

## Newstead Town Board Meeting- January 25, 2016

A regular meeting was called to order by the Newstead Town Board on Monday, January 25, 2016 at 8:00pm at the Newstead Town Hall.

Present: David Cummings- Supervisor  
James Mayrose – Councilman  
Donald York- Councilman  
John Jendrowski- Councilman  
Joseph Dugan- Councilman  
Nathan Neill- Attorney for the Town  
Mike Bassanello- Highway Supt  
Scott Rybarczyk- Town Engineer  
Dawn Izydorczak- Town Clerk

Roll Call was taken with all board members present.

Councilman Dugan led the pledge to the flag.

Minutes from the previous regular meeting held on January 11, 2016 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Dugan to approve as presented. Carried Unanimously

**Agenda Changes** – a motion was made by Councilman Mayrose, seconded by Councilman York to make the following agenda changes: addition of motion for soccer league request approval, change the building use policy and resolution for public hearing on Newstead Fire Company truck purchase financing Carried Unanimously

**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.

A certified resolution was received from the Town of Alden regarding their support of the termination of the current 1977 Sales Tax Revenue Distribution Agreement with Erie County.

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 due to the holiday but the following items were discussed prior to tonight's meeting: planning issues, water/sewer issues, buildings projects at town buildings, grant items, IT services and Asset Management program, dog kennel & building use policy 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 Dugan to approve the budget transfers as requested by Bookkeeper Colleen Salmon in a memo dated January 25, 2016. Carried Unanimously

**Approval of Bills** – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1579 and 1580 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1585 for 2016 and 1584 for 2015 for payment. Vouchers on this abstract(s) numbered from 18-43 for 2016 and 1448-1468 for 2015, totaling \$59,981.31. Councilman Mayrose seconded to approve payment as follows:

Abstract Batch(es) #1585 (2016) & 1584 (2015):  
General Fund (A) -\$24,465.88, General Fund- Outside Village (B) \$232.18, Highway (DA) -\$0,  
Highway: Outside Village (DB) \$9,594.84, CAP-Murder Creek (HM) \$0, CAP- Scotland Rd (HS)-  
\$0, CAP- Trail Grant (HTG) \$44.55, CAP- Water Improvement (HW)- \$0, CAP Water-Downey  
(HW01)- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$25,486.55, Sewer Fund (SS)

\$28.45, Sewer District #2 (SS02)- \$80.71, Trust & Agency(TA)- \$0 and Water Districts:  
 Consolidated (SW00) \$48.15, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0,  
 (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0  
 Total: \$59,981.31

Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – Tire drop off will be April 30<sup>th</sup> from 9:00am-12:00pm. White Goods pick up will be May 2<sup>nd</sup> – 3<sup>rd</sup>. Mike also reported that repairs were made to the power steering pump in truck #8, they took a link out of the chain in sanders #3 and #7, repaired a hydraulic leak in the brake chamber in truck #7 and replaced a gear box in the #9 slide in sander. A desk was moved from the town hall to the cultural center, they fixed mail boxes and delivered recycling totes, changed the cut edge on the #9 wing and the plow shoes on #7, sent the shared services agreement to NYSDOT and put signs up for the dog kennel at the water plant. Mike attended the highway association meeting. Talks will be starting about the plowing contract with Erie County and he will get an update on Advocacy Day which is March 8<sup>th</sup> & 9<sup>th</sup>.

**Assessor** – no report

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

Triple G Small Engine Repair	12056 Buckwheat	Special Use Permit Renewal
Jason Schlabach	6453 Utlej	Special Use Permit Renewal
James Marfurt	4870 N Millgrove	Special Use Permit Renewal
Gary Roth	6505 Draper	Special Use Permit Renewal
George Hauer	11212 Main	Sign
Michael Shields-Used Auto Sales	12690 Main	Special Use Permit Renewal
Doug Matussek	12663 McNeeley	Special event
Ride For Roswell	Akron-Newstead	Special event
Smith Auto Sales & Service	11372 Main	Special Use Permit Renewal
W. A. Peronne	6500 Draper	Special Use Permit Renewal
Outdoor Pleasures	7463 Maple	Special Use Permit Renewal
James Young, Jr.	12303 Rapids	Demolition
William Lorenz Construction	4231 Billo	Special Use Permit Renewal
Doug Matussek	12663 McNeeley	Special Use Permit Renewal
John & Karen Nunn	12402 Swift Mills	Remodel

The Town Board accepted the report as presented.

The Supervisor stated later he would like the board to discuss waiving the special event fee for the Matussek event as all of the proceeds from the event go back to local charities. They agreed.

**Town Clerk-** Dawn presented the Dog Control Officers 2015 4<sup>th</sup> Quarter Report.

**Attorney for the Town** – nothing at this time

**COUNCILPERSONS:**

**Mayrose** – he met with Jon Cummings to discuss the Asset Management program and spoke with residents on the bike path extension project.

**York** – he spoke to residents regarding the bike path project and prefers the idea of a bridge over Cummings Rd. He also spoke to Peter Henley on some celebration charges and expressed the need for volunteer chaperones for Coalition events.

**Jendrowski-** he attended the library board meeting and reported the social services program is working well. He also spoke to Brian Domon of Woodcutters Headquarters regarding the fire inspection fee for businesses.

**Dugan** – he reviewed the dog kennel recommendations and has been working to set up committee contacts for meetings.

**Supervisor**- the December Supervisor’s Report is on file with the Town Clerk. He met with Legislator Ed Rath’s representatives and Erie County Engineers regarding the bike path crossing at Cummings Rd, spoke with Ken Lombardo regarding the server switchover, he attended & judged the senior center pie baking contest, spoke to Mike Mutter regarding GPS issues, spoke to Joan Frank & Linda Chaffee regarding Coalition issues, spoke to candidates for the Assistant EMS Coordinator position and several residents on bike path extension project.

**UNFINISHED BUSINESS:**

**Buildings** – John is addressing several remaining issues with the library project.

**Planning** - nothing new

**Water/Sewer** – nothing regarding water, Scott will be meeting with Niagara Label soon on their sewer project.

**Grants** – looking for new project ideas for 2016.

**NEW BUSINESS:**

**Approval- Insurance Contract 2016:**

A motion was made by Councilman Dugan, seconded by Councilman Mayrose approving the contract with Trident Insurance Brokerage for the Towns insurance coverage for 2016 and authorizing the Supervisor to execute the contract on behalf of the Town.

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

**Approval- Highway Conferences attendance:**

A motion was made by Councilman Mayrose, seconded by Supervisor Cummings approving the request by the Highway Superintendent to attend state highway conferences in June and September. Cummings-Aye, Dugan -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye Carried Unanimously

**Approval- Code Enforcement Conference attendance:**

A motion was made by Councilman Mayrose, seconded by Councilman York approving the request by the Code Enforcement Officer to attend a state conference in January. Cummings-Aye, Dugan -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye Carried Unanimously

**Appointment- Assistant Emergency Services Coordinator for 2016:**

A motion was made by Councilman Mayrose, seconded by Councilman Jendrowski approving the appointment of Jim Pusateri as Assistant Emergency Services Coordinator for 2016.

Cummings-Aye, Dugan -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye Carried Unanimously

**Approval- Soccer League Park Use Request:**

A motion was made by Councilman York, seconded by Councilman Dugan approving the request by the Akron Soccer League for use of the town parks and facilities for their 2016 Kick-it First Tournament and soccer season games and practices.

Cummings-Aye, Dugan -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye Carried Unanimously

**Authorizing Newstead Fire Co. Public Hearing:**

A motion was made by Councilman Mayrose, seconded by Councilman Dugan authorizing the Newstead Fire Company to hold a public hearing on behalf of the Town Board to acquire tax exempt financing on a new fire truck purchase with said hearing to be held February 15, 2016 at 8:00pm at the Newstead Fire Hall and appointing Michael Mutter as Hearing Officer.

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

**Approval- Policy change for buildings use:**

A motion was made by Councilman Mayrose, seconded by Councilman Dugan approving a policy change for use of town buildings restricting their use to only community groups and organizations for meetings and functions, with no private parties or functions to be allowed effective 1/1/2016. Cummings-Aye, Dugan -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye Carried Unanimously

**Approval- Waive Permit Fee:**

A motion was made by Councilman Mayrose, seconded by Councilman Jendrowski approving waiving the Special Event application fee of \$100.00 for the charity event held by Doug Matussek, which wholly benefits local charities and organizations. Cummings-Aye, Dugan -Aye, Mayrose-Aye, York-Aye, Jendrowski- Aye Carried Unanimously

**Privilege of the Floor/Question Period:** Dr. Ed Burke questioned the surname spelling of the new Assistant EMS Coordinator and where he lives. Supervisor Cummings clarified that for him.

The Board took a break at 8:25pm to transition to a joint meeting with the Village of Akron Board.

A **joint meeting** of the Town of Newstead and Village of Akron Boards was called to order by Supervisor Cummings at 8:50pm on January 25, 2016 at the Town Hall with the following members present:

Town Board Members:

- |                            |                               |
|----------------------------|-------------------------------|
| Supervisor David Cummings  | Town Clerk Dawn Izydorczak    |
| Councilman Jim Mayrose     | Highway Supt. Mike Bassanello |
| Councilman Don York        | Attorney Nathan Neill         |
| Councilman John Jendrowski |                               |
| Councilman Joe Dugan       |                               |

Village Board Members

- |                          |                            |
|--------------------------|----------------------------|
| Mayor Carl Patterson     | Attorney Andrew Borden     |
| Trustee Michael Middaugh | Village Clerk Dan Borchert |
| Trustee Peter Forrestel  |                            |
| Trustee Keith Hatswell   |                            |

The Supervisor welcomed all present and proceeded to discuss the following topics:

**IT Contract:** the town’s server replacement has been completed and the town hall band width upgraded. The Supervisor asked for a couple more weeks to work out any “kinks” with the new server and then suggested the Committee meet to discuss moving forward with the Village for future sharing of IT services.

**Joint Master Plan:** the Village Board has not reviewed the Wendel quote yet. They stated they will do so at their next meeting.

**Asset Management Program:** Dan Borchert reported he has been working with Jon Cummings to get the system populated and up and running for the Village. It is now populated but not being fully utilized yet. Once that is completed they can work on adding the Town’s inventory. The Mayor stated that Dan has been put in charge of handling the management of the system. Dan stated he will get Mike and Debbie set up with access.

**2016 Recycling & Carts:** the Supervisor reported that Debbie is receiving almost daily requests for 2<sup>nd</sup> recycling carts as 1 cart is not enough for what they are recycling. There are no 33 gallon or 95 gallon carts left only the 65 gallon carts. A discussion was held for the options of: 1. charging for additional cart requests at approximately \$50 per cart 2. Not charging for additional cart requests so as not to stifle recycling which is what the communities both want more people to do 3. Find out the cost and possibility of going to weekly recycling pickup town and village wide so no additional carts are necessary. Supervisor Cummings will reach out to Joe Hickman at Modern to discuss all of these options, the cost implications and what Moderns opinions are on the topic.

**Sewer/Wastewater Treatment Plant expansion:** the study by the firm hired for the Village has not been started yet. Wendel is meeting with Niagara Label this week on their possible project extending up Lewis Rd to their facility.

**Grants:** everyone agreed it is very difficult right now to get anything funded. Most programs prefer joint projects so the Boards agreed to look at any possible potential ideas for 2016.

**Celebration Committee/Chamber of Commerce:** no one has heard anything from any of the organizations since the last meeting. A meeting was supposed to have been scheduled by them of the community leaders and businesses but was not done.

**Construction Projects:** for the Village their big project for this year is the total reconstruction and infrastructure on Hoag Avenue. For the Town they are in the process of the design phase of the bike path extension project. The park grant application was denied again. The town will be extending the waterline on Cedar St to the final house just before the swamps this summer. The Boards got an update from the County on the Brooklyn St bridge replacement project with a tentative reopening date of the end of May. The new bridge is slightly higher and wider and is designed to handle a 50 year flood scenario.

**Drug Awareness Program:** the Coalition meets the 1<sup>st</sup> Thursday of every month and their board meetings are on the 3<sup>rd</sup> Tuesday of every month at the C.Deer Wright Center. Trustee Hatswell reported he feels that unfortunately it does not seem to be a very focused effort with ideas and thoughts flying all over the place. He feels they need to focus more on education and working with the schools to reach and teach parents how to start at home addressing the problem. Councilman York and Councilman Jendrowski who also attend the meetings agreed with that assessment.

**Town Dog Kennel:** the new signage is up at the facility and the town is working on a potential funding source to construct a new building at the joint facility property so it can be moved out of the water plant. They are in the process of getting figures and potential designs together now.

#### **Joint Facility Issues:**

**Manager-** everyone agreed that one person needs to be designated to keep track of the facility and its needs and maintenance. They also all agreed it should be an existing employee however not either Jon or Mike, as their focus should be on their jobs not the facility. The committee will sit down and discuss who they have as options and then discuss it with those employees.

**Security Camera System-** everyone agreed that the existing system needs to be upgraded with more cameras and better resolution/monitoring. The committee will look at options between now and spring.

**Ash Trees-** several at the Joint Facility need to be treated by this spring or we will lose them. The question is how many and which ones? Trustee Forrestel will work with Carl Klingenschmitt on this decision and make sure the trees are treated in spring.

**Staffing-** Mayor Patterson reported that they are looking for a part time person to fill the secretary position. The Village is working on addressing this as soon as possible. The Towns secretary position will remain 20 hours for now with office hours being from 8:00am-12:00pm.

#### **Other Issues:**

Mayor Patterson asked for an open dialogue in the future when the Town is considering making changes in appointments to positions that are shared by both municipalities. Case in point is the recent changes in appointment for the Historian and an opening for the Assistant Emergency Services Coordinator. The Village typically appoints the Town appointed employees but because the Villages appointment cycle is different from the Towns appointment cycle it can lead to 2 different people being in the positions during the overlap period. Supervisor Cummings stated he will take that into consideration for the future.

Mayor Patterson also welcomed new Councilman Joe Dugan to the Board.

The Supervisor thanked everyone for coming. The next meeting is scheduled for May 16, 2016 at the Village Hall at approximately 8:30pm.

There being no further business to come before the board for the regular meeting a motion was made by Councilman Mayrose, seconded by Councilman Dugan to adjourn the regular meeting at 9:40pm.  
Carried Unanimously

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