

Newstead Town Board Meeting- December 30, 2013

A public hearing was called to order by the Newstead Town Board on Monday, December 30, 2013 at 7:00pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
Justin Rooney- Councilman
James Mayrose- Councilman
Richard Baran- Councilman
Donald York- Councilman
Scott Rybarczyk- Town Engineer
Nathan Neill- Town Attorney
Michael Bassanello- Highway Supt.
Dawn Izydorczak, Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing on the proposed 3 new structures at 13399 Main Rd to order.

The Clerk read the proof of publication. Supervisor Cummings stated this project has received Planning Board approval provided “as built” drawings are submitted to the building department. The 30 day comment period is open until January 13th so no action will be taken tonight on this.

Comments: Mike Metzger of Metzger Engineering was present and explained the project scope to the board. Many improvements will be made to the existing site as well as the addition of the 3 new buildings. They are addressing fire safety concerns, adding a fire hydrant and making septic improvements.

No one else commented.

There being no further comments, a motion was made by Councilman Rooney, seconded by Councilman York to close the public hearing at 7:58pm. Carried Unanimously

The Supervisor explained the public hearing on the revised proposal for amendments to the code clarifying enforcement and approval processes would not be held tonight as the board has decided to revert the law back to its originally presented form, therefore no public hearing is required.

A motion was made by Councilman Mayrose, seconded by Councilman York to cancel the public hearing at 7:59pm. Carried Unanimously

The regular meeting of the Town Board was called to order at 8:00pm with the same board members present as above.

Councilman Rooney led the pledge to the flag.

Minutes from the previous regular meeting held on December 9, 2013, were presented for approval.

A motion was made by Councilman Mayrose, seconded by Councilman York to approve as presented. Carried Unanimously

Communications – The Town Clerk presented the following correspondence:

A letter from Time Warner Cable regarding the programmers and broadcasters they are currently in negotiations with for service.

A letter from John Potera of the Planning Board resigning his position effective 12/23/2013.

A letter from the coalition for Community Building asking for the local municipalities support in 2014 with a “Home Rule” resolution for legislation that would affect local IDA’s.

A letter from Call 811 offering training for local officials on “Dig Safe” reporting in early 2014.

The Town has been notified we were awarded a \$200,000 Recreational Trails grant for new bike path extensions in 2014 by the NYS Office of Parks, Recreation and Historic Preservation.

A letter from NYSDOT that a traffic engineering investigation has been initiated for South Ayers Rd.

A letter from NYSDEC notifying the town that the soil removal work completed at the 26 Jackson St site has been completed satisfactorily and will require no further work at this time and the site has been given a status of "inactive".

A letter from NYS Department of State notifying the town that local law #4 & #5 have been filed on December 11, 2013.

A copy of the Town of Alden proposal for amendments to their zoning code were received and forwarded to the Planning Board for comments.

A packet of information on noise and its medical implications on hearing and health was received from Jim Richards. This information was forwarded to board members.

A letter from Justice Dennis Freeman notifying the board that effective December 31, 2013 Court Clerk Bonnie Pafk's temporary position was terminated and she was released from temporary employment with the Town.

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 no work session was held last week but the following issues were discussed at the 12/16/13 meeting: water district issues, building projects, review of grants status, recreation, parks master plan, old highway garage updates, planning issues, contracts, 2014 organizational issues and any other issues brought before the Board.

Budget Transfers: a motion was made by Councilman Mayrose, seconded by Councilman York to approve the budget transfers per the memo from Bookkeeper Colleen Salmon dated December 30, 2013.
Carried Unanimously

Approval of Bills – Councilman Mayrose reported that the Abstract from Batch(es) #1349 from the December 9, 2013 meeting have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1353 and 1355 for payment. Vouchers on this abstract(s) numbered from 1243- 1327, totaling \$68,241.60. Councilman Rooney seconded to approve payment as follows:

Abstract Batch(es) #1353 & 1355:
General Fund (A) -\$28,497.37, General Fund- Outside Village (B) \$149.85, Highway (DA) -\$0, Highway: Outside Village (DB) \$38,931.83, Capital Projects: CAP- Highway Garage- (HG) - \$0, CAP-Murder Creek (HM) \$500.00, CAP- Equipment Purchase (HR02)- \$0, CAP- Library Basement (HR04) \$0, CAP- Scotland Rd (HS)- \$0, CAP Water-Downey (HW01)- \$0, CAP- Town Hall (HT)- \$0, CAP- Water Improvement (HW)- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$26.15, Sewer District #2 (SS02)- \$90.68, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$45.72, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0 Total: \$68,241.60

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – no report. The Supervisor thanked Mike and the crews for all their hard work during the road flooding issues of last week.

Assessor – no report presented.

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

Richard Potvin	6197 Dye	Pole barn/garage
J. Wagner & C. Zackey	5055 Havens	Demolition
Richard Thoma	8198 Maple	Interior drainage

The Town Board accepted the report as presented.

Town Clerk- no report

Attorney for the Town – no report

COUNCILPERSONS:

Rooney – no report

Mayrose – no report

Baran – no report

York – no report

Supervisor- no report

UNFINISHED BUSINESS:

Joint Facility- nothing new

Planning Issues- nothing new

Conservation issues- Emerald Ash Borer- nothing new Murder Creek- nothing new

Water projects- nothing new

NEW BUSINESS:

SEQRA & Adoption- Local Law #6- Clarify Enforcement & Approval Process:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney issuing a determination of non-significance on proposed Local Law #6 of 2013 amending the Town Code to clarify enforcement and approval process procedures and listing it as a Type II action. (Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Aye, Baran-Aye, York-No Carried

A motion was made by Councilman Mayrose, seconded by Supervisor Cummings approving the adoption of proposed Local Law #6 of 2013 amending the Town Code to clarify enforcement and approval process procedures. (Resolution Attached) Cummings-Aye, Rooney -No, Mayrose-Aye, Baran-No, York-No Failed to Pass

Councilman Rooney stated he feels the public should have the ability to come to the Board with concerns on home based businesses at any time.

Approval- Revised Town Buildings Use Policy & Forms:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the revised town buildings use policy and forms and authorizing them to be used immediately. Cummings-Aye, Rooney -Aye, Mayrose-Aye, Baran-Aye, York-Aye Carried Unanimously

Acceptance of Resignation- John Potera:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney accepting the resignation of John Potera from the Planning Board effective December 23, 2013.

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

Acceptance of Termination of Temporary Position:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney accepting the termination of the temporary Court Clerk position held by Bonnie Pafk effective December 31, 2013.

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

Supervisor Cummings stated the officials swearing in ceremony will be held January 1st at 10:00am, the organizational meeting will be held January 6th and the next regular meeting will be held on January 13th.

He also thanked Councilman Dick Baran for his last 4 years of service to the town residents and the Town Board.

There being no further business to come before the board a motion was made by Councilman Mayrose, seconded by Councilman Baran to adjourn the regular meeting at 8:15pm.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorczak, Town Clerk