

Newstead Town Board Meeting- June 8, 2015

A public hearing was called to order by the Newstead Town Board on Monday, June 8, 2015 at 8:00pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
James Mayrose – Councilman
Justin Rooney- Councilman
John Jendrowski- Councilman
Nathan Neill- Attorney for the Town
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 except for Councilman York who is out of town.

The Supervisor called the **public hearing** to order regarding a **site plan request** to convert an existing building and construct 11 self-storage buildings totaling 44,725 sq. ft. **at 11234 Main Rd** owned by 11234 Main St Inc.

The Clerk read the proof of publication. The Supervisor reported the Planning Board has recommended approval of the site plan with one condition.

Comments:

Steve Baldo and Jim Baldo presented the site plan and project overview to the Board. They will be converting 10,000 sq. ft. of the original building and then adding new buildings. Councilman Jendrowski discussed fire lanes and fire hydrants and believes the fire companies will be satisfied. Councilman Mayrose asked if the retention pond was being built in the first phase and it will be. Supervisor Cummings questioned any issues with the retention pond being built on the rock ledge and they responded no, it will actually be a good condition for it. They will only be digging 6 feet into the rock and the water will be double filtered

Janice Carson, 11212 Main Road stated she owns the property next door and they are planning to put up a fence right on the property line and asked if that was legal. She wants to make sure an ambulance could get through her driveway to the rear building on her property with the fence up right on the property line. Supervisor Cummings said he will check with the CEO and make sure of the proper egress for vehicles.

Supervisor Cummings stated we are still waiting for comments from Erie County as the 30 day comment period is not up yet. There will be no action taken on this tonight.

There being no further comments a motion was made by Councilman Mayrose, seconded by Councilman Rooney to close the public hearing at 8:11pm. Carried

The **regular meeting** of the Newstead Town Board was called to order at 8:11pm with the same members present as listed above.

Councilman Rooney led the pledge to the flag.

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

Agenda Changes – a motion was made by Councilman Rooney, seconded by Councilman Jendrowski to make the following agenda changes: Add H: Beer and Wine Permit
Remove F: Terms and Conditions resolution

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 notice of a training seminar on Special Use Permits, Land Use Moratoria and Solar Energy Regulation to be held on June 18, 2015 from 6:00pm-9:30pm at the Attica High School.

A memo from the Village Clerk regarding the success of the household hazardous waste drop-off with 214 vehicles serviced, 93 from the village and 121 from the town.

A request for a beer & wine permit by Fallon Kumro for a baby shower at Veterans Park on June 20, 2015 and by Ron & Margaret Newton for a graduation party at Veterans Park on July 19, 2015.

A letter from Erie County Water Authority regarding a request to the authority to let a town employee drain a fire hydrant. The authority responded that was not authorized under the Lease Management Agreement and any and all repairs to hydrants must be done by the Authority.

The May 2015 Operations Report was received from Amherst Central Alarm Office reporting 53 calls for Akron Fire Co and 33 calls for Newstead Fire Co.

A letter from NYS DEC regarding the findings of their routine inspection of Leisurewood Campgrounds dam on May 12, 2015.

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

Work Session: The Supervisor reported that at work session held last week the following items were discussed: water/sewer issues, buildings projects, parks master plan, highway issues & joint facility contract, planning items, grant items, IT services changes to terms and conditions, cleaning contract, ACS contract, dog control truck, security at town buildings, cancellation of work session and any other matters brought before the Board.

Agenda Items Question Period: no one spoke

Budget Transfers: a motion was made by Councilman Mayrose, seconded by Councilman Jendrowski to approve the proposed budget transfer per memo dated 6/8/15 from Bookkeeper Colleen Salmon. Carried

Approval of Bills – Councilman Mayrose reported that the Abstract(s) from Batch(es) #1514 from the May 26, 2015 meeting have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1516 & 1518 for payment. Vouchers on this abstract(s) numbered from 555- 598, totaling \$29,043.95. Councilman Rooney seconded to approve payment as follows:

Abstract Batch(es) #1516 & 1518:

General Fund (A) -\$13,299.39, General Fund- Outside Village (B) \$85.01, Highway (DA) -\$0, Highway: Outside Village (DB) \$1,600.38, CAP-Murder Creek (HM) \$778.00, CAP- Scotland Rd (HS)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$8,275.43, Drainage (SD)- \$0, Fire Protection (SF) \$5,001.24, Refuse (SR) \$0, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$0, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$4.50 (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0 Total: \$29,043.95 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – he attended the Emerald Ash Borer meeting, worked the Shred-It event on 6/6/2015 which had 80 cars come through, continued work on the water line on Downey Road and thanked the village for their help, they helped the Town of Darien and replaced the clutch fan on truck #10 and painted the body, frame and wheels on truck #8.

Assessor – a report was presented regarding this year's 99% equalization rate, the results of grievance day, final roll date of July 1st, and current projects the office is working on locally and for the state. Becky asked for work session time to discuss the new full assessment approach.

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

James Barron	12264 Main	Electric & heat install
Pillar Real Estate	12292 Clarence Center	Sign

Donald York	7269 Sandhill	Wind turbine
Quarry Hill Estates	Lot #167	Roof
Michael Schmidt	10965 Keller	Pole barn
Vickie Lombard	7369 Downey	Deck
Nova Schlager	11258 Clarence Center	Deck
Martin Smith	11342 Miland	Demolition
Mike Young	11131 Hunts Corners	Deck roof

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 has been doing wind turbine research, still working on Indigenous Peoples Day and attended a park master plan meeting.

Mayrose – he attended the park master plan meeting, met with the assessor regarding lot sizes, worked on wind turbines law, attended the EAB meeting, met with building/assessor department staff, worked on joint facility issues and attended the planning board meeting.

York – not present

Jendrowski – he attended the celebration committee meeting and regarding the upcoming sidewalk sale reported the event will be held in Russell Park this year instead of on Main Street. He also attended the historical society meeting and thanked Jon Cummings and Gary Baehr for their work on the Downey Rd water line project.

Supervisor – he attended the EAB meeting which had over 116 people attend and 5 counties represented, attended the planning board meeting, the park grant meeting and met with the senior center director. He asked Carl to report on the EAB meeting and what it would cost to treat the ash trees. Carl responded the average cost is \$10 per inch of the tree diameter and it would need to be treated every 3 years for at least a 12 year period.

UNFINISHED BUSINESS:

Buildings – senior center handicap door button has been changed, the repointing of the town hall will begin in approximately 2 weeks and we will be getting prices to replace the overhang. We are working on a grant for the library project.

Planning – meeting with the planning board next week to discuss wind turbine law and other code changes.

Water – the water line on Downey Road is half done with one hydrant and one valve installed. All three applications for service are in.

Grants – applying for several and resubmitting the Skyline Drive Park grant at the end of this week.

NEW BUSINESS:

Approval- NYSOPRHP Grant Planning:

A motion was made by Councilman Mayrose, seconded by Councilman Jendrowski authorizing the Supervisor to accept funds from NYS Office of Parks, Recreation & Historic Preservation in accordance with provisions of Title 9 of the Environmental Protection Act of 1993 in an amount no less than 50% of a grant award and to execute a project agreement with the State for financial assistance for the Skyline Park Enhancement Project.

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

Approval – NYSOPRHP Grant Authorization:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney authorizing the Supervisor to accept funds from NYS Office of Parks, Recreation & Historic Preservation in accordance with provisions of Title 9 of the Environmental Protection Act of 1993 in an amount no less than 50% of a grant award and to execute a project agreement with the State for financial assistance for the Skyline Park Enhancement Project.

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

Approval- Murder Creek Vegetation Removal:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose authorizing Mike Middaugh to remove vegetation within 10 feet of his buildings at 67-71 Main St in accordance with a request reviewed by the CAC and authorizing him to permanently maintain that area and remove vegetation that impacts his buildings within the plan as reviewed.

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

Approve- Dog Control Truck purchase:

A motion was made by Councilman Jendrowski, seconded by Councilman Mayrose authorizing the Supervisor to purchase a used ½ ton pickup truck with a full bed at a price not to exceed \$15,000.00 with said truck not to be older than a 2007 with mileage under 90,000 miles to be used as a Dog Control truck.

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

Approve- Shared Services Agreement- NYSDOT:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the Shared Services Agreement between the NYSDOT and Town of Newstead and authorizing the Highway Superintendent to execute the agreement with the DOT.

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

Beer/Wine Permit Request:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the request for a beer/wine permit for Veterans Park on June 20, 2015 as requested by Fallon Kumro.

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

Cancellation of Work Session:

A motion was made by Councilman Rooney, seconded by Councilman Jendrowski approving the cancellation of the work session planned for July 6th.

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

Beer/Wine Permit Request:

A motion was made by Councilman Mayrose, seconded by Councilman Jendrowski approving the request for a beer/wine permit for Veterans Park on July 19, 2015 as requested by Ron & Margaret Newton.

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

Privilege of the Floor/Question Period: Carl Klingenschmitt reported the DEC announced the new requirements for moving wood. After May 11th you are allowed to transport wood within the infested areas. Information will be available on the Town's website.

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 8:45pm.

Carried

Respectfully Submitted,

Dawn D. Izydorcak, RMC, Town Clerk