

Newstead Town Board Meeting- September 28, 2015

A public hearing was called to order by the Newstead Town Board on Monday, September 28, 2015 at 7:56pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
James Mayrose – Councilman
Justin Rooney- Councilman
Donald York- Councilman
John Jendrowski- Councilman
Nathan Neill- Attorney for the Town
Mike Bassanello- Highway Supt
Dawn Izydorczak- Town Clerk
Jennifer Heberling- Deputy Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the **public hearing** to order regarding the Local Law to override the Tax Cap.

The Clerk read the proof of publication.

The Supervisor explained that this is put in place in case the tax rate changes slightly but at this point he is not expecting to go over the cap. Councilman Rooney also stated that this is the fiscally responsible thing to do to cover for things the town cannot control.

Comments: No one spoke

There being no further comments, a motion was made by Councilman Mayrose, seconded by Councilman York to close the public hearing at 8:03pm. Carried Unanimously

The Supervisor called the **public hearing** to order on the potential uses for Community Development Block Grant funds for 2016 at 8:03pm.

The Clerk read the proof of publication.

Supervisor Cummings stated the town has not received a block grant in quite a while as the rules are very strict. The Rural Transit Van Service is always one project and countywide is funded 90% by the CDBG. Supervisor Cummings has checked with the county and the EAB cleanup cannot be funded. The town is looking at work on road shoulders/drainage on Downey and Moore Road as a possibility for a project.

Comments: No one spoke

There being no further comments, a motion was made by Councilman Rooney, seconded by Councilman Mayrose to close the public hearing at 8:10pm. Carried Unanimously

The Supervisor called to order the **regular meeting** of the Town Board at 8:10pm with all the same members present as listed above.

Councilman Mayrose led the pledge to the flag.

Minutes from the previous regular meeting held on September 14, 2015 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Rooney to approve as presented. Carried Unanimously

Agenda Changes – none

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.

The town received notices from the NYS DOT regarding results of the speed studies requested for Utley Rd and McNeeley Rd. The speed limit will be dropped to 45 mph on Utley Rd but the DOT determined a reduction in the speed limit on McNeeley Rd was not warranted.

A letter from Librarian Kristine Sutton thanking the Board and highway crews for the new work done on the garden at the rear entrance to the library.

A notice from the Organization of Public Employer Negotiators regarding their biannual training session to be held on October 16th at the Millennium Hotel in Cheektowaga, NY.

Information regarding the NY-SUN Initiative was received.

The Rural Transit Service, Inc has provided copies of their Annual Report for 6/1/14-5/31/15 and their Rider Survey completed as of January 2015.

The town received notification that it did not receive the archives grant it had applied for.

A motion was made by Councilman Mayrose, seconded by Councilman York 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: Indigenous day, water/sewer issues, buildings projects at town buildings, highway roller purchase, planning projects, grant items, IT services, DCO truck, joint meeting agenda items 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 York to approve the budget transfers as requested by Bookkeeper Colleen Salmon in a memo dated September 28, 2015. Carried Unanimously

Approval of Bills – Councilman Mayrose reported that the Abstract(s) from Batch(es) #1544 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1547 with postage transfer & wire for bond payment for payment. Vouchers on this abstract(s) numbered from 1010- 1060, totaling \$153,839.60. Councilman Jendrowski seconded to approve payment as follows:

Abstract Batch(es) #1547, postage transfer & wire for bond payment:
General Fund (A) -\$37,167.57, General Fund- Outside Village (B) \$123.65, Highway (DA) -\$0,
Highway: Outside Village (DB) \$42,106.72, CAP-Murder Creek (HM) \$0, CAP- Scotland Rd (HS)-
\$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$0, Reserve for Roofs
(HR01) \$8,830.19, Drainage (SD)- \$10.54, Fire Protection (SF) \$0, Refuse (SR) \$25,518.28, Sewer
Fund (SS) \$29.46, Sewer District #2 (SS02)- \$77.68, Trust & Agency(TA)- \$0 and Water Districts:
Consolidated (SW00) \$172.08, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$12,500.00,
(SW6) \$0, (SW7) \$0, (SW7A) \$120.00, (SW8) \$0, (SW9) \$318.00, (SW10) \$26,865.43
Total: \$153,839.60 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – working on field ditching/road mowing, field ditching with the gradall on O'dells property (1180'), helped Alden with shoulder work, trimmed around guard rails and signs, blacktopped patches at Newstead Fire Co/Senior Center parking lot, blacktopped 2 cross cuts and a driveway cut, talked with Jon Burgess from Zoladz about grinding project, spoke to the DOT regarding the Swift Mills Road bridge. The DOT has just accepted the hydraulic part of the design and Mike doesn't believe the bridge will be completed this year. The new roller was delivered 9/23/2015 and the LHI forms have been sent to the DOT.

Assessor – no report

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

Arrowhead Golf Course	12292 Clarence Center	Special Event Permit
Kelly Schultz	11199 Main	Special Event Permit
Louis Casseri	13172 Steiner	Shed
Allison & Ross Marranta	4433 Billo	Special Event Permit
Timothy & Jennifer Blood	12802 Swift Mills	Porch Roof
Darin Cummings	6223 Crittenden	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 attended the car show on Saturday, will be attending the Indigenous People Day meeting tomorrow and is asking for work session time for park issues.

Mayrose – nothing at this time

York – he attended the coalition meeting. Erin Behm was honored for her work on the Darien Lake bus project, which was very much deserved. He also attended the library board meeting.

Jendrowski – he attended the library board meeting, interviewed 2 people for the assessor job with the Supervisor and also spoke to Brian Perry and Judge Campbell regarding drug issues in the town.

Supervisor- Supervisor Cummings reported that the 2016 Tentative Budget has been delivered to the Town Clerk. He also attended the Erie County Government meeting, rural transit meeting, the assessor interviews, the coalition outreach on Saturday and spent a lot of time working on the 2016 budget.

UNFINISHED BUSINESS:

Buildings – finished the roof repairs at the senior center and finishing up several other building issues before the end of the year.

Planning – voting on the wind turbine this evening and talking about run down properties in the town.

Water – new request for service on Havens Road and ECHD is working on a resolution for the low pressure problems on Cedar St.

Grants – we should hear soon on the parks grant and the library grant, we received the timeline schedule for the trailway grant and we were denied the archives grant.

NEW BUSINESS:

SEQR & Adoption-Local Law #4 of 2015:

A motion was made by Councilman York, seconded by Councilman Rooney issuing a Determination of Non-Significance of Local Law regard the proposed Local Law #4 of 2015.

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

A motion was made by Councilman York, seconded by Councilman Rooney approving the adoption of the proposed Local Law #4 of 2015 regarding amendments to the Windmill Law and end of the moratorium.

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

Adoption- Local Law #5 of 2015- Tax Cap:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the adoption of Local Law #5 of 2015 overriding the Tax Cap.

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

Public Hearing- 2016 Budget:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the calling of a public hearing on the proposed Budget for 2016, which will be held on October 26, 2015 at 7:45pm at the town hall, and authorizing the Clerk to publish notice of the hearing.

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

The Supervisor presented his 2016 Budget Message.

Privilege of the Floor/Question Period: Dale Cheavacci, 113 John Street, asked what the town board knows about a grant the airport applied for and supposedly received through Congressman Chris Collins office. Supervisor Cummings has heard about this also and has reached out to the airport and Congressman Collins office looking for more information but no one seems to know anything.

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 8:37pm.

Carried Unanimously

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