

Newstead Town Board Meeting- December 9, 2013

A regular meeting was called to order by the Newstead Town Board on Monday, December 9, 2013 at 8:00pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
Justin Rooney- Councilman
James Mayrose- Councilman
Donald York- Councilman
Scott Rybarczyk- Town Engineer
Nathan Neill- Town Attorney
Michael Bassanello- Highway Supt.
Dawn Izydorczak, Town Clerk
Jennifer Heberling- Deputy Clerk

Roll Call was taken with all board members present except Councilman Baran, who is on vacation.

Councilman Mayrose led the pledge to the flag.

Minutes from the previous regular meeting held on November 25, 2013, were presented for approval. Councilman York asked that they be amended to include his response to Supervisor Cummings that he will go thru proper channels regarding any drainage issues brought to his attention in the future. With that change, a motion was made by Councilman Rooney, seconded by Councilman Mayrose to approve as presented. Carried

Communications – The Town Clerk presented the following correspondence:

A letter from Time Warner Cable regarding the programmers and broadcasters they are currently in negotiations with for service.

The November Operations Report was received from Amherst Central Alarm Office reporting 47 calls for Akron Fire Co and 34 calls for Newstead Fire Co.

A letter was received from Akron Airports Christian Airmen President Allen Kidder with comments regarding the proposed changes to the Special Events Law.

A motion was made by Councilman Mayrose, seconded by Councilman York to accept and file the presented correspondence. Carried

Work Session: The Supervisor reported that no work session was held last week but the following issues were discussed prior to tonight's meeting: water district issues, building projects, planning issues, contracts, old highway garage updates, recreation, courts, town/village committees and highway issues and any other issues brought before the Board. A short executive session was held before the meeting to discuss a personnel issue. No action was taken.

Privilege of the Floor – Diane Koehler questioned the progress on the noise issues. Supervisor Cummings assured her that the board is working on this and expects to present more on this hopefully in the next 60 days.

Dick Sutton of Quarry Hills asked if it will be in place before any permits are issued for the next season?

Linda Jackson of Quarry Hills asked if there is a moratorium on concerts yet and her husband Paul presented a packet of information from Wikipedia on health issues associated with excessive noise. She also asked if Braun's has applied for a new permit for next year yet? No not yet.

Sue Fay Allen of Howe Rd offered a better source for hearing studies through her source at UB and stated she understands the fear that people have of potentially having to live thru this again for a 3rd year in a row.

Supervisor Cummings explained his and the Boards frustrations and feelings that the public thinks that nothing is being done, when in fact the Board is working very hard on this. They are looking at several different options and gathering as much supporting information as they can while formulating what will be presented next to the public.

Budget Transfers: a motion was made by Councilman Mayrose, seconded by Councilman York to approve the budget transfers per the memo from Bookkeeper Colleen Salmon dated December 9, 2013. Carried

Approval of Bills – Councilman Mayrose reported that the Abstract from Batch(es) # 1343 & 1344 from the November 25, 2013 meeting have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1349 for payment. Vouchers on this abstract(s) numbered from 1202- 1239, totaling \$63,702.78. Councilman York seconded to approve payment as follows:

Abstract Batch(es) #1349:

General Fund (A) -\$20,826.20, General Fund- Outside Village (B) \$268.53, Highway (DA) -\$0, Highway: Outside Village (DB) \$1,530.95, Capital Projects: CAP- Highway Garage- (HG) - \$0, CAP-Murder Creek (HM) \$0, CAP- Equipment Purchase (HR02)- \$0, CAP- Library Basement (HR04) \$0, CAP- Scotland Rd (HS)- \$0, CAP Water-Downey (HW01)- \$2,220.00, CAP- Town Hall (HT)- \$0, CAP- Water Improvement (HW)- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$4,561.36, Refuse (SR) \$25,020.89, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$202.50, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$6,846.54, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$2,225.81, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0 Total: \$63,702.78 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – nothing at this time.

Assessor – no report presented.

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

Iron Bridge Corp	6993 Maple	Demolition
Kevin Gaik	4007 S Newstead	Roof
Mike Lotz	12799 Swift Mills	Addition
Louis Casseri	13172 Steiner	Shed
Terry Brackett	7729 Maple	Roof
Akron Airport	John St	T-hanger

The Town Board accepted the report as presented.

Town Clerk- Dawn called the Boards attention to the newly displayed art work from the Akron Central School art students that is now hanging on the walls of the meeting room at the Town Hall. The artwork will be changed out by the school every 3-6 months.

Attorney for the Town – nothing at this time.

COUNCILPERSONS:

Rooney – he attended the Newstead Fire Company monthly meeting, attended Akron Fire Company monthly meeting, met with recreation department chair and director to review the directors performance review, stopped to watch the lacrosse program, attended the installation dinner at Newstead Fire Co, stopped into criminal court, stopped into review inter - municipal agreement with Highway Superintendent, spoke with Assemblymen Sean Ryan’s office on potential laws.

Mayrose – he met with Jon Cummings regarding documents related to the Joint facility floor, met with Mike Bassanello regarding plans for the fields at Veterans Park for next seasons sporting events, attended the Village of Akron Board meeting on 12/2/2013, spoke with Village Trustee Peter Forrestal regarding court data, pre and post consolidation, met with Sandy regarding the 2013 court audit and spoke with Judge Campbell regarding some continuing court issues due to the consolidation.

Baran – not present

York – attended the Newstead Fire Co installation dinner and the Charlie Brown Christmas event.

Supervisor- The October Supervisor’s Report is on file with the Town Clerk. He has been busy reviewing appointments and agendas for next year, looking at options for the grant writer’s position for next year, looking at new 2014 procedures and is scheduling a joint meeting with the planning board and court staff right after the first of the year.

UNFINISHED BUSINESS:

Joint Facility- nothing new

Planning Issues- nothing new

Conservation issues- Emerald Ash Borer- the grant went in on December 4th for the tree inventory project. Murder Creek- the letters to affected residents will go out from the Supervisor and Mayor this week.

Water projects- nothing new

NEW BUSINESS:

Public Hearing- Local Law #6- Clarify Enforcement & Approval Process:

A motion was made by Councilman Mayrose, seconded by Councilman York approving the calling of a 2nd public hearing on the proposed Local Law #6 of 2013 amending the Town Code to clarify enforcement and approval process procedures to be held on December 30, 2013 at 7:55pm at the Town Hall and authorizing the Town Clerk to publish the legal notifications.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, Baran-Absent, York-Aye
Carried

Public Hearing- Green Kangaroo expansion:

A motion was made by Councilman York, seconded by Councilman Mayrose approving the calling of a public hearing on the proposed expansion for 3 new structures at 13399 Main Rd by Green Kangaroo Self Storage to be held on December 30, 2013 at 7:50pm at the Town Hall and authorizing the Town Clerk to publish the legal notifications.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, Baran-Absent, York-Aye
Carried

Lead Agency- Green Kangaroo expansion:

A motion was made by Councilman York, seconded by Councilman Rooney declaring lead agency status as an unlisted action on the proposed expansion for 3 new structures at 13399 Main Rd by Green Kangaroo Self Storage and authorizing the building department to conduct a coordinated review.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, Baran-Absent, York-Aye
Carried

Approval- Inter-municipal Highway Shared Services Contract:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose authorizing the Highway Superintendent to execute a multi-year contract with Erie County on behalf of the Town for an Inter-municipal Highway Shared Services contract that would result in the sharing of Highway Department services amongst the towns of Erie County and the County.

Cummings-Aye, Rooney -Aye, Mayrose-Aye, Baran-Absent, York-Aye Carried

Question Period – no one spoke. Supervisor Cummings questioned Buffalo News representative Mike Canfield about why the articles on Newstead are appearing in the Alden edition of the paper instead of the Akron edition of the paper. He stated he was not aware of that and will ask his editor tonight.

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 8:45pm. Carried

Respectfully Submitted,
Dawn D. Izydorczak, Town Clerk