

Newstead Town Board Meeting- December 14, 2015

A public hearing was called to order by the Newstead Town Board on Monday, December 14, 2015 at 7:40pm 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
Mike Bassanello- Highway Supt
Scott Rybarczyk- Town Engineer
Dawn Izydorczak- Town Clerk
Jennifer Heberling- Deputy Clerk

Roll Call was taken with all board members present.

Supervisor Cummings stated that the public hearing on the proposed contract renewal with the Town of Amherst for fire alarm services was cancelled due to lack of publication. The hearing is being rescheduled for December 29th at 7:25pm.

Supervisor Cummings called the **public hearing** on the proposed **Local Law #6 of 2015** repealing Local Law #5 of 2015 to order at 7:50pm.

The Town Clerk read the proof of publication. The Supervisor explained that repealing previous approval to go over the tax cap is necessary for the Town residents to qualify to receive their state tax rebate checks.

Comments: no one appeared to speak

There being no further discussion, a motion was made by Councilman Mayrose, seconded by Councilman York to close the public hearing on Local Law #6 of 2015 at 7:56pm.

Carried Unanimously

Supervisor Cummings called the **public hearing** on the proposed **Local Law #7 of 2015** amending the Zoning Law to order at 7:56pm.

The Town Clerk read the proof of publication. The Supervisor explained the revisions to the law regarding the addition of allowances for Agri-Business and changes in the definition of glare.

Comments: no one appeared to speak

There being no further discussion, a motion was made by Councilman Rooney, seconded by Councilman Jendrowski to close the public hearing on the proposed Local Law #7 of 2015 at 8:00pm.

Carried Unanimously

The **regular meeting** of the Town Board was called to order at 8:00pm with the same members present as listed above.

Nathan Neill led the pledge to the flag.

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

Carried Unanimously

Agenda Changes – a motion was made by Councilman Mayrose, seconded by Councilman York to make the following agenda changes: remove item A and C and add motion F to hire a 2nd deputy clerk.

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 and a letter regarding new monthly billing fees that will take effect January 1st.

The November 2015 Operations Report was received from Amherst Central Alarm Office, reporting 44 calls for Akron Fire Co and 13 calls for Newstead Fire Co.

A certified resolution was received from the Town of Elma regarding their opposition to refugees being resettled in Erie County and calling on the County Executive and local and state representatives to suspend the proposed resettlement of refugees in Erie County.

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

Work Session: The Supervisor reported that no work session has been held for the past 2 weeks but prior to tonight’s meeting, the following items were discussed: buildings projects at town buildings, water/sewer issues, planning issues, grant items, IT services and Asset Management program, easements, the 2% tax cap, and any other matters brought before the Board. The board did hold a brief executive session prior to the work session to discuss a personnel matter concerning a specific individual where no action was taken.

Agenda Items Question Period: no one spoke

Budget transfers: a motion was made by Councilman Mayrose, seconded by Councilman York to approve the budget transfers as requested by Bookkeeper Colleen Salmon in a memo dated December 14, 2015. Carried Unanimously

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1562 & 1564 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1567, 1569, 1571 & bond payment and postage transfers for payment. Vouchers on this abstract(s) numbered from 1270- 1272 & 1274-1338, totaling \$89,856.46. Councilman Mayrose seconded to approve payment as follows:

Abstract Batch(es) #1567, 1569, 1571 & bond payment and postage transfers:
General Fund (A) -\$32,949.70, General Fund- Outside Village (B) \$0, Highway (DA) -\$0, Highway: Outside Village (DB) \$15,469.78, CAP-Murder Creek (HM) \$6,100.00, CAP- Scotland Rd (HS)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$0, Reserve for Roofs (HR01) \$0, Drainage (SD)- \$234.00, Fire Protection (SF) \$0, Refuse (SR) \$25,446.24, Sewer Fund (SS) \$6,556.95, Sewer District #2 (SS02)- \$1,219.00, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$4.98, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$1,875.81, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0
Total: \$89,856.46 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – the crews worked on the new bike path, they have been getting the trucks ready for winter, made highway stakes for Jim Akin, filled CR-1 in shoulders, replaced narrow bridge signs on Dye and McNeeley Roads. Mike thanked the Village of Bergen for cutting trees. The employees have been using up their vacation time during the last month.

Assessor – no report

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

Mark Dean	7250 Maple	Remodel
Joseph Lasker	12297 Meahl	Roof
Barry Pingitore	4992 S Newstead	Shed

Thelma Parker	5008 S Newstead	Shed
Randy Felber	11861 Nice	Pole barn
N Millgrove Lake LLC	6649 Utley	Picnic pavilion
Town of Newstead (T-Mobile)	5877 Buell	Demolition

The Town Board accepted the report as presented.

Town Clerk- Dawn announced that Elizabeth Pask has been hired as a part time deputy clerk in her office effective 12/14/2015.

Attorney for the Town – nothing at this time

COUNCILPERSONS:

Rooney – he attended the Newstead Fire Company installation dinner and appreciated the invitation and believes that any tax cap opposition letters in the future should be sent to the leaders of both houses as well as other officials.

Mayrose – he finished the court audit.

York – he attended the Newstead Fire Company installation dinner, recreation board meeting and celebration committee meeting and spoke to a resident regarding a complaint on Havens and Stage Road due to no stripping of center lanes. He did speak to the DOT and it is not required.

Jendrowski- he attended the Newstead Fire Company installation dinner, the Charlie Brown Christmas party supporting the local food pantry, the celebration committee meeting (there will be music and fireworks), the recreation board meeting and reported that registration is up 20% this session, he spoke to the CEO regarding the Fancher property situation, attended the village board meeting, took the service awards to Kristine at the library and thanked Cheryl Esposito for her service and attended the evacuation drill at the school and thanked John Wideman, Dan Kowalik, Joe Hawes and Peter West for their work on the drill.

Supervisor- he attended the GFOA meeting, the Supervisor meeting in Elma, sat in on several interviews with the Town Clerk, received an estimate for restoration of town artifacts, attended a meeting for the trail ways grant, attended the Charlie Brown Christmas party to benefit the local food pantry and toured the town with the Highway Superintendent to look at some drainage issues.

UNFINISHED BUSINESS:

Buildings – nothing new

Planning - nothing new

Water/Sewer – Lewis Road sewer plan is ongoing. Cedar Street is still in progress.

Grants – the town did not receive the park grant submitted for the second year in a row. The final report should show the deficiencies and we will resubmit.

NEW BUSINESS:

Approval- Local Law #6 of 2015- Repeal Local Law #5 of 2015:

A motion was made by Councilman York, seconded by Councilman Rooney approving the adoption of Local Law #6 of 2015 repealing Local Law #5 of 2015 regarding the Tax Cap.

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

Approval- Justice Court Audit Findings:

A motion was made by Councilman Mayrose, seconded by Councilman Jendrowski approving the annual Justice Court audit review done by Councilman Mayrose, which found the court records to be in exceptionally organized and proper manner and authorized a copy of the report to be sent to the NYS Office of Court Administration.

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

Appointment of EBO System Officer:

A motion was made by Councilman Jendrowski, seconded by Councilman Mayrose approving the appointment of the Town Supervisor as Equitable Business Opportunities official for the Town for accessing the NYSDOT reporting web based system.

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

Approval – Appointment of Clerk PT:

A motion was made by Councilman York, seconded by Councilman Mayrose approving the hire of Elizabeth Pask as 2nd Deputy Town Clerk PT at a rate of \$12.00 per hour effective 12/14/2015.

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

*Supervisor Cummings reminded everyone of the public information meeting tomorrow night at 7:00pm at the town hall on the bike path expansion project.

*The swearing in of elected officials for 2016 will be held on January 1, 2016 at 10:30am at the town hall.

*The 2016 organizational meeting will be January 4, 2016 at 7:00pm

Privilege of the Floor/Question Period:

Edmund Burke of 27 Crescent Dr. questioned the hours for the new clerk appointment. He was told it will be 12 hours per week to start.

Supervisor Cummings thanked Todd Esposito (ethics board), Cheryl Esposito (library board) and Karen Stachowiak (recreation board) for their service to the town as they will not be seeking reappointment for 2016. He also thanked Councilman Justin Rooney for his 9 years of service and all of his efforts over the years. He stated what a tremendous asset Justin has been to the town.

Councilman Rooney thanked the current and past board members he has served with and the all the staff at the town hall for their help through the years. He didn't always see eye to eye with those he served with, but he believed in everything he did and that the decisions that were made were what was best for the town and its residents. As this chapter closes it is emotional but he believes Councilman Joe Dugan will be an asset to the board.

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 8:23pm.

Carried Unanimously

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