

Newstead Town Board Meeting- January 9, 2012

A public hearing was called to order by the Newstead Town Board on Monday, January 9, 2012 at 7:45pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
Justin Rooney- Councilman
James Mayrose- Councilman
Richard Baran- Councilman
Donald York- Councilman
Mike Bassanello- Highway Supt.
Scott Rybarczyk- Town Engineer
Nathan Neill- Town Attorney
Dawn Izydorzak- Town Clerk
Jennifer Heberling- Deputy Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing to order at 7:45pm on the proposed home based business at 6500 Draper Rd by Bill Peronne.

The Clerk read the proof of publication.

Comments: Planning board recommends approval.

Diane Ernst – 12144 McNeeley Rd. – stated that she has no objection to Mr. Peronnes home based business.

There being no further comments, a motion was made by Councilman Rooney, seconded by Councilman Mayrose to close the public hearing at 7:46pm. Carried Unanimously

The Supervisor called the public hearing to order on the proposed Home based business at 11198 Hunts Corners Rd by James Ames at 7:50pm.

The Clerk read the proof of publication. A letter commenting on the business was sent in by Hazel Muck in favor of granting the business a special permit.

Comments: Planning Board recommends approval with no conditions.

David Simmons – 11280 Hunts Corners Rd. – new to the area and interested in what this business is. Supervisor Cummings explained that Mr. Ames has a seasonal landscaping/topsoil business. It is well screened from the road and he has been in business for many years. He then explained to Mr. & Mrs. Simmons the reason the Town Board has required home based businesses to go through this procedure.

There being no further comments, a motion was made by Councilman Rooney, seconded by Councilman Mayrose to close the public hearing at 7:52pm. Carried Unanimously

The Supervisor called the public hearing to order on the proposed Home based business at 4231 Billo Rd by Bill Lorenz at 7:55pm.

The Clerk read the proof of publication.

Comments: Planning Board recommends approval.

There being no further comments, a motion was made by Councilman Rooney, seconded by Councilman Mayrose to close the public hearing at 7:56pm. Carried Unanimously

The organizational meeting of the Newstead Town Board was started at 8:00pm with the same board members present as listed above. It concluded at 8:28pm.

The regular meeting of the Newstead Town Board was called to order at 8:28pm with the same members present as listed above.

Supervisor Cummings led the pledge to the flag.

Minutes from the previous regular meeting held on December 29, 2011 were presented for approval. A motion was made by Councilman Rooney, seconded by Councilman Mayrose to approve as presented. Carried Unanimously

Communications – The Town Clerk presented the following correspondence:

A letter from Time Warner Cable notifying the town of the latest programmers and broadcasters they are currently under negotiations with for new or continued service.

The October – December 2011 Quarterly Report was received from Allied Waste reporting 1,858+/- residential units collected for with 367.66+/- tons of solid waste collected and 82.04+/- tons of co-mingled recyclables collected.

The information packet for the Association of Towns training in NYC has been received. The conference will take place February 19-22, 2012 and will include sessions for all town officers.

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

Work Session: The Supervisor reported that at the last work session held the following items were discussed: water districts issues, building projects updates, planning issues, personnel issues, drainage, contracts, grants, as well as any other issues brought before the board.

Privilege of the Floor – no one spoke

Budget Transfers: a motion was made by Councilman Rooney, seconded by Councilman Mayrose to approve the budget transfers per a memo from Bookkeeper Colleen Salmon dated 1/9/12. Carried Unanimously

Approval of Bills – Councilman Mayrose reported that the Abstract from Batch(es) # 1139 from the December 29, 2011 meeting has been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1141 for 2011 & 1142 for 2012 for payment. Vouchers on these abstracts numbered from 1491-15121 for 2011 and 1-17 for 2012, totaling \$182,554.67 and were presented by Councilman Mayrose, seconded by Councilman Baran to approve payment as follows:

Abstract Batch(es) #1141 & 1142:
General Fund (A) -\$9,360.87, General Fund- Outside Village (B) \$220.00, Highway (DA) -\$0,
Highway: Outside Village (DB) \$799.74, Capital Projects: CAP- Highway Garage- (HG) -
\$25,420.11, CAP-Murder Creek (HM) \$0, CAP- Equipment Purchase (HR02)- \$0, CAP- Scotland
Rd (HS)- \$0, CAP- Town Hall (HT)- \$0, CAP- Water Improvement (HW)- \$164.28, Drainage (SD)-
\$0, Fire Protection (SF) \$0, Refuse (SR) \$29,912.94, Sewer Fund (SS) \$437.00, Sewer District #2
(SS02)- \$0, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$97.73, (SW1) \$0,
(SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$116,142.00, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0,
(SW9) \$0, (SW10) \$0
Total: \$182,554.67 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – no report

Assessor – nothing to report

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

No report presented
The Town Board accepted that no report was presented.

Town Clerk- nothing to report

Attorney for the Town – nothing to report

COUNCILPERSONS:

Rooney – nothing to report

Mayrose – nothing to report

Baran – reported that the ceiling at the Denio will be started soon.

York – nothing to report

Supervisor- the November Supervisor’s Report is on file with the Town Clerk.

UNFINISHED BUSINESS:

Water Districts – there is a slight delay due to regulatory issues, but should not delay things very long.

Shared Public Works Facility Project – there are just a few items left. Some painting, a few doors to be installed and having Time Warner come out and hook up the cable/phones/internet.

NEW BUSINESS:

Approval- Special Permit for Home Based Business- 6500 Draper Rd:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving a Special Permit for the home based business located at 6500 Draper Rd and operated by owner William Peronne, subject to annual review/renewal of the permit.

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

Approval- Special Permit for Home Based Business- 11198 Hunts Corners Rd:

A motion was made by Councilman Mayrose, seconded by Councilman Baran approving a Special Permit for the home based business located at 11198 Hunts Corners Rd and operated by owner James Ames, subject to annual review/renewal of the permit.

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

Approval- Special Permit for Home Based Business- 4231 Billo Rd:

A motion was made by Councilman Baran, seconded by Councilman York approving a Special Permit for the home based business located at 4231 Billo Rd and operated by owner Bill Lorenz, subject to annual review/renewal of the permit.

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

Approval- Grant Services of WNY Contract Renewal:

A motion was made by Councilman York, seconded by Councilman Rooney approving the renewal of the Grant Services of WNY contract for 2012 at a cost of \$16,000.

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

Approval- Bonding Services Contract Renewal:

A motion was made by Councilman Baran, seconded by Councilman Mayrose approving the renewal of the Bonding Service contract with Hawkins, Delafield & Wood, LLP for 2012.

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

Approval- Legal Services Contract Renewal:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the renewal of the Legal Services contract with Nathan Neill for 2012.

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

Approval- Engineering Services Contract Renewal:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the renewal of the Engineering Services contract with Wendel Duchscherer Architects & Engineers for 2012 at a rate of \$1,754.00 per month plus additional plan review fees as set.

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

Approval- Highway Repairs Contract Renewal:

A motion was made by Councilman York, seconded by Councilman Baran approving the renewal of the annual General Repairs to Highways contract with NYS for 2012 subject to terms.

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

Question Period – no one spoke

Councilman Rooney wanted to thank all the men and women who are currently overseas serving our Country and stated his brother will be joining them overseas in the next few weeks.

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 8:50pm.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorzak, Town Clerk