

Newstead Town Board Meeting- February 9, 2015

A public hearing was called to order by the Newstead Town Board on Monday, February 9, 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
Jennifer Heberling- Deputy Town Clerk

Roll Call was taken with all board members present.

The Town Clerk read proof of publication.

The Supervisor explained the reason for this public hearing on the proposed Local Law #2 of 2015 was to repeal the Tax Cap legislation passed as Local Law #6 of 2014. Since the town did not exceed the tax cap repealing the law would have no effect and it would enable residents to be eligible for tax freeze credits from the state.

Comments: no one spoke

There being no further comments Councilman Rooney motioned to close the public hearing, seconded by Councilman Jendrowski. Carried Unanimously

The regular meeting of the Town Board was called to order at 8:03pm with the same Board members present as listed above.

Councilman Rooney led the pledge to the flag.

Minutes from the previous regular meeting held on January 26, 2015 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman York to approve as presented. Carried Unanimously

Agenda Changes – no agenda changes

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 from the Alden Central School that the school board voted not to adopt a tax exemption for the solar, wind or farm waste energy systems under RPTL Section 487.

A certified resolution from the Erie County Legislature regarding their support for reforming the Community College Chargeback Policy and setting up future meetings to formulate a plan to address this issue and reform the policy with Albany policymakers.

A letter from the NYS Department of State notifying the Town that Local Law #1 of 2015 has been received and filed on February 3, 2015.

An announcement from Erie County Soil & Water that their annual Tree & shrub Seedling Program is currently available with orders due by March 13th and Pick-up date scheduled for April 18th.

The annual report was received from Hearts and Hands showing their yearly activities.

A letter from Erie County Legislature regarding the November storm following up on post-storm meetings and measures that are being taken to improve responses to snow events for the future.

A letter from Donald Roth expressing interest in the Deputy Disaster Coordinator position.

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

Work Session: The Supervisor reported that at the work session held last week the following items were discussed: water issues, buildings, parks master plan, highway issues, planning items, grants, services, contracts, Erie County Gov't Assoc. resolution, 3 points of interest from all board members for the coming year, topics for the joint meeting, a short executive session regarding contractual and personnel matters and any other matters brought before the Board. The Board also went into an executive session prior to this evenings meeting regarding personnel issues with no outcome.

Agenda Items Question Period: no one spoke

Budget Transfers: none

Approval of Bills – Councilman Mayrose reported that the Abstract(s) from Batch(es) #1474 (2104) and #1475 (2015) from the January 26, 2015 meeting have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1476 for payment. Vouchers on this abstract(s) numbered from 51-101, totaling \$171,029.83. Councilman York seconded to approve payment as follows:

Abstract Batch(es) #1476:
General Fund (A) -\$83,571.77, General Fund- Outside Village (B) \$389.97, Highway (DA) -\$0, Highway: Outside Village (DB) \$71,678.09, 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) \$4,593.52, Refuse (SR) \$0, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$262.50, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$10,533.98, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0 Total: \$171,029.83 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – not present

Assessor – no report was presented.

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

13634 Main Rd Corp	13090 Main	Addition
Jason Schlabach	6453 Utlej	Special Use Permit renewal
Doug Matussek	12663 McNeeley	Special Use Permit renewal
Wm Lorenz Construction	4231 Billo	Special Use Permit renewal
Doug Matussek	12663 McNeeley	Special Event Permit
Thomas Owen	12859 Main	Sign
Lewistraum Kennels	12472 Stage	Special Use Permit renewal
Champion auto Locaters	11678 Main	Special Use Permit renewal
R. Winkelman/K. Contrino	12288 Tonawanda Creek	Solar PV system
Erik Iverson	12870 Swift Mills	One Family Home
Robert Draushuk	6360 Utlej	Backup Generator

The Town Board accepted the report as presented.

Town Clerk- tax bills were mailed today and will be due by March 16th without penalty.

Attorney for the Town – nothing

COUNCILPERSONS:

Rooney – attended several meetings with Native American coalitions, attended the Amherst Fire Control tour, met with several representatives on the Erie County efficiency plan.

Mayrose – attended the Amherst Fire Control tour, met with Sandy regarding court issues, met with Mike Bassanello regarding truck issues and met with the CEO regarding various town projects.

York – thanked the Newstead Fire Company and the Erie County Sheriffs for responding to his son's accident and appreciates all they do.

Jendrowski – attended a library committee meeting where they discussed issues with the sidewalks, snow removal and entryway/door issues.

Supervisor – attended Supervisor meeting in Elma, spoke to the grant writers, met with the auditors, met with Sandy regarding a court report for the joint meeting with the village, met with the Mayor, received a recreation report, attended the Amherst Fire Control tour and met with the CEO on several issues.

UNFINISHED BUSINESS:

Buildings – working on issues with the roofs at the senior center and the library.

Planning – working on potential code changes.

Water – nothing new

Grants – meeting with Rotella this week regarding several grants for this year.

NEW BUSINESS:

Approval- Local Law #2 of 2015:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the adoption of Local Law #2 of 2015 repealing Local Law #6 of 2015 regarding the tax cap.

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

Public Hearing- Wind Turbine-7269 Sandhill:

A motion was made by Councilman Jendrowski, seconded by Councilman Mayrose approving the calling of a public hearing to be held on February 23, 2015 at 7:55pm to hear comments on the proposed wind turbine at 7269 Sandhill Rd and authorizing the Town Clerk to advertise the hearing.

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

Approval- County Wide Efficiency Plan Support:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the towns support of a proposal by Erie County for a County Wide Efficiency Plan.

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

Councilman Rooney believes this is a great thing to do to ensure our residents are eligible. It is a win for everyone.

Privilege of the Floor/Question Period: no one spoke

Supervisor Cummings reported that he received an email from Kevin Nadrowski regarding a coalition meeting on substance abuse tomorrow (2/10) at 6pm at the high school. He also received an email from Dan Borchert reporting the amount of electronic waste that was recycled. For the year 2014 it was 81,983 pounds which is up 6,534 pounds from 2013 when 75,449 pounds was collected.

There will be no work session next week due to the holiday and there will be a joint meeting with the village after the meeting on February 23rd.

There being no further business to come before the board a motion was made by Councilman Rooney, seconded by Councilman Mayrose to adjourn the regular meeting at 8:25pm.

Carried Unanimously

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