

Newstead Town Board Meeting- January 26, 2009

A Regular Meeting was called to order by the Newstead Town Board on Monday, January 26, 2009 at 8:00pm at the Newstead Town Hall.

Present: David Cummings– Supervisor
Harold Finger- Councilman (Arriving late at 8:13pm)
Justin Rooney- Councilman
Cheryl Esposito- Councilwoman
Nathan Neill- Town Attorney
Mike Bassanello- Highway Supt.
Dawn D. Izydorczak- Town Clerk
Kathy Lang- Deputy Clerk

Roll Call was taken with all board members present except Councilman George who had a family emergency and Councilman Finger who had a household emergency and will be late.

Councilwoman Esposito led the pledge to the flag.

Minutes from the previous regular meeting held on January 12, 2009 were presented for approval. A motion was made by Councilwoman Esposito, seconded by Councilman Rooney to approve with a change in the numbers on the last abstract to correct an error in reporting. Carried

Communications – The Town Clerk presented the following:

The 2008 Annual Operations Report was received from Amherst Fire Alarm Office reporting 499 calls for Akron Fire Co. and 298 calls for Newstead Fire Co. in 2008.

A copy of a notice sent to Buffalo Shooting Club membership regarding a lawsuit that has been filed by 22 of their members against the club requesting dissolution of the club.

Two letters from Time Warner Cable were received with one announcing the addition of WNED Thinkbright to Channel 431 and WNED DT2 to Channel 535 in the Erie & Niagara County viewing areas and the second listing the newest agreements under negotiations.

A notice from WNY Land Conservancy, American Farmland Trust and Cornell Cooperative Extension announcing a workshop on “Farmland Protection: Purchase Development Rights” to be held Tuesday, February 24, 2009 from 7:00-9:00pm at the Roycroft Campus, 2nd Floor auditorium, 21 South Grove St in East Aurora.

A letter & brochures from the Erie county Soil & Water Conservation District announcing its 2009 Conservation Tree & Shrub Seedling Program. Orders must be in by March 20th and pick-up date is scheduled for April 18th.

A letter from NYS DOT reporting they have completed the requested speed study on Dorsch Rd between Crittenden Rd & South Newstead Rd and have reduced the speed limit in that section to 45 mph effective immediately. The County DPW will be replacing the signage on the road.

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

Work Session: The Supervisor reported that at the last work session held the following issues were discussed: meeting with Insurance carrier to review policy, water district issues, Joint Facilities project, grant submissions, planning issues, organizational matters, town clerk issues and any other items found necessary.

Privilege of the Floor –No one spoke

Budget Transfers: A motion was made by Councilwoman Esposito, seconded by Councilman Rooney approving the year end budget transfers per a memo from Bookkeeper Colleen Salmon dated 1/26/2009. Carried

Approval of Bills -Councilwoman Esposito reported that the Abstracts from Batches #782, 783, 784 & 785 from the January 12, 2009 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #792 & 795 for 2008 and #793 & 794 for 2009. Vouchers on these abstracts numbered 1409-1422 for 2008 and 24- 51for 2009 totaling \$92,184.95 and were presented by Councilwoman Esposito, seconded by Councilman Rooney to approve payment as follows:

Abstract Batch #792, 793, 794 & 795:

General Fund (A) -\$63,995.73, General Fund- Outside Village (B) \$1,098.13, Highway (DA) -\$0, Capital Projects: CAP-WD#10-phase 2 (HI)- \$0, Town Hall Addition (HT)- \$3,600.00, Murder Creek Stabilization (HM) - \$0, Highway: Outside Village (DB) \$22,792.22, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$441.60, Sewer District #2 (SS02)- \$97.56, and Water Districts (SW1) \$0, (SW2) \$0, (SW3) \$11.12, (SW4) \$0, (SW5) \$35.10 (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$113.49, Trust & Agency(TA)- \$0
 Total: \$92,184.95 Carried

Councilman Finger entered meeting at 8:13PM.

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – He has a list of proposed CHIPS budget cuts, with as much as 39.8% in cuts being reported as possible for our area.

Assessor – report presented on Assessment Advisory meeting held January 22nd and a reminder that Taxable Status Day has been changed to March 1st, 2009. Ads will be placed in local papers.

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

Alan Anderson	7970 Fletcher	Ramp
Doreen Watson	6895 Maple	Windows, Roof, Siding
Michael Shields	12690 Main	Special Use Permit renewal
Robert George	12056 Buckwheat	Special Use Permit renewal
Thomas Blair	11720 Main	Special Use Permit renewal
Kevin Gaik	11678 Main	Special Use Permit renewal
Terry Baker	12574 Hunts Corners	Addition
Michael Baran	12800 Carney	Permit renewal

The Town Board accepted the report as presented.

Town Clerk- Presented December 2008 DCO report. Tax bills were picked up Friday, however we were told Saturday not to process them. I will be picking up new re-printed bills tomorrow.

Attorney for the Town – Nothing at this time

COUNCILPERSONS:

George- Not present

Finger- Nothing at this time

Rooney- Nothing at this time

Esposito- Nothing at this time

SUPERVISOR- the December Supervisors Report is on file with Town Clerk. He attended the Association of Towns meeting and County Executive Collins meeting last week. The tax bills issues and budget from the state were greatly discussed at both meetings.

UNFINISHED BUSINESS:

Water District #10- Phase 4/Consolidation- Nothing new at this time

Shared Public Works Facility Committee- There will be several resolutions tonight.

GIS- nothing new at this time

Grants- Community Development Block Grant program has notified the town we are on a waiting list for the handicapped doors project for Senior Center and Town Hall. The project may be funded if funding becomes available.

Code Enforcement Officer Good entered the meeting and reported he attended the Buffalo Shooting Club test that was held Saturday between 10am-2pm. He sat on Jones Road and did not hear anything. He personally notified residents that attended the public hearing that live in the area of the test. There have been no comments from any of the residents yet.

NEW BUSINESS:

Appointment of Marriage Officer:

A motion was made by Councilman Rooney, seconded by Councilwoman Esposito authorizing the appointment of Town Clerk Dawn Izydorczak as a Marriage Officer for a term to expire on 12/31/2009.

(Resolution Attached) Cummings-Aye, George-Absent, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried

Bond Counsel Contract for 2009:

A motion was made by Councilwoman Esposito, seconded by Councilman Finger authorizing the renewal of the contract with Hawkins, Delafield & Wood for Bond Counsel services for 2009 and authorizing the Supervisor to execute the agreement contract.

(Resolution Attached) Cummings-Aye, George-Absent, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried

Neg Dec & Site Plan Approval- Clarence Center Rd Acquisition:

A motion was made by Supervisor Cummings, seconded by Councilman Rooney approving the annexed Negative SEQR Declaration and authorizing the Supervisor to execute the EAF form for Unlisted Actions.

(Resolution Attached) Cummings-Aye, George-Absent, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried

Bond Resolution for Property Acquisition:

A motion was made by Supervisor Cummings, seconded by Councilman Finger authorizing the joint acquisition of a parcel of land at 12831 Clarence Center Rd with the Village of Akron for a proposed Joint Highway Facility at a maximum cost of \$200,000 and authorizing the issuance of \$100,000 in serial bonds to finance said appropriation, with the balance to be paid/financed by the Village of Akron.

(Resolution Attached) Cummings-Aye, George-Absent, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried

Public Hearing- Warehouse Site Plan- 13661 Main Rd:

A motion was made by Councilman Rooney, seconded by Councilman Finger approving the calling of a public hearing on the proposed 11,200 sq. ft warehouse project site plan to be located at 13661 Main Rd to be held on February 9, 2009 at 7:50pm at the Newstead Town Hall.

(Resolution Attached) Cummings-Aye, George-Absent, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried

Inter-Municipal Agreement on Joint Highway Facility:

A motion was made by Councilwoman Esposito, seconded by Councilman Finger approving the proposed Inter-Municipal Agreement with the Village of Akron to construct and operate a Joint Highway Facility and authorizing the Supervisor to sign said agreement.

(Resolution Attached) Cummings-Aye, George-Absent, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried

Appointment to ACS Budget Advisory Committee:

A motion was made by Councilman Finger, seconded by Councilwoman Esposito approving the appointment of Justin Rooney to the 2009 ACS Budget Advisory Committee to represent the Town of Newstead.

Cummings-Aye, George-Absent, Finger-Aye, Rooney -Aye, Esposito-Aye Carried

Highway Trucks Purchase Approval:

A motion was made by Councilman Rooney, seconded by Councilman Finger approving the purchase of 3 new highway trucks (2 crew cab and 1 standard cab for \$72,739.20) as provided for in the 2009 Budget and authorizing the Highway Supt. to coordinate the bids for sale of 2 old trucks.

Cummings-Aye, George-Absent, Finger-Aye, Rooney -Aye, Esposito-Aye Carried

Correction of Committee Appointment Expiration Dates:

A motion was made by Councilman Finger, seconded by Councilman Rooney approving the request for corrections to the expiration dates for terms of appointment for town committees due to errors discovered in the version adopted at the Organizational meeting.

Cummings-Aye, George-Absent, Finger-Aye, Rooney -Aye, Esposito-Aye Carried

Correction of Recreation Director Salary:

A motion was made by Councilman Rooney, seconded by Councilman Finger approving the request for corrections to the appointed Recreation Director, Dan Roland’s salary as reported at the organizational meeting due to errors discovered in the version adopted at the organizational meeting. The salary should be \$8,835.00.

Cummings-Aye, George-Absent, Finger-Aye, Rooney -Aye, Esposito-Aye Carried

Employee Terms & Conditions 2009 Approval:

A motion was made by Councilman Finger, seconded by Councilman Rooney approving the requested amendments to the 2009 Town of Newstead Employee Terms & Conditions and authorizing distribution to all applicable employees.

Cummings-Aye, George-Absent, Finger-Aye, Rooney -Aye, Esposito-Aye Carried

The Highway Contract approval was tabled for a full board vote.

Question Period-No one spoke

The Supervisor asked for everyone’s thoughts and prayers for Councilman George and his family.

There being no further business to come before the board a motion was made by Councilman Rooney, seconded by Councilman Finger to adjourn the meeting at 8:36pm.

Carried

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