

Newstead Town Board Meeting- October 12, 2015

A regular meeting was called to order by the Newstead Town Board on Monday, October 12, 2015 at 8:00pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
James Mayrose – Councilman
Justin Rooney- Councilman
Donald York- Councilman
John Jendrowski- Councilman
Nathan Neill- Attorney for the Town
Scott Rybarczyk- Town Engineer
Dawn Izydorzak- Town Clerk

Roll Call was taken with all board members present.

Councilman York led the pledge to the flag.

Minutes from the previous regular meeting held on September 28, 2015 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Jendrowski to approve as presented. Carried Unanimously

Agenda Changes – none

Communications – The Town Clerk presented the following correspondence:

A letter from Time Warner Cable notifying the town of the programmers and service providers they are currently in negotiations with for service.

The September 2014 Operations Report was received from Amherst Central Alarm office reporting 49 calls for Akron Fire Co and 35 calls for Newstead Fire Co.

A letter from Northern Erie Sno-Seekers Inc. requesting use of areas of the bike path again this year for their 2015-16 snowmobiling season.

A motion was made by Councilman Rooney, seconded by Councilman York 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: Indigenous Peoples Day activities/plan, water/sewer issues, buildings projects at town buildings, planning projects, grant items, IT services, 2016 budget, highway easements, sno-seeker request, dog control, councilman agendas and any other matters brought before the Board. A joint meeting of the village and town boards was then held where several topics were discussed. An executive session was held prior to this evenings meeting on personnel and contractual matters with no action taken by the board.

Agenda Items Question Period: none

Budget transfers: a motion was made by Councilman Mayrose, seconded by Councilman Jendrowski to approve the budget transfers as requested by Bookkeeper Colleen Salmon in a memo dated October 9, 2015. Carried Unanimously

Approval of Bills – Councilman Mayrose reported that the Abstract(s) from Batch(es) #1547 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1553 for payment. Vouchers on this abstract(s) numbered from 1061-1115, totaling \$69,221.48. Councilman Rooney seconded to approve payment as follows:

Abstract Batch(es) #1553:
General Fund (A) -\$19,572.61, General Fund- Outside Village (B) \$39.75, Highway (DA) -\$0,
Highway: Outside Village (DB) \$20,482.03, CAP-Murder Creek (HM) \$177.24, CAP- Scotland Rd (HS)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$3,284.75, Reserve

for Roofs (HR01) \$0, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$25,281.10, Sewer Fund (SS) \$300.00, Sewer District #2 (SS02)- \$0, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$84.00, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0
 Total: \$69,221.48 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – not present. No report.

Assessor – no report. Supervisor Cummings stated they are currently interviewing potential candidates for the new Assessor and hope to have a decision soon.

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

John Barron	11161 Rapids	Roof
Lori MacRae	6382 Dye	Pole barn
Joseph Castellani	12220 Nice	Solar panels
Steve Bork	7574 Greenbush	Roof
Fred Bedford Jr	11527 Rapids	Roof
Bradley Rehwaldt	13589 Bloomingdale	Roof
Karen Przybyl	12572 Meahl	Solar panels

The Town Board accepted the report as presented.

Town Clerk- the final days of school tax collection are approaching. Last day to pay without penalty is October 15th.

Attorney for the Town – nothing at this time

COUNCILPERSONS:

Rooney – he thanked everyone for their input and hard work on the first Indigenous Peoples Day celebration. It was very successful.

Mayrose – he attended the Indigenous Peoples Day celebrations and thanked Councilman Rooney for all his hard work and dedication in bringing this all to fruition. He also met with Trustee Brian Perry regarding the emergency practice drill conducted on Saturday and hopes to receive a report on the day’s events soon. He is also conducting the annual court audit with Sandy.

York – he also attended the Indigenous Peoples Day celebrations and thanked Councilman Rooney for all his hard work. He also discussed the mowing of ditches with some residents.

Jendrowski– he also attended the Indigenous Peoples Day celebrations and thanked Councilman Rooney for his hard work on the celebration. He has spoken with representatives from Ag & Markets on the towns proposed law on Agri-business. They are sending him some materials for him to share with the Board and consider. He also went to the Denio to look at the building issues there.

Supervisor- – the September Supervisor’s Report is on file with the Town Clerk. He attended the Erie County Supervisors meeting in Elma and met with the Akron Airport President on the article in the paper. The airport is not purchasing property as reported. He also worked on grant applications, building projects, and met with the contractors that bid on the library project. He also attended the Indigenous Peoples Day celebrations and thanked Councilman Rooney for all his hard work and dedication to making it a very special day. The town was presented with a framed traditional wampum belt display as well as books and handmade cards. He was very impressed with the turn out from the public as well as both the Town Board and Village board members, who were all in attendance. He displayed the proposed new town seal, with a modification on the existing Indian Chief depicted to a traditional local head dress depiction, that will be made and used by the Town from this point forward.

UNFINISHED BUSINESS:

Buildings- minor repairs are still set to happen at the Denio and Town Hall before winter sets in. They are rebidding out the library sidewalk project.

Planning- proposed code changes are pending still. They are waiting on the new information from the state.

Water- they are still waiting for recommendations from the Erie County Department of Health on the proposed water project for Cedar St next summer. The Niagara Label sewer project seems to be moving forward slowly.

Grants- waiting on responses to existing grants and sending out a new application packet this week for CDBG.

NEW BUSINESS:

Approval- CDBG Funding for 2016:

A motion was made by Councilman York, seconded by Councilman Mayrose authorizing the Supervisor to sign, submit and execute a contract with Erie County community Development Block Grant Program for the following projects: 1. Shoulder/drainage work on Downey Rd 2. Rural Transit Van Service.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried Unanimously

Public Hearing- 13907 Bloomingdale Rd Unsafe Building:

A motion was made by Councilman Mayrose, seconded by Councilman York approving the calling of a public hearing on the unsafe building located at 13907 Bloomingdale Rd, which will be held on November 9, 2015 at 7:55pm at the town hall, and authorizing the Clerk to publish notice of the hearing.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried Unanimously

Approval- Bike Path Use- Northern Erie Sno-Seekers:

A motion was made by Councilman Jendrowski, seconded by Councilman Mayrose approving the request by Northern Erie Sno-Seekers to use the bike path and southern boundary of the town park for their 2015-16 snowmobile season, subject to the terms set forth in the resolution.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried Unanimously

Re-Bid- Library Walkway Project:

A motion was made by Supervisor Cummings, seconded by Councilman Mayrose to re-bid the library walkway project bids with new bids due October 22nd at 4:00pm at the Town Clerk's office.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried Unanimously

Approval- Fall/Winter Recreation Program hires:

A motion was made by Councilman York, seconded by Councilman Rooney authorizing the hiring of recreation staff for the fall/winter 2015-16 session as presented in the attached memo from the Recreation Director.

Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye Carried Unanimously

Privilege of the Floor/Question Period: Jean Mann of Skyline Drive was present to ask about the dog laws pertaining to barking. She has had an ongoing problem with neighbor dogs left outside in a fenced area that bark incessantly multiple times per day. The problem is the 20 minutes of constant duration that is set in the law. This makes it very difficult for anyone to lodge a complaint against constant offenders. She would like to see that language changed in the law both in the town and the village.

Supervisor Cummings will contact the DCO and discuss possible changes to the law with him.

Dale Cheavacci questioned the airport issue and is afraid if you give them an inch they will take a mile. He has repeatedly called Congressman Chris Collins office on this topic and after several calls

talked to an office staff member who he is convinced did not fully understand the situation with the airport and its issues with the Town in the past. The airport definitely did apply for the funding he found out. He also questioned the need for building permits to install the lights there as well as any of their other small grant funded projects.

Supervisor Cummings will discuss with the CEO.

There being no further business to come before the board a motion was made by Councilman Mayrose, seconded by Councilman York to adjourn the regular meeting at 8:40pm.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorzak, RMC, Town Clerk