

Newstead Town Board Meeting- May 12, 2008

A Regular Meeting was called to order by the Newstead Town Board on Monday, May 12, 2008 at 8:00pm at the Newstead Town Hall.

Present: David Cummings– Supervisor
Tom George- Councilman
Harold Finger- Councilman
Justin Rooney- Councilman
Cheryl Esposito- Councilwoman
Mike Bassanello- Highway Supt.
Rebecca Baker- Assessor
John Good- Code Enforcement Officer
Scott Rybarczyk- Town Engineer
Nathan Neill- Town Attorney
Dawn D. Izydorczak- Town Clerk
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present.

Deputy Town Clerk Kathleen Lang led the pledge to the flag.

Minutes from the previous regular meeting held on April 28, 2008 were presented for approval. A motion was made by Councilman Finger, seconded by Councilman George to approve as presented.
Carried Unanimously

Communications – The Town Clerk presented the following:

The 2007 Annual Report on the Newstead Public Library was received.

A letter from the Department of State announcing the Town of Newstead has been awarded a \$386,400 grant through the 2007-08 Shared Municipal Service Incentives Program for the Newstead/Akron Joint Highway Facility project.

A notice was received for the “Re-Employment 2008” Job Fair to be held Thursday, May 15th from 1:00 – 4:00pm at the Buffalo State College gymnasium.

Information packets were received from Planet Aid who would like to set up a collection operation for old toys, clothing and shoes in town. Packets were distributed to the Board & CEO for review.

The April 2008 Operations Report was received from Amherst Central Alarm Office, reporting 22 calls for Akron Fire Co and 22 calls for Newstead Fire Co.

An announcement was received from the Association of Towns regarding their Planning & Zoning Summer Schools for 2008. Anyone interested should see the Town Clerk for registration forms.

A letter from Time Warner Cable announcing the 27 stations that is under negotiations to renew or extend their current service agreements for cable service.

A motion was made by Councilman Finger, seconded by Councilman George to receive and file correspondence as presented.
Carried Unanimously

Work Session: The Supervisor reported that at the last work session held the following issues were discussed: water district issues, joint facility study, planning issues, denio building basement project, grant projects, assessment issues, senior director assistant position, liquor licenses, employee terms and conditions, computer issues, as well as other necessary issues.

Privilege of the Floor – No one spoke

Budget Transfers: A motion was made by Councilman Finger, seconded by Councilman Rooney approving the budget transfers requested per a memo dated May 12, 2008 by Bookkeeper Colleen Salmon.
Carried Unanimously

Approval of Bills -Councilwoman Esposito reported that the Abstracts from Batches #710 from the April 28, 2008 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #714. Vouchers on this abstract numbered 434-493 totaling \$97,247.59 and were presented by Councilwoman Esposito, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #714:

General Fund (A) -\$28,580.44, General Fund- Outside Village (B) \$658.80, Highway (DA) -\$0, Capital Projects: CAP-WD#10-phase 3 (HI)- \$55.00, Murder Creek Stabilization (HM) - \$0, Highway: Outside Village (DB) \$3,778.78, Drainage (SD)- \$0, Fire Protection (SF) \$4,366.25, Refuse (SR) \$27,539.19, Sewer Fund (SS) \$25,465.50, Sewer District #2 (SS02)- \$11.11, and Water Districts (SW1) \$51.57, (SW2) \$99.81, (SW3) \$123.93, (SW4) \$123.93, (SW5) \$2,431.41, (SW6) \$316.89, (SW7) \$437.49, (SW7A) \$59.61, (SW8) \$43.53, (SW9) \$99.81, (SW10) \$3,004.54, Trust & Agency(TA)- \$0,
Total: \$97,247.59

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Superintendent Bassanello announced that starting May 19th the highway crew will be hot patching roads and the week of June 1st bar patching, oiling and stone. Some of the field ditching has been started. The cost of oil is at \$2.00 a gallon compared with \$1.67 a gallon last year.

Assessor –Assessor Baker attended a land valuation class last week as part of her continuing education requirements. There is one week left until Tentative Roll is due and she needs the special district rates from the Supervisor before then. The Board of Assessment Review will have hearings on June 3rd from 10am-12pm, 2-4pm, and 6-8pm. She attended a countywide Assessors meeting with the County Executive today. County Executive Chris Collins stated he is in favor of giving more functions back to the local municipalities and decreasing the Counties functions, not the other way around as some other officials have expressed.

Building Office –the building report was presented by Building Administrator Christine Falkowski:

Cornerstone Development	12251 McNeeley	single family home
Cornerstone Development	12251 McNeeley	driveway
Golden Pond Estates	Lot 260	single family home
Golden Pond Estates	Lot 240	single family home
Golden Pond Estates	Lot 258	single family home
Drew Gundlach	11211 Stage	single family home
Kelly Pinto	11314 Main	siding
David Albers	12908 Carney	deck
Kevin Lummel	12160 McNeeley	roof
Robert Folger	12133 McNeeley	roof
Bob Kleparek	7628 Maple	siding
Donald Ludwig	13112 Dorsch	roof
Leisurewood Campgrounds	5720 Cummings	roof
Fowler Residence	6735 Cedar	roof
Poblocki Residence	13583 Steiner	roof
Scott Gee	12588 Brucker	garage
Mark Nowakowski	7065 Draper	fireplace

The Town Board accepted the report as presented.

Town Clerk- Town Clerk Izydorczak is working with Court Clerk Sandy Pietrowski on the purchase of new chairs for the courtroom and they hope to have them in 6-8 weeks. They are also working on purchasing the new TV/DVD cable ready system. These will be purchased with grant money from the State Court System.

Dawn gave a archives grant update. The letters for rejection have been mailed by the state and we have not received one yet so, no news is good news.

Attorney for the Town – Nothing at this time

COUNCILPERSONS

George- Nothing at this time

Finger-There are several building issues with all of the town properties and he is working thru all of them.

Rooney- Nothing at this time

Esposito-The Celebration Committee will have their next meeting on May 28th. She took a tour of the Akron Airport with John Jesson and attended a tour of the Newstead Library given to Bridget Carey.

SUPERVISOR- He attended a meeting on green space given by Commissioner Calabrese who gave a different perspective on the topic. He is thinking of asking him here to give a presentation to the Board. He also attended a meeting of Supervisors on the assessment issues and consolidation. Supervisor attended a meeting with Erie Co. Parks Commissioner on park issues locally.

UNFINISHED BUSINESS

Water District #10- Phase 3 –They are going to act on setting bid dates tonight

Phase 1 and 2-Nothing new.

Shared Public Works Facility Committee- They are moving forward on agreement with Town and Village. Councilman George stated they are re-working some of the costs to bring down the overall cost. The final summary report is due out soon. The grant details on the money the town and village is to receive from the State will not be available until the contracts are printed and sent out.

NEW BUSINESS:

Water District #10-Phase 3- Authorization to Bid:

A motion was made by Councilman Finger, seconded by Councilman George issuing approval for the Supervisor to set dates to go to bid for the Water District #10- phase 3 Water Distribution construction project.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Approval of Negotiation for Inter-Municipal Agreement on Joint Highway Facility:

A motion was made by Councilman George, seconded by Councilman Finger issuing approval of the Joint Municipal Works Facility Final Report and authorizing the Town Attorney to negotiate with the Village of Akron Attorney a proposed formal agreement on how the Joint Municipal Works Facility is owned, and how construction, maintenance and operations are financed and managed.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Support of Proposed Condominium Legislation:

A motion was made by Councilwoman Esposito, seconded by Councilman Finger issuing approval and support of proposed legislation that would allow a local opt-out for newly constructed condominiums under Section 339-Y, Section 1, subdivision 1 of the Real Property Law and encouraging state representatives to support and pass the legislation.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Councilman George noted that there are no condominiums currently in the Town but this legislation will affect any future ones that may be built.

Support of Assessment Administration Study:

A motion was made by Councilman George, seconded by Councilman Rooney issuing approval and support for our local assessing department to participate in the County Office of Real Property Tax Services study on improving the efficiency, transparency and equity of assessment administration services to recognize the importance of delivering the best possible services to our taxpayers.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Akron Airport Grant Municipal Endorsement: Tabled for further discussion.

Special Use Permit & Site Plan Approval- 11720 Main Rd:

A motion was made by Councilman Rooney, seconded by Councilman George issuing a negative SEQRA declaration and approval of an amended site plan dated 3/19/2008 submitted by Tom Blair of T & T Tire and Auto for display of a maximum of 10 vehicles for sale at all times, including agricultural type vehicles on the property located at 11720 Main Rd, subject to the completion of items set forth in the resolution with a final completion date of 7/1/2008, otherwise the Special Use Permit is to be revoked.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Site Plan Approval- 11111 Main Rd:

A motion was made by Councilman Finger, seconded by Councilwoman Esposito issuing approval of a site plan dated 6/28/2006 submitted by Kelly Schultz for relocating 1,794 sq. ft. of pavilions or buildings on the property located at 11111 Main Rd.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Liquor License Renewal- The Borderline:

A motion was made by Councilman George, seconded by Councilman Finger approving the Borderline Bar/Restaurants intent to renew their liquor license for the premises located at 11825 Main Rd.

Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye Carried Unanimously

Senior Services Assistant Position:

A motion was made by Councilman George, seconded by Councilwoman Esposito approving the creation and advertisement for a part time Senior Services Assistant at the Senior Center who will report directly to the Director of Senior Services.

Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye Carried Unanimously

Lateral Restriction Hardship Application- 11211 Stage Rd:

A motion was made by Councilman Rooney, seconded by Councilman Finger approving the lateral restriction hardship exception application for 11211 Stage Rd within Water District # 10 as submitted by owner Drew Gundlach.

Cummings-Aye, George-No, Finger-Aye, Rooney -Aye, Esposito-Aye Carried

Change of Next Meeting Date:

A motion was made by Councilman George, seconded by Councilman Finger issuing approval to change the date of the next regular board meeting to Tuesday, May 27, 2008 due to the Memorial Day holiday. The work session will begin at 7:30 PM with regular meeting at 8:00PM.

Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye Carried Unanimously

The Supervisor stated that the Town Board will review the recommendations for the Assessment Advisory Committee at next weeks work session and appointments will be made at the May 27th meeting.

Question Period- No one spoke

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilman Rooney to adjourn the meeting at 8:35 PM.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorczak, Town Clerk