

Newstead Town Board Meeting- June 22, 2015

A regular meeting was called to order by the Newstead Town Board on Monday, June 22, 2015 at 8:10pm 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.

Supervisor Cummings led the pledge to the flag.

Minutes from the previous regular meeting held on June 8, 2015 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Rooney to approve as presented. Carried Unanimously

Agenda Changes – a motion was made by Councilman Mayrose, seconded by Councilman Jendrowski to make the following agenda changes: remove item C. – Negative Declaration & Site Plan for 11234 Main Road 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 certified copy of a resolution passed by the Village of Akron Board adopting the 2nd Monday in October as Indigenous Peoples Day in the Village of Akron.

An application by Jerome Klostermann for a beer & wine permit at Veteran's Park for a family reunion on September 13, 2015.

A letter from the NYS DOT regarding their response to a request by the town to install a 3-color traffic signal at the Rt. 5 and Cummings Rd intersection. Based on their traffic study they feel no signal is warranted at that intersection.

A notice from the Erie County Dept. of Health regarding rabies risk through incidental exposure to bats and what town police officers, Dog Control and first responders should do if they feel someone has been exposed.

A motion was made by Councilman Mayrose, seconded by Councilman York 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: indigenous peoples day committee document review, personnel terms & conditions and wellness training, water/sewer issues, buildings projects at the library, town hall, senior center and new garage project, parks master plan review, highway issues & joint facility contract, planning items- EAB & County Line Stone, several grant application items, IT services and any other matters brought before the Board. The Board had a joint meeting with the Planning Board regarding code changes, wind turbines, side lot buildings, glare & drone legislation.

Agenda Items Question Period: no one spoke

Approval of Bills – Councilman Mayrose reported that the Abstract(s) from Batch(es) #1516 &1518 from the June 8, 2015 meeting have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1522 and epayment for USDA bond for payment. Vouchers on this abstract(s) numbered from 599- 642, totaling \$181,714.85. Councilman York seconded to approve payment as follows:

Abstract Batch(es) #1522 & USDA bond epayment:
General Fund (A) -\$22,316.27, General Fund- Outside Village (B) \$2,835.43, Highway (DA) -\$0, Highway: Outside Village (DB) \$76,569.19, CAP-Murder Creek (HM) \$0, CAP- Scotland Rd (HS)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$7,219.90, Drainage (SD)- \$614.06, Fire Protection (SF) \$33,911.00, Refuse (SR) \$26,962.83, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$131.53, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$178.85 (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$9,050.81, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$1,925.00 Total: \$181,714.85

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Highway Superintendent Bassanello was not present but Supervisor Cummings presented the following report on his behalf: worked on water line and pressure tested on 6/17/2015, hauled CR-2 to town park for shoulder repair, cleaned water line ditch, took flower pot apart at Evergreen Cemetery, mowed bike path and intersections (helped Erie County), oil and stoned on 6/18/2015, mowed and the shelter roof at the new park has been replaced.

Assessor – no report was presented.

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

Erin Boyd	12105 Rapids	Roof
Gerard O'Donnell	12060 Rapids	Pole barn
Sprint Spectrum	4490 S Newstead	(3) RRH units on tower

Brett Arno	5435 Barnum	Porch
Robert George	12056 Buckwheat	Roof
Curtis Mohr	11831 Clarence Center	One family home
David Morehouse	11326 Miland	Solar system
Debra Fetterman	7915 Moore	Interior drainage/sump
Evan Crahen	11845 Sheila	Deck
Eric Wild	8085 Kathryn	A.G. Pool
Philip Wittman	11495 Meahl	Roof
Rodney Szczepaniak	4301 Billo	Roof
Kris Beyer-Jones	7033 Sandhill	Permit renewal

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 corresponded with Erie County officials regarding signage issues and the diving off of the waterfall cliffs and swimming in Akron Falls Park. He was present in the park during the incident the fire department was called to this past weekend. He would like to see more police patrols, possibly mounted police like used in Chestnut Ridge Park, better signage and a possible increase in fines. He also spoke to the Tobacco Free Coalition about no smoking signage for the town parks. The signs would be donated if the parks go smoke free.

Mayrose – he met with Supervisor Cummings on IT needs, the Highway Superintendent on projects and residents regarding wind turbines.

York – he attended the celebration committee meeting and they are still looking for volunteers. Anyone able to help is asked to call Amanda Harrington at 819-7627. He has also been working on the soap box derby.

Jendrowski – he is working with Kristine at the library regarding the rear plantings and the support wall. He spoke to David DeYoung regarding the DCO truck search, spoke to Amanda Harrington regarding July 4th and Doug Stanbury regarding his subdivision.

Supervisor- the May 2015 Supervisors Report is on file with the Town Clerk. He met with the grant writers, representatives from Leisurewood regarding their border with the town bike path, attended the Erie County Supervisors meeting, attended the planning board joint meeting, met with the CEO, coalition committee, Indigenous People committee, attended a meeting on the IT project and met with Kristine at the library regarding the plantings and the support wall.

UNFINISHED BUSINESS:

Buildings – repointing at the town hall to start soon as well as a couple other small building projects.

Planning – a joint meeting was held where they discussed wind turbines and code changes, nothing new regarding County Line Stone.

Water – Downey Road line has been pressure tested and passed. The line will be chlorinated and flushed and then they will start on service installations.

Grants – waiting on contracts.

NEW BUSINESS:

Approval- ACS Tax Collection Contract:

A motion was made by Councilman York, seconded by Councilman Rooney authorizing the Supervisor to execute a 3 year contract with Akron Central School for tax collection services for the 2015-16, 2016-17 & 2017-18 school tax cycles, subject to the terms set forth in the resolution. (Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried Unanimously

Approval- Inter-Municipal Agreement on Joint Facility:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose authorizing the Supervisor and Highway Superintendent to execute the inter-municipal agreement with the Village of Akron on the Operation, Maintenance & Future Capital Improvements for the Joint Highway/Public Works Facility. (Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried Unanimously

Approve- Cancel Work Session for June 29:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney authorizing the cancellation of the work session scheduled for June 29, 2015. Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye Carried Unanimously

Recreation Employee Wage Schedule:

A motion was made by Councilman Mayrose, seconded by Councilman Jendrowski approving the proposed wage schedule for summer recreation employees as presented to the Board. Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye Carried Unanimously

Beer/Wine Permit Request:

A motion was made by Councilman Mayrose, seconded by Councilman York approving the request for a beer/wine permit for Veterans Park on September 19, 2015 as requested by Jerome Klostermann. Cummings-Aye, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye Carried Unanimously

Privilege of the Floor/Question Period:

Jim Bola of 11234 Main Road is part owner of Clarence Self Storage. He read the comments submitted by Erie County Planning on his project and feels almost all of the issues have already been addressed. He asked if the Town Board would still be willing to vote on the site plan tonight otherwise it will put him back 3 weeks in his schedule.

Mike Metzger of Metzger Engineering agreed that these issues have been dealt with and would like to be able to resolve this matter tonight.

Supervisor Cummings stated the town board members have not even seen the letter from Erie County Planning as it was faxed to our office at 5:10 this evening and he would like the planning board to be able to review the comments. He offered to inquire whether the planning board, who is presently meeting, would have time to discuss the issues with them. The Supervisor inquired and the Planning Board has not seen the letter either but are willing to meet with Mr. Bola & Mr. Metzger this evening.

Town Engineer Rybarczyk agreed that his office would like the opportunity as well to review the letter and the comments made by the County.

The Town Board offered that, if the planning board and town engineer review the material over the next week and are satisfied with the results, they would be willing to hold a special meeting to approve the project.

Approval – Calling of a Special Meeting on June 29th:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the calling of a special meeting of the Newstead Town Board on Monday June 29th at 7:30am for the purpose of addressing the site plan proposal at 11234 Main Rd.

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

There being no further business to come before the board a motion was made by Councilman Mayrose, seconded by Councilman Rooney to adjourn the regular meeting at 8:51pm.

Carried Unanimously

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