

Newstead Town Board Meeting- February 26, 2018

A public hearing was called to order by the Newstead Town Board on Monday, February 26, 2018 at 7:50pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
John Jendrowski- Councilman
Joseph Dugan- Councilman
Edmund Burke- Councilman
Jeannine Morlacci- Councilwoman
Mike Bassanello- Highway Supt
Nathan Neill- Town Attorney
Brendan Neill- Deputy Town Attorney
Scott Rybarczyk- Wendel/Town Engineer
Dawn Izydorczak- Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the **public hearing** on the Increase & Improvement to Consolidated Water District #1 to order.

The Clerk read proof of publication. The Supervisor explained the scope of the project will include 3,600 lineal ft of 8 inch water line on Knapp Rd, 4,350 lineal feet on Indian Falls Rd and 1,150 lineal feet on Kirby Rd at a maximum estimated cost of \$1,325,000. This will finish the unwatered areas in the town.

Comments: no one was present to speak

There being no further comments, Councilman Jendrowski motioned to close the public hearing, seconded by Councilwoman Morlacci at 7:58pm. Carried Unanimously

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

Supervisor Cummings led the pledge to the flag.

Minutes from the regular meeting held on February 12, 2018 were presented for approval. A motion was made by Councilman Burke, seconded by Councilman Dugan to approve as presented. Carried Unanimously

Agenda Changes – a motion was made by Councilman Burke, seconded by Councilman Jendrowski to make the following agenda changes: add a joint meeting with the village board at approximately 8:30pm tonight Carried Unanimously

Communications – The Clerk presented the following correspondence:

A thank you note and plaque were received from the Ride for Roswell for participating in their event in 2017.

A copy of a letter from Legislator Ed Rath to Sunrise Capital Investments on behalf of residents of the manufactured home park.

A motion was made by Councilman Jendrowski, seconded by Councilwoman Morlacci to accept and file the presented correspondence. Carried Unanimously

Work Session: The Supervisor reported that no work session was held last week due to the holiday but the following items were discussed prior to tonight's meeting: building projects, water & sewer projects, planning items, grants, highway truck bids, GIS services to the Village and any other items brought before the Board.

Agenda Items Question Period: no one was present to speak

Budget transfers: none

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1797 and #1801 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1804 for payment. Vouchers on this abstract(s) numbered from 134-173, totaling \$33,256.02. Councilman Dugan seconded to approve payment as follows:

Abstract Batch(es) #1804:

General Fund (A) -\$16,444.28, General Fund- Outside Village (B) \$52.42, Highway (DA) -\$0, Highway: Outside Village (DB) \$16,039.07, CAP- Water-Scotland- (HS) \$0, CAP-Sewer Dist. 3(HNL) \$0, CAP- Trail Grant (HTG)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$0, CAP- Water- Cedar (HW02)- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer #1 Fund (SS) \$580.04, Sewer District #2 (SS02)- \$97.30, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$42.91, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0;
Total:\$33,256.02 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Mike reported the crews have been cutting trees and grinding stumps with the Village, put a new broom on the broom tractor, replaced street signs, cold patched roads, picked up garbage on town roads, replaced the sander chute on #3 and made repairs to #10 hydraulic line, replaced the alternator on #3, the apron chain on #7 and brake can and apron chain on #8, helped the Village with new lay down area at the JF, are making benches for the new park building and fixed mailboxes.

Assessor – no report but Tina will be at the next work session to update the Board.

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

Champion Auto Locaters	11678 Main	Temp Special Use Permit renewal
LV & L Resort Corp	13800 Siehl	Permit renewal
Newstead Properties LLc	13311 Main	Sign
Paul Meerboth	5639 Cummings	Permit renewal

The Town Board accepted the report as presented.

Town Clerk- nothing new to report

Town Attorneys– they attended the Association of Towns training sessions, which offered a lot of good programs. One in particular was on demolition of unsafe/dilapidated buildings and the chargebacks of costs associated with demolition against the property. Nathan thinks we may want to discuss some updates to our law including looking at roof repair options over demolitions to make the buildings last longer until they can be sold.

COUNCILPERSONS:

Jendrowski- he spoke with a resident on engineering fees from the town, a local business owner on fire inspection fees, a Golden Pond resident on the fire company’s response times to calls, a Stage Rd resident on a noise issue and Jon Cummings on issues at the Joint Facility. He and the Supervisor also met with Christine to get ready for the transition to our new Code Enforcement Officer.

Dugan – he attended the Fire Chief’s Association meeting and completed the Justice Court audit for 2017. He commended Sandy for how she handles the court records and thanked her for running such a tight ship.

Burke – he attended the Joint Facility committee meeting where it was announced that the household hazardous waste/electronics/shred-it events will be held on April 7th and October 6th this year for Akron-Newstead residents only and no commercial business drops will be allowed.

Morlacci- nothing at this time

Supervisor- He met with Nick on IT updates, will meet with Charlie Sickler on the Cummings Rd crossing this week, addressed Stage Rd resident complaints of speeding, spoke with residents in Golden Pond and on Maple Rd regarding the fire company's slow response times to calls, and met with Doug Scarborough on Evergreen Cemetery issues.

Mike Bassanello stated he also took a call this week from Mt. Olive Cemetery with need for assistance.

UNFINISHED BUSINESS:

Buildings- nothing new

Planning- code changes proposal will be discussed at next work session.

Water/Sewer- Scott stated after tonight's resolution's they will begin moving forward on the grant applications & next bonding steps.

Grants- nothing new

NEW BUSINESS:

Approval- Equitable Business Opportunities Designations:

A motion was made by Councilwoman Morlacci, seconded by Councilman Jendrowski approving the designation of Supervisor David Cummings as the Responsible Local Official to execute the request for access to the Equitable Business Opportunities system, a web-based reporting system for the NYS DOT.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye
Carried Unanimously

Approval- Wendel Proposal- Grant Services on Waterline Project:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the proposal from Wendel for the Water District system improvements on Indian Falls Rd, Knapp Rd and Kirby Rd under WP No. 2253-63 and authorizing the Supervisor to execute the agreement.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye
Carried Unanimously

Award- Truck Bids for Highway Vehicles:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the Highway Superintendent to enter into a purchase agreement for a F250 truck per specs from DeLacy and a F150 truck per specs from Howell Motors, as respective low bidders on said vehicles.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye
Carried Unanimously

Supervisor Cummings stated the majority of residents in these affected areas replied yes and in favor of the proposed project.

Order After Hearing- Increase & Improvement for Waterline extension project:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the increase and improvement for installation of 3,600 lineal feet of 8 inch PVC waterline and appurtenances along Knapp Rd, 4,350 lineal feet along Indian Falls Rd, and 1,150 lineal feet along Kirby Rd.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye
Carried Unanimously

Bond Resolution- Waterline extension project:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the issuance of \$1,325,000 in bonds for the construction and installation of 3,600 lineal feet of 8 inch PVC waterline and appurtenances along Knapp Rd, 4,350 lineal feet along Indian Falls Rd, and 1,150 lineal feet along Kirby Rd, subject to referendum.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye
Carried Unanimously

Approval- 2018 Fee Schedule:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the proposed amendments to the town fee schedule for 2018, with the addition of solar farms (line 53) minimum fee of \$500.

Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye Carried Unanimously

Privilege of the Floor/Question Period: no one was present to speak

The Board entered executive session at 8:34pm to discuss contractual issues on a motion from Councilman Jendrowski, seconded by Councilman Burke. Carried Unanimously

The Board exited executive session on a motion by Councilman Burke, seconded by Councilman Dugan at 9:06pm, having taken no action. Carried Unanimously

A joint meeting of the Town of Newstead and Village of Akron Boards was held on February 26, 2018 at the Town Hall.

Present:

Town Board Members

Supervisor David Cummings
Councilman John Jendrowski
Councilman Joe Dugan
Councilman Edmund Burke
Councilwoman Jeannine Morlacci

Town Clerk Dawn Izydorczak
Highway Supt. Mike Bassanello
Attorney Nathan Neill
Assistant Attorney Brendan Neill

Village Board Members

Mayor Carl Patterson
Trustee Michael Middaugh
Trustee Peter Forrestel
Trustee Brian Perry
Trustee Darrin Folger

Attorney Andrew Borden
Village Clerk Jayne DeTine
Village Treasurer Tammy Kelly

The Boards convened at approximately 9:17pm at the Town Hall with Supervisor Cummings calling the meeting to order.

Joint Master Plan: the committee met this evening to review the final draft and make comments. This process should be completed by the end of March and the final document ready. The Mayor stressed that a joint committee should be set to make sure the plan is implemented and keeps moving forward and doesn't just sit on a shelf collecting dust. Everyone agreed.

Lewis Rd Sewer Plant: after some discussion the village stated the capacity that would be available to the town after improvements would be 300,000 gallons per day at a cost of improvement to the town of \$3.3 million dollars. The town needs to look at how much capacity they would be getting vs. the value/cost and will get back to the Village with an answer as soon as possible if they are interested. At this point the town is primarily interested only in commercial capacity up to Main Rd, not residential. Councilman Burke, Trustee Forrestel & Steve Tanner will sit down and meet in the next couple weeks and then a final decision will be made by the town.

Buell St Bridge Project: bids on the project have been approved and the contractor selected. The village has been told by the DOT no public information meetings will be held on the project and no follow up with the village is expected. Everyone has some concerns about the plan for rerouting traffic. Construction is expected to start the day after Memorial Day and last thru Labor day. A temporary pedestrian bridge will be set up for walkers to cross the creek.

Bike Path project status: the Supervisor reported tonight a resolution was passed making him the project manager. He has a meeting this week with Erie County to look at the Cummings Rd crossing. A tentative schedule would have construction start this summer. The new extension would end at Buell St with a parking area by the old substation. Trustee Forrestel questioned signage to the effect of "crossing intersections at your own risk". Supervisor Cummings stated we

will be looking at options to make cyclists slow down/stop at all of the intersections along the bike path.

CEO Position: the town's new full time Code Enforcement Officer starts March 1st, so Mike's last day for the town will be February 28th. The town has hired Larry Hull. He has 7+ years of experience as a Code Enforcement Officer with the Town of Amherst.

Town-wide Drainage/Ditching: the village received a lot of information back from the town on their recent inquiries regarding the town-wide drainage tax and they thanked Dawn & Colleen for that information. They have recently had a lot of questions from village taxpayers about that tax line item so it helps them to answer those questions. They also need to understand how it impacts the village, what is in the fund at budget times and how to get a project on the list for the village. The Mayor asked if they could get an annual report on the fund each year and would like a say in what comes out of it. The Supervisor read a lengthy list of village drainage/ditching projects that have come out of the fund and stated the spending out of the fund for projects to date has been 1/3 to the village and 2/3 to the town. Town Attorney Neill reminded the Village Board members that back in 2004 when the District was formed the Village Board at that time authorized the creation of the district which was also subject to referendum by the public.

Other:

Upcoming Household Hazardous Waste/Electronics/Shred-it events- April 7th & October 6th from 9:00am-12:00pm at the Joint Highway Facility. These events are for Akron-Newstead residents only and no commercial drop-offs will be accepted.

Supervisor Cummings thanked Jayne for continuing to coordinate and set up these events for both municipalities.

New Signage for compost areas at the Joint Highway Facility- new signage needs to be added at each of the bin/holding areas as well as at the incoming driveway. The village sent a proposal out to everyone with a cost of approximately \$90/sign.

A motion was made by Councilwoman Morlacci, seconded by Councilman Burke to allow the Village to go ahead with ordering the new proposed signage for the Joint Municipal Facility with the billing to be sent to the town. Carried Unanimously

With nothing further to discuss in open forum, the Supervisor thanked everyone for coming and the two boards entered a joint executive session at 9:50pm on a motion from Councilman Burke, seconded by Councilman Jendrowski, to discuss joint contracts. Carried Unanimously

The two boards exited executive session on a motion by Councilman Burke, seconded by Councilwoman Morlacci at 10:25pm, having taken no action. Carried Unanimously

There being no further business to come before the Town Board for the regular meeting, a motion was made by Councilman Jendrowski, seconded by Councilman Dugan to adjourn the regular meeting at 10:27pm. Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorczyk, RMC
Town Clerk