clerk
Jennifer Heberling- 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 November 14, 2011 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilwoman Esposito to approve as presented. Carried Unanimously

Communications – The Town Clerk presented the following correspondence:

The packets were received from the Association of Towns announcing the schooling sessions for newly elected officials.

Notice was received from the Erie County Department of Public Works informing the town that the portion of Rapids Rd between Crego and Moore/Sandhill Roads will be closed for an extended period thru December 5th.

A notice was received from the NYS Education Department announcing the town has been awarded a \$3,201.00 LGRMIF archives grant for shelving units.

A motion was made by Councilman Rooney, seconded by Councilman Baran 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: water districts issues, building projects updates, planning issues, murder creek project update, grant updates, personnel appointments for 2012 and insurance issues as well as any other issues brought before the board. A joint meeting of the Town and Village Boards was also held on November 21st. The Board went into executive session earlier this evening regarding a litigation matter that has been brought before the Town.

Privilege of the Floor – no one spoke

Budget Transfers: a motion was made by Councilwoman Esposito, seconded by Councilman Mayrose to approve the budget transfers per a memo from Bookkeeper Colleen Salmon dated 11/28/11. Carried Unanimously

Approval of Bills – Councilwoman Esposito reported that the Abstract from Batch(es) # 1123 & 1124 from the November 14, 2011 meeting has been reviewed with the previously un-audited vouchers and everything was found in order. She presented Abstract Batch(es) #1127 for payment. Vouchers on this abstract numbered from 1319 - 1356, totaling \$102,521.64 and were presented by Councilwoman Esposito, seconded by Councilman Rooney to approve payment as follows:

Abstract Batch(es) #1127:

General Fund (A) -\$22,424.75, General Fund- Outside Village (B) \$1,152.23, Highway (DA) -\$0, Highway: Outside Village (DB) \$3,436.71, Capital Projects: CAP- Highway Garage- (HG) - \$69,725.99, CAP-Murder Creek (HM) \$0, CAP- Equipment Purchase (HR02)- \$0, CAP- Scotland

Rd (HS)- \$0, CAP- Town Hall (HT)- \$0, CAP- Water Improvement (HW)- \$4,965.06, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$0.30, Sewer District #2 (SS02)- \$60.43, Trust & Agency(TA)- \$537.50 and Water Districts: Consolidated (SW00) \$218.67, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0
 Total: \$102,521.64 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – nothing to report

Assessor – no report presented. The Supervisor reported the re-val process is underway, as is the company hired to do the commercial properties field work.

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

Iron Bridge Corp.	8265 Cedar St	Floodplain development
Michael & Maryann Lauck	8047 Kathryn	Pole barn
Danielle Burns	11280 Main	Cert. of Occupancy
Dawn & David Klein	13113 Dorsch	Bathroom extension
St. Theresa’s Rectory	5771 Buell	Roof
James Nawrot	11199 Stage	Permit renewal
Kristina & Joe Bragg	8294 Greenbush	Permit renewal

The Town Board accepted the report as presented.

Town Clerk- the town is in the final weeks of updating the Erie County Multi-Jurisdictional Hazard Mitigation Plan. Any 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. We are in the last 2 days of school tax collection with the last day to make payments November 30th.

Attorney for the Town – needs to have a discussion with Wendel and the Supervisor regarding the borrowing for the water district project.

COUNCILPERSONS:

Rooney – attended the open development training and the agricultural exemption training put on by the Assessor.

Esposito – nothing to report

Mayrose – attended the joint facility meeting and tonight’s agricultural exemption training.

Baran – the roof at the Senior Center will be finished by the end of the week and he is in the process of getting bids for repairs at the Denio Library building due to vibrations from the road construction.

Supervisor – attended the Association of Erie County Government meeting where he has been elected as a director for another year. He attended the agricultural exemption meeting held this evening and he spoke to Ed Rath’s office regarding using our hall for a HEAP outreach.

UNFINISHED BUSINESS:

Water Districts – a letter has been sent to E & R General Construction Inc. awarding them the water district project. E & R is now working on obtaining the necessary insurance, bonds and shop drawings. They want to start construction in mid December.

Shared Public Works Facility Project – currently working on the floor and will be finished in a week to 10 days. The shelving units will be installed by the end of the week.

Murder Creek Project – will be taking this off the agenda. Currently in the maintenance phase and we are awaiting the funding check from the state.

NEW BUSINESS:

Approval- Special Permit for Home Based Business- 6453 Utley Rd:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving a Special Permit for the home based business located at 6453 Utley Rd and operated by owner Jason Schlabach, subject to annual review/renewal of the permit.

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

Public Hearing- Home Based Business- 11187 Stage Rd:

A motion was made by Councilman Baran, seconded by Councilman Rooney approving the calling of a public hearing on the proposed home based business located at 11187 Stage Rd and operated by owner Harold Frey, to be held on December 12, 2011 at 7:50pm at the town hall.

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

Public Hearing- Home Based Business- 11174 Crego Rd:

A motion was made by Councilwoman Esposito, seconded by Councilman Baran approving the calling of a public hearing on the proposed home based paving business located at 11174 Crego Rd and operated by owner Dan Sutton, to be held on December 12, 2011 at 7:55pm at the town hall.

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

Peoples Convention to Reform New York:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving and acknowledging the need for true state government reform and urge the immediate passage and chaptering of the "People's Convention to Reform New York Act", which will allow for the creation of a more accountable and responsive state government by the people to serve the people.

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

Wendel Services- Waterline Project:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the proposal by Wendel Duchscherer for engineering services on the proposed waterline extension project, subject to the terms as set forth in the resolution.

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

2 Your Town website approval:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the submission of the Town of Newstead information for posting on the 2 Your Town website at no cost to the town.

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

Board Meeting Date Change:

A motion was made by Councilman Rooney, seconded by Councilman Baran approving changing the date for the final town board meeting of 2011 to Thursday, December 29 at 8:00PM to pay bills.

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

Question Period – no one spoke

There will be no work session next week.

There being no further business to come before the board a motion was made by Councilman Rooney, seconded by Councilman Mayrose to adjourn the meeting at 8:30pm.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorcak, Town Clerk