

## Newstead Town Board Meeting- January 26, 2015

A regular meeting was called to order by the Newstead Town Board on Monday, January 26, 2015 at 8:23pm at the Newstead Town Hall.

Present: David Cummings- Supervisor  
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 Town Clerk

Roll Call was taken with all board members present except for Councilman Mayrose who is sick.

Town Attorney Nathan Neill led the pledge to the flag.

Minutes from the previous regular meeting held on January 12, 2014 were presented for approval. A motion was made by Councilman York, seconded by Councilman Rooney to approve as presented.  
Carried

**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.

A notification from Alden regarding public hearings on 2 local laws amending their home occupations code and their senior exemption limits.

The December 2014 Operation Report was received from Amherst Central Alarm office reporting 51 calls for Akron Fire Co and 36 calls for Newstead Fire Co.

An announcement from the DEC of awards for the Urban Forestry Grant of which the Town has been awarded \$5,033 for a tree inventory project.

A letter from Erie County Consortium Community Development Block Grant notifying the town that the Rural Transit Van Service funding application has been approved.

A letter from Akron Little League Football thanking the town for use of the park for last year's season and requesting use of the veteran's park facilities for this year's season from July 20<sup>th</sup> through the 2<sup>nd</sup> week in November.

A notification from the Akron 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 motion was made by Councilman Rooney, seconded by Councilman Jendrowski to accept and file the presented correspondence.  
Carried

**Work Session:** The Deputy Supervisor reported that no work session was held last week due to the holiday however, the following items were discussed prior to tonight's meeting: planning items, water issues, buildings, contracts, grants, services, parks, golf courses and recycle totes and any other matters brought before the Board. The board entered executive session briefly to address a legal matter, town policies and a personnel issue with no action being taken.

**Agenda Items Question Period:** none

**Budget Transfers:** a motion was made by Councilman Jendrowski, seconded by Councilman Rooney approving the budget transfers per memo from Bookkeeper Colleen Salmon dated 1/26/15.  
Carried

**Approval of Bills** –Supervisor Cummings reported that the Abstract(s) from Batch(es) #1466 (2104) and #1467 (2015) from the January 12, 2015 meeting have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1474 for 2014 and 1475 for 2015 for payment. Vouchers on this abstract(s) numbered from 1392-1411(2014) and 18-50(2015), totaling \$49,622.21. Councilman Rooney seconded to approve payment as follows:

Abstract Batch(es) #1474 (2014) & 1475 (2015):  
General Fund (A) -\$25,744.02, General Fund- Outside Village (B) \$621.27, Highway (DA) -\$0, Highway: Outside Village (DB) \$20,986.40, 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) \$0, Sewer Fund (SS) \$2,126.14, Sewer District #2 (SS02)- \$97.86, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$46.52, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0  
Total: \$49,622.21  
Carried

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – Mike presented a report on road and field ditching projects completed in 2014 and planned so far for 2015. The crews worked on road ditching on Draper and Greenbush Roads. Mike hosted the highway association meeting. He met with the Supervisor, Town Clerk and Jim Akin regarding the town parks, called 4 contractors for quotes on the park shelter roof and is working on quotes for a new 2015 F350 pickup and Highway Supt. vehicle. He thanked Alex Brownley for a donation he made to the assist with the future care of Maple Lawn Cemetery. They have made 8 new benches for the new town park and he announced the tire drop off will be April 25<sup>th</sup> and white goods pick-up will be April 27<sup>th</sup> & 28<sup>th</sup>.

**Assessor** – no report. Becky met last week with the Town Board regarding several issues.

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

Michael Shields	12690 Main	Special Use Permit renew
James Ames	11198 Hunts Corners	Special Use Permit renew
Walter Gibson/Anne Perrault	11570 Clarence Center	Special Use Permit renew
Gary Roth	6505 Draper	Special Use Permit renew
Robert George	12056 Buckwheat	Special Use Permit renew
Kris Beyer Jones	7065 Sandhill	Special Use Permit renew
Paul Herberger	7463 Maple	Special Use Permit renew
Mark Young	12391 Hunts Corners	Solar panels
John Owen	6678 Hake	Remodel
Steven Andres	6704 Maple	Remodel

The Town Board accepted the report as presented.

**Town Clerk** - nothing at this time

**Attorney for the Town** – nothing at this time

**COUNCILPERSONS:**

**Rooney** – he asked the Supervisor for work session time. He asked each board member to make a list of three things they would like to do or change in the town for 2015, why they want to do it and how it could be done.

**Mayrose** – not present

**York** – he attended the coalition meeting and asked Mike about salting on Utley Road on Sunday morning.

**Jendrowski** – he met with Christine Sutton regarding issues with the entrance to the library. They seem to have a tripping/slipping hazard that needs to be addressed. He will discuss in a work session.

**Supervisor**- The December Supervisors Report is on file with the Town Clerk. He attended the Association of Erie County Governments meeting in which he was named one of the directors for 2015, he attended Congressman Chris Collins’ town hall meeting which was not well attended, he attended the Newstead Stock holders meeting, met with grant writers, and met with the Village of Akron Mayor. He met with the Town Clerk, Highway Superintendent and Jim Akin regarding addressing parks issues for the coming year.

**UNFINISHED BUSINESS:**

**Buildings** - the restrooms at the fire hall have been fixed by the fire company.

**Planning** – nothing at this time

**Water** – nothing at this time

**Grants** – we received a \$5,033 grant for a tree inventory and the Supervisor believes that the village received a grant for a sewer study but will confirm that.

**NEW BUSINESS:**

**Approval- Renumber Dog Law:**

A motion was made by Councilman York, seconded by Councilman Rooney approving the renumbering of the Dog Law formerly Local Law #8 of 2014 to Local Law #1 of 2015 and adopting it as previously adopted.

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

**Approval- 2015 SPCA contract:**

A motion was made by Councilman Rooney, seconded by Councilman York approving the 2015 SPCA Contract and authorizing the Supervisor to sign the contract.

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

**Approval- 2015 Engineering Contract:**

A motion was made by Councilman Jendrowski, seconded by Councilman Rooney approving the 2015 Engineering Contract with Wendel and authorizing the Supervisor to sign the contract.

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

**Approval- 2015 Insurance Contract:**

A motion was made by Councilman York, seconded by Councilman Jendrowski approving the 2015 contract with Trident Insurance Brokerage and authorizing the Supervisor to sign the contract.

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

**Approval- Airport Noise Abatement:**

A motion was made by Councilman Rooney, seconded by Councilman Jendrowski approving the airport noise abatement resolution as presented.

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

**Public Hearing- Local Law #2 of 2015 Repealing the Tax Cap:**

A motion was made by Councilman Jendrowski, seconded by Councilman York approving the calling of a public hearing to be held on February 9, 2015 at 7:55pm to hear comments on the repealing of Local Law #6 of 2014 regarding the tax cap and authorizing the Town Clerk to advertise the hearing.

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

**Approve- Highway Conference attendance:**

A motion was made by Councilman Rooney, seconded by Councilman York approving the attendance of the Highway Superintendent at training sessions in June and September.

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

**Approve- Fire Company Training:**

A motion was made by Councilman Rooney, seconded by Councilman Jendrowski approving the fire company use of the Joint Facility pond for water rescue training on January 31<sup>st</sup>.

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

**Approve- Veterans Park Use- Akron Little League Football:**

A motion was made by Councilman York, seconded by Councilman Jendrowski approving the use of the Veteran's Park fields and pavilion for the Akron Little League Football season from July 20<sup>th</sup> through the 2<sup>nd</sup> week of November.

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

**Approve- Lateral Restriction Hardship- 12870 Swift Mills Rd:**

A motion was made by Councilman Rooney, seconded by Councilman York approving the lateral restriction hardship application for waterline hookup & service at 12870 Swift Mills Rd.

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

Supervisor Cummings stated the joint meeting with the village has been postponed to February 23<sup>rd</sup>.

**Privilege of the Floor/Question Period:**

Ed Burke, 27 Crescent Drive questioned why Modern Disposal is no longer accepting colored glass in the recyclables. He also asked if there is an impact to the town if people continue to recycle the colored glass.

Supervisor Cummings will reach out to Modern on that and get back to him.

Supt. Bassanello responded to Councilman York's earlier question regarding the roads on Sunday morning. In looking back at his notes, crews were out Saturday night for the ice event but Sunday morning most of the roads were fine so crews were not called out. Utley Road could have had spots where it was blown over, but that is it.

The Board went into executive session at 8:45pm to discuss personnel issues regarding two employees and a litigation issue. The Board exited executive session having taken no action at 9:10pm.

There being no further business to come before the board a motion was made by Councilman Rooney, seconded by Councilman Jendrowski to adjourn the regular meeting at 9:10pm.  
Carried

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