

Newstead Town Board Meeting- March 9, 2015

A regular meeting was called to order by the Newstead Town Board on Monday, March 9, 2015 at 8:00pm at the Newstead Town Hall.

Present: James Mayrose – Deputy 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 Supervisor Cummings who is out of town.

Councilman Jendrowski led the pledge to the flag.

Minutes from the previous regular meeting held on February 23, 2015 were presented for approval. A motion was made by Councilman Jendrowski, 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 a motion on a liquor license request and add a resolution on a fire truck purchase
Carried

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 from the Department of State that Local Law #2 of 2015 was received and filed on February 18, 2015.

The February Operations Report was received from Amherst Central Alarm Office reporting 41 calls for Akron Fire Co and 27 calls for Newstead Fire Co.

A copy of a report submitted by Justice Campbell regarding charges by police agency for the years 2011- 2014.

A request to use the Skyline Drive playing fields and facilities for the 2015 Akron Sports, Inc. baseball season starting April 1st – August 1st.

A request from Kevin McFall, owner of Mooney's Sports Bar & Grill, for waiver of the 30-day notice obligation on a liquor license for 11891 Main Rd, which he will be leasing from Ray Braun to operate a Mooney's Concert Venue & restaurant at that location.

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

Work Session: The Deputy Supervisor reported that at work session held last week the following items were discussed: met with Solar Liberty on solar costs, water issues- Downey Rd, request for park use- Akron Sports, buildings projects, joint facility contracts, planning items, plans for projects with unsuccessful grants, services, disaster coordinator position, bank signatures, 3 points of interest from all board members for the coming year and any other matters brought before the Board. Tonight they also met with Newstead Fire Co on a truck purchase.

Agenda Items Question Period: Kevin Borth questioned whether there was any Braun's litigation and its effect on the liquor license request.

Budget Transfers: a motion was made by Councilman Mayrose, seconded by Councilman Jendrowski to approve the proposed budget transfers per memo dated 3/9/15 from Bookkeeper Colleen Salmon. Carried

Approval of Bills – Councilman Mayrose reported that the Abstract(s) from Batch(es) #1484 from the February 23, 2015 meeting have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1487 & 1490 for payment. Vouchers on this abstract(s) numbered from 158-160 & 181-227, totaling \$106,703.83. Councilman Jendrowski seconded to approve payment as follows:

Abstract Batch(es) #1487 & 1490:
General Fund (A) -\$24,775.23, General Fund- Outside Village (B) \$194.09, Highway (DA) -\$5.73, Highway: Outside Village (DB) \$57,077.48, CAP-Murder Creek (HM) \$0, CAP- Scotland Rd (HS)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$0, Drainage (SD)- \$65.91, Fire Protection (SF) \$305.17, Refuse (SR) \$23,929.22, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$187.50, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$60.53, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$55.55, (SW6) \$0, (SW7) \$2.97, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$44.47 Total: \$106,703.83 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – they have continued to plow snow and push back the banks with the trucks and loader. Minor repairs were made to the #3 lights, changed the cut edge on #10 and push arm on #7. They fix more mailboxes and received parts from Valley Fab and Fleet Maintenance. They also assisted with cleaning the Bloomingdale Rd and Hunts Corners Rd cemeteries.

Assessor – a report was presented by Becky reporting on results from the exemptions deadlines, roadwork, grievance day scheduling, solar/wind exemptions, income verification for senior exemptions and the towns equalization rate.

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

Ride for Roswell	Town & Village	Special Event Permit
Donald York	7269 Sandhill	Special Use Permit
Ray Braun	11891 Main	Interior alterations

The Town Board accepted the report as presented.

Town Clerk- March 16th is last day to pay County/Town taxes without penalty.

Attorney for the Town – nothing at this time

COUNCILPERSONS:

Rooney – he met with Seneca Nation and Tonawanda Board of Indians representatives on the Indigenous Peoples Day, thanked the Boy Scouts who helped the Newstead Fire Co to dig out fire hydrants and sat in on interviews for the Disaster Coordinator position with the Town Attorney and Councilman Mayrose.

Mayrose – he sat in on the Disaster Coordinator interviews, he and Councilman Jendrowski held a meeting with Niagara Label and residents in that area on the possible sewer project and met with Christine on Building Dept. concerns.

York – nothing at this time

Jendrowski- he tried to attend the recreation board meeting but was not informed the time had changed so he sat in on the Zoning Board meeting instead. He also spoke with several Native Americans regarding the thought of Indigenous Peoples Day.

Supervisor- not present

UNFINISHED BUSINESS:

Buildings- nothing new at this time

Planning- nothing new at this time

Water- waiting on the Board to make a decision about the Downey Rd project.

Grants- nothing new at this time

NEW BUSINESS:

Public Hearing- Wind Turbine 11090 Miland Rd:

A motion was made by Councilman York, seconded by Councilman Jendrowski approving the calling of a public hearing regarding the proposed wind turbine at 11090 Miland Rd to be held on March 23, 2015 at 7:30pm and authorizing the Town Clerk to publish to hearing notice (Resolution Attached) Cummings-Absent, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried

Approval- Special Districts Procedures:

A motion was made by Councilman Jendrowski, seconded by Councilman Rooney approving the proposal for Special District formulas to be used when making determinations for special district charges for town parcels. (Resolution Attached) Cummings-Absent, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried

Public Meeting- Indigenous People's Day:

A motion was made by Councilman Rooney, seconded by Councilman York approving the calling of a public meeting regarding the proposal to declare Indigenous People's Day as an annual observation day in the Town of Newstead, which will be held on March 23, 2015 at 7:35pm and authorizing the Town Clerk to publish to hearing notice (Resolution Attached) Cummings-Absent, Rooney-Aye, Mayrose-Aye, York-Aye, Jendrowski-Aye
Carried

Approval- NFC Truck Purchase:

A motion was made by Councilman Rooney, seconded by Councilman Jendrowski approving the purchase by Newstead Fire Company of an E-One Heavy Rescue Walk-Around fire truck at a cost not to exceed \$650,000. (Resolution Attached) Cummings-Absent, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried

Approval- Akron Sports request:

A motion was made by Councilman York, seconded by Councilman Jendrowski approving the request from Akron Sports Inc. to use the Skyline Park fields and facilities from April 1st – August 1st for their annual baseball season. Cummings-Absent, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried

Approval- Liquor License Request:

A motion was made by Councilman Rooney, seconded by Councilman Jendrowski approving the request by Kevin McFall for a 30-day waiver of the liquor license requirement for Mooney's restaurant which will open at 11891 Main Rd and be leased from Ray Braun. Cummings-Absent, Rooney -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye
Carried

Privilege of the Floor/Question Period: Kevin Borth of Scotland Rd asked the Board to relook at another traffic study at Martin & Scotland Roads and Cummings & Main Roads as both intersections are very dangerous. He also discussed the Planning Boards targeting of his brothers property and the need for change on that board, term limits for all town positions, supervisor appointments and requested formation of a public committee on parks projects.

There being no further business to come before the board a motion was made at 8:28pm by Councilman Rooney, seconded by Councilman Jendrowski to adjourn the regular meeting in memory of Richard Forrestel, a great member of our community who will not be forgotten.
Carried

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