

Newstead Town Board Meeting- October 12, 2010

A regular meeting was called to order by the Newstead Town Board on Tuesday, October 12, 2010 at 8:00pm at the Newstead Senior Center.

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

Roll Call was taken with all board members present.

Christine Falkowski led the pledge to the flag.

Minutes from the previous regular meeting held on September 27, 2010 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Baran to approve both as presented. Carried Unanimously

Communications – The Town Clerk presented the following correspondence:

Notification of Highway Closure was received from the Erie County Department of Public Works notifying the town that Burdick Rd from Rapids Rd to Tonawanda Creek Rd will be closed from Monday October 11, 2010 thru November 12, 2010 for bridge repairs.

Notification of a proposed Local Laws to be adopted by the Town of Alden on Notice of Defects Law and Court Appearances Law changes

A letter from Time Warner Cable regarding the changes in service effective November 2, 2010 and a list of the programmers they are currently under negotiations with for service.

The Allied Waste Quarterly Report was received reporting 486.38+/- tons of solid waste collected and 72.76 tons of co-mingled recyclables collected.

The September Operations Report was received from Amherst Central Alarm Office reporting 29 calls for Akron Fire Co and 22 calls for Newstead Fire Co.

A letter from Highway Dept. Mechanic David Brucker notifying the board of his intention to take the 2010 Retirement Incentive Program and retire effective November 12, 2010.

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

Supervisor Cummings reported that he was notified the Cedar St bridge project will not be completed or re-opened until spring.

Work Session: The Supervisor reported that at the work session held last week the following issues were discussed: an update on the joint facility project by Tom George, water district issues, town hall project update, dog control law discussion, planning issues, Murder Creek project, contracts, budget review, and personnel issues as well as any other issues brought before the board. Before tonight's meeting proposed changes to the 2011 town fee schedule were discussed.

Privilege of the Floor – no one spoke

Budget Transfers: A motion was made by Supervisor Cummings, seconded by Councilman Rooney to approve the requested budget transfers per a memo from Bookkeeper Colleen Salmon dated 10/12/2010, Carried Unanimously

Approval of Bills – Councilwoman Esposito reported that the Abstract from Batch #984 from the September 27, 2010 meeting has been reviewed with the previously un-audited vouchers and everything was found in order. She presented Abstract Batches #988 & 990. Vouchers on these abstracts numbered from 1058 - 1126 totaling \$147,199.16 and were presented by Councilwoman Esposito, seconded by Councilman Mayrose to approve payment as follows:

Abstract Batch #988 & 990:

General Fund (A) -\$23,085.15, General Fund- Outside Village (B) \$492.00, Highway (DA) -\$0, Highway: Outside Village (DB) \$36,714.77, Capital Projects: CAP- Highway Garage- (HG) - \$4,306.88, CAP-Murder Creek (HM) \$0, CAP- Equipment Purchase (HR02) \$0, CAP-Library Basement (HR04)- \$0, CAP- Scotland Rd (HS)- \$0, CAP- Town Hall Addition (HT) \$1,824.56, Drainage (SD)- \$12,020.00, Fire Protection (SF) \$30,382.76, Refuse (SR) \$29,816.41, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$212.50, and Water Districts (SW1) \$40.20, (SW2) \$88.44, (SW3) \$112.56, (SW4) \$112.56, (SW5) \$2,420.04, (SW6) \$305.52, (SW7) \$426.12, (SW7A) \$48.24, (SW8) \$32.16, (SW9) \$88.44, (SW10) \$2,896.74, Trust & Agency(TA)- \$1,773.11
Total: \$147,199.16 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Mike reported he has received 11 applications for the secretary position. He would like to schedule time with the Supervisor and the highway committee to go over the applications. They are continuing to get ready for winter. 2,000tons of sand/salt are all mixed and ready.

Assessor – no report presented.

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

Lucille Kruschke	3986 S Newstead	Roof
WNY Event Centre	11163 Main	Sign
Golden Pond Estates	Lot #250	One Family Home
Thomas Owen	5315 S Newstead	Pole barn
Kreher Farms	5573 Davison	Demolition
Bonnie Frey	8536 Burdick	Permit renewal

The Town Board accepted the report as presented.

Town Clerk- school taxes are coming in at steady pace. Last day to pay before penalty phase starts is this Friday October 15th.

Attorney for the Town – nothing at this time

COUNCILPERSONS:

Rooney- questioned the Newstead Firemen present if there has been an increase in accidents on Main Rd during pumpkin farm time.

Esposito- nothing at this time

Mayrose- nothing at this time

Baran- nothing at this time

SUPERVISOR- The September Supervisor’s Report is on file with the Town Clerk.

UNFINISHED BUSINESS:

Water District #10- letters have been sent out to residents in the proposed map, plan & report areas which outline the potential plans and explains how the residents can help in the process. They are delineating wetlands and starting surveying. Also updates are being made to past information for the Nice Rd grant application.

Shared Public Works Facility Project- the firewall is up and office walls are in progress. The committee is meeting this Thursday.

Town Hall Project- interior work is continuing. Court windows and work on new rear handicapped doors to be in by end of this week. New outer set of front handicapped doors are in. The archives room was moved today. Dawn thanked the highway crew of Ray, Gary & John, as well as all the town hall girls who helped make the move successful.

Grants- Community Development Block Grant and Rails to Trails grant applications will be approved for filing tonight. Others in progress are the baseball diamond & generator grant.

Murder Creek Project- Waiting to hear results on comment period from the State. FOIL request received on grant.

Fire Contracts- waiting for comments from both fire companies. Public hearing will be set at next meeting for November.

The Town Attorney is reviewing the Amherst Alarm contract proposal.

NEW BUSINESS:

Lead Agency – Akron Airport Project:

A motion was made by Councilman Mayrose, seconded by Councilwoman Esposito issuing a declaration of Lead Agency status as a Type I Action under SEQRA on the proposed Akron Airport project and authorizing the Building Department to conduct a coordinated review in conjunction with the Town Engineers and the Town Attorney.

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

Approval – CDBG Grant Application:

A motion was made by Councilman Baran, seconded by Councilman Mayrose authorizing the Supervisor to file a grant application for CDBG funding for 2011 on the following projects: 1.) Water line on Nice Rd to connect with S Newstead Rd water line 2.) Joint sidewalk project with Village for Buell, Skyline & Clarence Center Roads 3.) Rural Transit Van Service

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

Lead Agency – Newstead Fire Co Project:

A motion was made by Councilman Rooney, seconded by Councilman Baran issuing a declaration of Lead Agency status as an Unlisted Action under SEQRA on the proposed Newstead Fire Company addition project and authorizing the Building Department to conduct a coordinated review.

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

Public Hearing- Newstead Fire Co Project:

A motion was made by Councilwoman Esposito, seconded by Councilman Mayrose approving the calling of a public hearing on the proposed addition to the Newstead Fire Company complex to be held October 25, 2010 at 7:40pm at the Newstead Senior Center and authorizing the Town Clerk to publish the legal notice.

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

Approval- Advertise for Highway position:

A motion was made by Councilman Baran, seconded by Councilman Mayrose approving the request of the Highway Superintendent to advertise for a highway laborer to fill retiring position.

Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

Letter of Support for Northern-Erie Sno-Seekers:

A motion was made by Councilman Mayrose, seconded by Councilman Baran authorizing the Supervisor to write a letter supporting the Northern Erie Sno-Seekers Club to secure grant funds for their snowmobile education program.

Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

Approval – Rails to Trails Grant Application:

A motion was made by Councilman Mayrose, seconded by Councilman Baran authorizing the Supervisor to file a grant application for Rails to Trails funding for 2011 on the bike path extensions project.

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

Knox Box Security Boxes Purchase:

A motion was made by Councilman Mayrose, seconded by Councilman Baran authorizing the purchase of a security box for the CEO truck and each of the town buildings under the Knox Box program effective immediately.

Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

Question Period- no one spoke

The Supervisor reported that a joint meeting of the village and town boards may be held on November 1st.

An update on the Havens Rd PIP was given by Town Engineer Scott Rybarczyk. He would like some work session time to revisit some of the old standards with the board.

The Board entered Executive Session at 8:35pm to discuss a personnel issue.

The Board exited executive session at 9:25pm having taken no action.

There being no further business to come before the board a motion was made by Councilman Rooney, seconded by Councilman Mayrose to adjourn the meeting at 9:25pm.

Carried Unanimously

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