

Newstead Town Board Meeting- April 13, 2015

A regular meeting was called to order by the Newstead Town Board on Monday, April 13, 2015 at 8:11pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
James Mayrose – Councilman
Justin Rooney- Councilman
Donald York- Councilman
John Jendrowski- Councilman
Mike Bassanello- Highway Supt
Scott Rybarczyk- Town Engineer
Dawn Izydorzak- Town Clerk
Jennifer Heberling- Deputy Town Clerk

Roll Call was taken with all board members present.

Scott Rybarczyk led the pledge to the flag.

Minutes from the previous regular meeting held on March 23, 2015 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Jendrowski to approve as presented. Carried Unanimously

Agenda Changes – a motion was made by Councilman York, seconded by Councilman Mayrose to make the following agenda changes: Cancel item H. and add the following: J. Bids for chipping Murder Creek debris K. Bids for chipping Murder Creek debris L. Awarding trailway contract M. Installation of electric panel at Veteran Park Carried Unanimously

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.

A notification that the term of Lewis Tandy on the Erie County Environmental Management Council will expire on May 31, 2015 and a new appointment must be made by the town by April 19, 2015.

A notification of the 22nd annual Local Government Conference at Houghton College on May 6th from 7:00am-4:00pm.

A notification the Elder Law Day is June 17th. The event will be celebrated at the Adam's Mark from 9:00am-2:00pm and is free and open to the public.

The March 2015 Operations Report was received from Amherst Central Alarm Office reporting 32 calls for Akron Fire Co and 29 calls for Newstead Fire Co.

The 2014 Year in Review was received from The Erie County Industrial Development Agency.

A notification was received of the North American Safe Boating Week campaign from May 16th – May 22nd.

A letter from the Akron Soccer League regarding updates on its annual Kick It First Tournament from May 1st – May 3rd.

A packet was received from Erie County on its Municipal Broadband Committees progress.

A copy of a letter from resident Bob Scheib sent to CHA Companies regarding the Brooklyn St bridge project.

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

Work Session: The Supervisor reported that at work session held last week the following items were discussed: water issues- Downey Rd, buildings projects, highway issues & joint facility contracts, planning items, grants, IT services and management access, dog control truck, LOSAP, Indigenous Peoples Day, any other matters brought before the Board. The Board had a brief executive session regarding the disaster coordinator position and another personnel issue.

Agenda Items Question Period:

Carl Klingenschmitt of 11520 Howe Rd. urged to the board to move forward with the moratorium on the wind turbines after observing them in the high winds last week.

Budget Transfers: a motion was made by Councilman Mayrose, seconded by Councilman York to approve the proposed budget transfers per memo dated 4/13/15 from Bookkeeper Colleen Salmon.
Carried Unanimously

Approval of Bills – Councilman Mayrose reported that the Abstract(s) from Batch(es) #1496 from the March 23, 2015 meeting have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1502 for payment. Vouchers on this abstract(s) numbered from 290-367, totaling \$206,148.58. Councilman Rooney seconded to approve payment as follows:

Abstract Batch(es) #1502:
General Fund (A) -\$39,486.76, General Fund- Outside Village (B) \$1,020.40, Highway (DA) -\$0, Highway: Outside Village (DB) \$9,955.28, CAP-Murder Creek (HM) \$0, CAP- Scotland Rd (HS)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$24,840.53, Sewer Fund (SS) \$29.52, Sewer District #2 (SS02)- \$302.22, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$343.87, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$130,170.00 Total: \$206,148.58
Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – they have been working on the new town park cutting and trimming trees, making and placing new benches and tables, and doing repairs to the parking lots. They have also been doing shoulder work, cleaning in Maple Lawn cemetery and fixing the sign, brooming the bike path, cutting a tree at evergreen cemetery, repairs to the trucks, assisted Erie County with a tree down, and assisted the village on some jobs. The South Newstead bridge is now closed until November and the Highway Dept. is now on summer hours, Monday – Thursday 6:30am-4:30pm.

Assessor – no report was presented.

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

Lyn Longwell	7367 Maple	Upgrade home
Ray Braun	11891 Main	Sign
S. Scott Gillies	7914 Fletcher	Deck roof
Jonathan Vilagy	4984 Schutt	Pole barn
Amy Engler	11328 Main	c/o fire inspection
CMK Builders	11850 Sheila	One family home
CMK Builders	11850 Sheila	Driveway
W.A. Peronne	6500 Draper	Special use permit-renew

The Town Board accepted the report as presented.

Town Clerk- the recycling flyers have been completed and will be distributed in the April 19th issue of the Pennysaver. The village has adopted a new dog law that works in correlation with the Town Law. We are working on a community service jobs list and welcome ideas for the list. Dawn is working on an RFQ for building upgrades for the summer. Dawn will be at conference from April 26 – 29th in Rochester.

Attorney for the Town – not present

COUNCILPERSONS:

Rooney – he spoke to Chief Mutter from Newstead Fire Co regarding an emergency light at Main and Cummings to help emergency vehicles get safely through the intersection during an emergency and spoke to Chief West to reschedule a meeting of the fire committee.

Mayrose – he reported the meeting with the Fire Chiefs is rescheduled until May 11. He spoke to residents regarding the original plan for switching to garbage totes to go along with the recycling totes, spoke to Christine regarding wind turbines and Sandy regarding court matters.

York – he reported the Celebration committee needs a new electrical panel on the 2nd pole at the park. He spoke to Jon about it and he is ok with it. Mike will work with him to have that taken care of. He also spoke to Sandhill Rd residents that want the chips kept on the Sandhill site for their use.

Jendrowski – he reported the ceiling tiles at the Cultural Center are being fixed and he met with Deb at the Senior Center regarding the leaking roof and everyone agrees there is no good answer on how to fix the problem. He attended the village officials swearing in and organizational meeting.

Supervisor- the March Supervisor’s Report is on file with the Town Clerk. He had a meeting with members of the Tonawanda Nation on Indigenous Peoples Day, met with the Highway Superintendent on issues, spoke to several Quarry Hill residents, attended several Supervisors meetings, met with Trident Insurance, spoke with Judge Freeman on his retirement submission and met with Deb at the Senior Center regarding several liability issues and communication problems with the Fire Company representatives. He presented Town Clerk Dawn Izydorczak with a proclamation plaque recognizing her being recognized as the Erie County Town Clerk of the Year for 2015.

UNFINISHED BUSINESS:

Buildings – nothing new

Planning – nothing new

Water – they have started discussions on the Downey Road water project. Scott is working on a budget and planning on an early May start.

Grants – will resubmit park grant.

NEW BUSINESS:

Approval- RFQ on Dog Control truck:

A motion was made by Councilman York, seconded by Councilman Rooney approving the request to solicit quotes on a used truck for the Dog Control Officer based on a 2 category criteria.

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

Public Hearing- Local Law #3 of 2015:

A motion was made by Councilman Jendrowski, seconded by Councilman Mayrose approving the calling of a public hearing on the proposed Local Law #3 of 2015 regarding placing a moratorium on the acceptance of new applications for wind turbines within the town, to be held on April 27, 2015 at 7:50pm 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

Public Hearing- Site Plan-11177 Main Rd:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the calling of a public hearing on the proposed site plan for 11177 Main Rd owned by Kelly Schultz regarding a 6,240 sq. ft. addition to the auction building, to be held on April 27, 2015 at 7:35pm 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

Public Hearing- Variance-Wind Turbine-8268 Fletcher Rd:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the calling of a public hearing on the proposed variance of 86 feet for placing a wind turbine at 8268 Fletcher Rd owned by Darren Kanehl, to be held on April 27, 2015 at 7:30pm 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

Public Hearing- Variance-Wind Turbine-11734 Meahl Rd:

A motion was made by Councilman York, seconded by Councilman Rooney approving the calling of a public hearing on the proposed variance of 94 feet for placing a wind turbine at 11734 Meahl Rd owned by Christopher Milhollen, to be held on April 27, 2015 at 7:25pm 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

Public Hearing- Variance-Wind Turbine-7269 Sandhill Rd:

A motion was made by Councilman Jendrowski, seconded by Councilman Mayrose approving the calling of a public hearing on the proposed variance of 105 feet for placing a wind turbine at 7269 Sandhill Rd owned by Don York, to be held on April 27, 2015 at 7:20pm at the town hall and authorizing the Clerk to publish notice of the hearing.

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

Approval- Special Use Permit with Conditions-13546 Stage Rd:

A motion was made by Supervisor Cummings, seconded by Councilman Mayrose based on a recommendation from the Planning Board, approving the renewal of the special use permit for 13546 Stage Rd and giving an extension on conditions to be met until 10/1/2015.

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

Approval- Summer Hires- Highway Dept.:

A motion was made by Councilman Mayrose, seconded by Councilman Jendrowski approving the hiring of Bob Massaro to the Highway Dept. for the summer on a part time basis at \$13.00/hour.

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

Approval – Murder Creek Chipping Bid #1:

A motion was made by Councilman Mayrose, seconded by Councilman York to authorize and direct that notice to bidders be prepared and published as required by law for the chipping of the debris from the Murder Creek Stabilization Project with an alternative for chipping and removal of wood chips with bides to be received on May 8, 2015.

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

Approval – Murder Creek Chipping Bid #2:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney to authorize and direct that notice to bidders be prepared and published as required by law for the chipping of the debris from the Murder Creek Stabilization Project with an alternative for chipping and removal of wood chips and a second alternate for removal of debris without chipping with bids to be received on May 8, 2015.

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

Approval – Newstead Trailway Expansion Project Engineering Award:

A motion was made by Councilman York, seconded by Councilman Mayrose to award the engineering service contract for the Newstead Trailway Expansion Project to C & S Engineers, Inc. at a contract cost of \$50,000.00.

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

Carried Unanimously

Approval – Installation of Electrical Panel at Veterans Park:

A motion was made by Councilman Mayrose, seconded by Councilman Jendrowski approving the installation of an electrical panel on an existing pole in Veterans Park for a cost of \$1,350.00.

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

Carried Unanimously

Privilege of the Floor/Question Period: no one spoke

Highway Superintendent Bassanello stated that he wants to see the Sandhill site cleaned up but does not want to allow residents to take mulch from the site. All composting activities are done at the Joint Municipal Facility and he does not want to get anyone in the habit of getting mulch or chips from the Sandhill site or start a trend of people dropping compost or trees off there either.

There being no further business to come before the board a motion was made by Councilman Mayrose, seconded by Councilman Jendrowski to adjourn the regular meeting at 9:00pm.

Carried Unanimously

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