

Newstead Town Board Meeting- April 23, 2012

A public hearing was called to order by the Newstead Town Board on Monday, April 23, 2012 at 7:50pm 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
Jennifer Heberling- Deputy Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing to order on the proposed zoning change and map amendment for the Wargo property on Stage Rd under Local Law #3 of 2012.

The Deputy Clerk read the proof of publication.

Comments:

Doug Ceisner – 100 East Ave. – asked if this was Wargo’s property and if the entire 37 acres were to be rezoned. They are only trying to rezone 7.9 acres. Mr. Ceisner questions this because once the property is rezoned we are stuck with it. Also feels that it is spot zoning. It has already been done with Perry’s, the airport and County Line Stone and there are problems with them all. He also said that the assessed values of houses on Stage Road are going to decrease in value if this is passed.

Supervisor Cummings then read a letter submitted by Charles Keppler Jr. of 12151 Stage Road. (Letter attached)

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

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

Highway Superintendent Bassanello led the pledge to the flag.

Minutes from the previous regular meeting held on April 9, 2012 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Baran to approve as presented. Carried Unanimously

Communications – The Deputy Town Clerk presented the following correspondence:

A letter from the NYS Department of State notifying the town that Local Law #1 of 2012 was filed on April 2, 2012.

A letter from the Akron Soccer League regarding the Kick it First Tournament schedule of events.

A letter from SBA Communications Corporation regarding the ground lease they have acquired for the cell tower located on town property on Buell Street.

A notice of public hearing to be held at the Town of Lancaster on May 7th at 8:15pm regarding the use of silt fencing.

A letter from New York State Department of Transportation notifying us that a traffic study is being initiated on South Newstead Road.

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

Work Session: The Supervisor reported that at the work session that was held last week the following items were discussed: water districts issues, planning issues updates, building projects updates, assessment exemptions, highway contracts, personnel issues, as well as any other issues brought before the board. A special meeting was also held to set a public hearing date on the airport site plan for t-hangers and a maintenance hanger.

Privilege of the Floor –

Doni Roehling – 5993 Cummings Rd., - questioning the water problem they had last summer and wants to know if it has been repaired. Scott stated that they are working on installing 2 pressure reducing valves. They are being designed now and we are getting the easements. Hoping they will be installed in the early summer. These valves will provide a block to allow small areas of the town to receive the water pressure they need. The easements will be signed this week. Mr. Roehling is concerned that we have added new water lines in the town and are having problems feeding the lines we already have. Supervisor Cummings said there are only 2 small areas in the town that are having problems.

Doug Ceisner – 100 East Ave. – stated he came into the Assessor’s office due to the re-val and asked for a copy of the roll but was told they could not provide one for him. The Assessor printed one for him and charged him for the copy. Mr. Ceisner feels there is damage control going on and that things are being hidden. He believes the roll should have been provided. He came into the office to get an appointment for an informal hearing after the hearings had been held. He was told they were too busy and he believes people are being kept apart.

Budget Transfers: none

Approval of Bills – Councilman Mayrose reported that the Abstract from Batch(es) # 1168 & 1171 from the April 9, 2012 meeting has been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1177 for payment. Vouchers on this abstract numbered from 415- 454, totaling \$388,217.96 and were presented by Councilman Mayrose, seconded by Councilman York to approve payment as follows:

Abstract Batch(es) #1177:
General Fund (A) -\$27,554.54, General Fund- Outside Village (B) \$304.21, Highway (DA) -\$0, Highway: Outside Village (DB) \$2,173.06, Capital Projects: CAP- Highway Garage- (HG) - \$233.44, CAP-Murder Creek (HM) \$0, CAP- Equipment Purchase (HR02)- \$0, CAP- Scotland Rd (HS)- \$0, CAP- Town Hall (HT)- \$0, CAP- Water Improvement (HW)- \$357,751.03, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$26.64, Sewer District #2 (SS02)- \$74.58, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$100.46, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0
Total: \$388,217.96 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – nothing to report

Assessor – nothing to report

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

Bruce Serena	7895 Maple Road	Demolition
Justin & Jennifer Klodzinski	12795 Carney Road	SFH
Anna Savich	7421 Berghorn Road	Fill
Gerald Pasinski	11986 Main Road	Roof Alteration

Mark Stafford
Ann Koelle

5472 Barnum Road
4492 South Newstead Road

Roof
Pole Barn Addition

The Town Board accepted the report as presented.

Town Clerk - nothing to report

Attorney for the Town – nothing to report

COUNCILPERSONS:

Rooney – he and Councilman Mayrose will be holding a joint park committee meeting in the next several weeks and will give the date when they have one.

Mayrose – he met with the Assessor with regards to the service survey they are conducting and attended a highway contract negotiation meeting.

Baran – the work at the Denio is continuing and he needs to get someone to look at the roof at the new library as it is leaking.

York – nothing to report

Supervisor – his report for March has been completed; he has had some discussions with Ed Rath concerning several issues and attended the highway contract negotiation meeting.

UNFINISHED BUSINESS:

Water Districts – punch list items have been completed. The contractor and ECWA have done their inspections and everything has passed. As long as no problems arise in the next several days, the project will be considered complete.

Shared Public Works Facility Project – the Town highway trucks will be moved to the new facility next week. Needs to be added to the work session agenda as to what to do with the old highway building. There are still issues with Picone Construction that our attorney is now dealing with.

Murder Creek – receiving maintenance program reports every few months. Hoping the new phase will begin soon.

NEW BUSINESS:

Motion - Akron Soccer League 2012 Tournament:

A motion was made by Councilman Rooney, seconded by Councilman Baran approving the request of the Akron Soccer League to use the Town Park facilities for their 2011 Kick-It First tournament on May 4th – 6th, 2011.

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

Motion – Planning Board Member Training Request:

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving John Potera to attend training “Livable Communities Forum” on May 3rd, 2012 at a cost of \$12.

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

Motion – Zoning Map Update:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving CRA Infrastructure & Engineering, Inc. to update the Town zoning maps at a cost of \$1,200.

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

Motion – Retainer of Guy J. Agostinelli Esq.:

A motion was made by Councilman Mayrose, seconded by Councilman York approving the retaining of Guy J. Agostinelli Esq. to represent the Town in negotiations with Picone Construction. Cummings-Aye, Rooney -Aye, Mayrose-Aye, Baran-Aye, York-Aye Carried Unanimously

Motion – Highway Clerk’s Hours

A motion was made by Councilman Rooney, seconded by Councilman Baran approving the increase in the Highway Clerk’s hours from 10 hours per week to 16 hours per week starting immediately. Cummings-Aye, Rooney-Aye, Mayrose-Aye, Baran-Aye, York-Aye Carried Unanimously

Question Period – no one appeared to speak

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 8:20pm. Carried Unanimously

Respectfully Submitted,
Jennifer Heberling, Deputy Town Clerk