

Newstead Town Board Meeting- January 11, 2010

A Regular Meeting was called to order by the Newstead Town Board on Monday, January 11, 2010 at 8:00pm at the Newstead Town Hall.

Present: David Cummings– Supervisor
Justin Rooney- Councilman
Cheryl Esposito- Councilwoman
James Mayrose- Councilman
Richard Baran- Councilman
Mike Bassanello- Highway Supt.
Scott Rybarczyk- Town Engineer
Nathan Neill- Town Attorney
Dawn Izydorzak- Town Clerk
Jennifer Heberling- Deputy Town Clerk

Roll Call was taken with all board members present.

Scott Rybarczyk led the pledge to the flag.

Minutes from the previous regular meeting held on December 28, 2009 were presented for approval. A motion was made by Councilman Rooney, seconded by Councilman Baran to approve as presented. Carried Unanimously

Minutes from the 2010 organizational meeting held on January 4, 2010 were presented for approval. A motion was made by Councilwoman Esposito, seconded by Councilman Mayrose to approve as presented. Carried Unanimously

Communications – The Town Clerk presented the following:

A notice from the Association of Towns containing the schedule and agenda for the 2010 Training School in New York City from February 14 – 17, 2010.

A notice from the United States Census Bureau announcing the opening of its local Census office in Amherst, NY at 2890 Niagara Falls Blvd on January 15, 2010 at 11:00am.

A letter from Time Warner Cable announcing its intent to renew its franchise agreement in 2010 as well as a second letter announcing its upcoming scheduling and channel changes.

A letter from the NYS Department of State acknowledging receipt and filing of Local Laws #6 & #7 for 2009 on January 4, 2010.

The October – December 2009 Quarterly Report was received from Allied Waste Services reporting 1,820+/- residential units collected for with 511.37+/- tons of solid waste collected and 86.63 tons of co-mingled recyclables collected.

The December 2009 Operations Report was received from Amherst Central Alarm office reporting 51 calls for Akron Fire Co. and 21 calls for Newstead Fire Co.

The 2009 Annual Operations Report was received from Amherst Central Alarm office reporting 541 calls for Akron Fire Co. for 2009 and 325 calls for Newstead Fire Co. in 2009.

An information brochure was received from the Bon Ton stores announcing Community Day 2010 and providing a way for local not-for-profit organizations to fundraise in conjunction with their stores.

A motion was made by Councilman Rooney, seconded by Councilman Baran to receive and file correspondence as presented. Carried Unanimously

Work Session: The Supervisor reported that at the last work session held the following issues were discussed following the organizational meeting: resolutions & motions, water district issues, Joint Facilities, meeting date with Village Board, planning issues, Contracts for 2010, town park use requests, as well as any other items found necessary.

Privilege of the Floor – Doug Ceisner of 100 East Avenue spoke regarding refuse billings on his Main Road property. He is billed as a residence but the property has been vacant since 2005 and is now used for storage. He contacted the building department in 2006 regarding this issue and is still being billed for refuse. He has not contacted them since then regarding this issue and has continued to pay the bills. The Supervisor will look into the matter.

Mr. Ceisner also complained about the pile of black top on his neighbor's property in 2006 to the building department and claims the Code Enforcement Officer said it wasn't his business and walked away. He has not been back to complain about it since 2006.

Budget Transfers: a motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the budget transfers as requested by Bookkeeper Colleen Salmon in a memo dated 1/11/2010 for fiscal year 2009. Carried Unanimously

Approval of Bills – Councilwoman Esposito reported that the Abstract from Batch #899 from the December 28, 2009 meeting has been reviewed with the previously un-audited vouchers and everything was found in order. She presented Abstract Batch #901, 902, 903 & 904. Vouchers on these abstracts numbered from 1420 – 1457 for 2009 and 1-16 for 2010 totaling \$205,166.11 and were presented by Councilwoman Esposito, seconded by Councilman Baran to approve payment as follows:

Abstract Batch #901, 902, 903 & 904:

General Fund (A) -\$21,939.12, General Fund- Outside Village (B) \$14,300.00, Highway (DA) -\$0, Capital Projects: CAP- Highway Garage- (HG) - \$9,196.25, CAP- Scotland Rd (HS)- \$0, CAP- Town Hall Addition (HT) \$0, Highway: Outside Village (DB) \$4,027.99, Drainage (SD)- \$0, Fire Protection (SF) \$4,309.44, Refuse (SR) \$28,782.65, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$0, and Water Districts (SW1) \$40.20, (SW2) \$88.44, (SW3) \$112.56, (SW4) \$112.56, (SW5) \$118,562.04, (SW6) \$305.52, (SW7) \$426.12, (SW7A) \$48.24, (SW8) \$32.16, (SW9) \$88.44, (SW10) \$2,794.38, Trust & Agency(TA)- \$0

Total: \$205,166.11

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – nothing at this time

Assessor – report presented on upcoming legislation issues, assessment information for newly elected officials and the 2011 update issue.

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

Daniel Frayne

7557 Greenbush

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- nothing at this time

Esposito- she thanked the sponsors and donors who contributed to make the New Years Eve celebration a great success on behalf of the Celebration Committee.

Mayrose- nothing at this time

Baran- he had a meeting with the Senior Director this week to discuss senior van issues and took care of a leak in the roof at the Senior Center. He questioned who is responsible for shoveling the walkways at the town hall and senior center and why the highway department can't take care of that

task. He also questioned the cleaning contracts and would like to discuss the possibility of hiring a part time person to do that as well as other maintenance items at the town buildings.

SUPERVISOR- nothing at this time

UNFINISHED BUSINESS:

Water District #10- Scotland Rd Extension- blasting will begin this week on the project. They hope to have the work completed within 4 weeks.

Shared Public Works Facility Committee- nothing new, this will be discussed in depth at the joint town/village meeting on January 25th.

Grants- no new notifications, getting ready to start work on library basement project soon.

NEW BUSINESS:

Approval- 2010 Rural Van Contract:

A motion was made by Councilman Rooney, seconded by Councilwoman Esposito approving the 2010 Rural Van Contract with the Town of Clarence for 2010 and authorizing the Supervisor to sign the necessary contracts on behalf of the Town of Newstead.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye
Carried Unanimously

Approval- 2010 CHIPs Contract:

A motion was made by Councilwoman Esposito, seconded by Councilman Rooney approving the 2010 CHIPs contracts with the State of New York & Erie County and authorizing the Supervisor, Board members and Highway Superintendent to sign the necessary contracts on behalf of the Town of Newstead.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye
Carried Unanimously

Approval- 2010 Grants Services Contract:

A motion was made by Councilman Mayrose, seconded by Councilwoman Esposito approving the 2010 contract with Grant Services of WNY and authorizing the Supervisor to sign the necessary contract on behalf of the Town of Newstead.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye
Carried Unanimously

Approval- 2010 Bond Counsel Services Contract:

A motion was made by Councilman Baran, seconded by Councilman Rooney approving the 2010 contract with Hawkins, Delafield & Wood for Bond Counsel Services and authorizing the Supervisor to sign the necessary contract on behalf of the Town of Newstead.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye,
Carried Unanimously

Approval- 2010 Town Attorney Contract:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the 2010 contract with Nathan Neill for Legal Services to the Town and authorizing the Supervisor to sign the necessary contract on behalf of the Town of Newstead.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye,
Carried Unanimously

Approval- 2010 Town Engineer Contract:

A motion was made by Councilman Mayrose, seconded by Councilwoman Esposito approving the 2010 contract with Wendel Duchscherer for Town Engineering Services and authorizing the Supervisor to sign the necessary contract on behalf of the Town of Newstead.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye,
Carried Unanimously

Approval – 2010 Fee Schedule Amendment:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving an amendment to the 2010 fee schedule to reflect the corrections in the schedule.

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

Approval – 2010 Erie County Nutrition Contract:

A motion was made by Councilman Baran, seconded by Councilman Rooney approving the 2010 Erie County Nutrition contract and authorizing the Supervisor to sign the necessary contract on behalf of the Town of Newstead.

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

Approval – 2010 IPLogic Contract:

A motion was made by Councilman Rooney, seconded by Councilwoman Esposito approving the 2010 IPLogic contract for phone maintenance and authorizing the Supervisor to sign the necessary contract on behalf of the Town of Newstead.

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

Question Period- no one spoke

The Supervisor announced there will be no work session next week due to the holiday and following the January 25th meeting there will be a joint meeting of the Town & Village Boards at the town hall beginning at approximately 8:30pm.

There being no further business to come before the board a motion was made by Councilman Baran, seconded by Councilman Rooney to adjourn the meeting at 8:34pm.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorzak, Town Clerk