

## Newstead Town Board Meeting- August 10, 2009

A Regular Meeting was called to order by the Newstead Town Board on Monday, August 10, 2009 at 8:00pm at the Newstead Town Hall.

Present: David Cummings– Supervisor  
Tom George- Councilman  
Harold Finger- Councilman  
Justin Rooney- Councilman  
Cheryl Esposito- Councilwoman  
Nathan Neill- Town Attorney  
Mike Bassanello- Highway Supt.  
Scott Rybarczyk- Town Engineer  
John Good- Code Enforcement Officer  
Dawn Izydorczak- Town Clerk  
Jennifer Heberling- Deputy Clerk

Roll Call was taken with all board members present.

Councilman Tom George led the pledge to the flag.

Minutes from the previous regular meeting held on July 27, 2009 were presented for approval. A motion was made by Councilman Finger, seconded by Councilwoman Esposito to approve as presented. Carried Unanimously

**Communications** – The Town Clerk presented the following:

A letter from Time Warner Cable updating the town on the various programming changes that will occur over the next month and listing the programmers they are currently under re-negotiations with for service.

A letter from National Grid announcing a newly instituted temporary NYS Assessment surcharge on behalf of New York State that will be added to customers billings effective July 1, 2009 and continue until 3/31/2014 with all monies collected going to the NYS General Fund.

A Notice of a Public Hearing to be held at the Akron Village Hall August 11, 2009 at 7:00pm on a special use permit for a day care program at 64 John St.

The July 2009 Operations Report was received from Amherst Central Fire Alarm office reporting 52 calls for Akron Fire Co. and 30 calls for Newstead Fire Co.

A letter with a petition signed by 109 residents of the Quarry Hill Estates mobile home park regarding complaints on the operation of the park and the lot rents.

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

CEO Good stated he has been working with Quarry Hills and members from County offices to try to take care of some of the issues at the park. The Supervisor concurred stating some issues we can help with & will but other issues we can not assist with by law because it is a privately owned property.

**Work Session:** The Supervisor reported that at the work session held last week the following issues were discussed: water district issues, Joint Facilities, 2010 budget, Akron Fire Truck purchase, boy scouts request for town park, grant submissions, multiple planning issues, home based businesses, personnel issues & contract issues as well as any other items found necessary.

**Privilege of the Floor** – no one spoke

**Budget Transfers:** a motion was made by Councilwoman Esposito, seconded by Councilman George approving the budget transfers as requested by Bookkeeper Colleen Salmon in a memo dated 8/10/09. Carried Unanimously

**Approval of Bills** -Councilwoman Esposito reported that the Abstracts from Batches #851 & 852 from the July 27, 2009 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batches #853, 857 & 858. Vouchers on these abstracts numbered from 820-821 & 844-902 totaling \$97,051.89 and were presented by Councilwoman Esposito, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #853, 857 & 858:

General Fund (A) -\$34,859.68, General Fund- Outside Village (B) \$1,655.18, Highway (DA) -\$0, Capital Projects: CAP-WD#10-phase 2 (HI)- \$226.00, Capital Projects: CAP-WD#10 (HI)- \$11,754.72, Library Basement (HR04)- \$0, Highway Garage- Cap (HG) - \$0, Highway: Outside Village (DB) \$6,300.74, Drainage (SD)- \$0, Fire Protection (SF) \$5,509.44, Refuse (SR) \$29,510.15, Sewer Fund (SS) \$620.35, Sewer District #2 (SS02)- \$120.00, and Water Districts (SW1) \$40.20, (SW2) \$88.44, (SW3) \$112.56, (SW4) \$112.56, (SW5) \$2,447.01, (SW6) \$305.52, (SW7) \$426.12, (SW7A) \$48.24, (SW8) \$32.16, (SW9) \$88.44, (SW10) \$2,794.38, Trust & Agency(TA)- \$0  
 Total: \$97,051.89

Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – crews checked roads today for flooding & downed trees or branches with none found. All ditches seemed to be running good. All town roads are done except some straightening of road signs, which will be done this week. The town bike path was complimented in a letter in the Clarence Bee regarding how much nicer & well kept the Newstead portion of the paths are compared to the Clarence sections.

**Assessor** – a report on updates of court litigation cases was presented to the board. The Supervisor & Assessor will be meeting with the Akron School Superintendent to discuss assessment litigation cases in the future and how best to cover the costs of them.

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

Anthony Pingitore	4954 S Newstead	I.G. Pool
John Wargo	5055 Havens	Move a garage
Mark Hofmeier	12258 Lesswing	Roof
Nick Fodero	11770 Stage	Garage
Kevin Frost	12251 Mcneeley	Modular garage
Catherine Kolb	7450 Maple	Roof
John Schmitt	12318 Main	Roof
Urso construction	4409 Billo	Driveway permit
Joe Gugliuzza	4409 Billo	One family home
Szelagiewicz	4173 S Newstead	Roof
James Styn	12887 Dorsch	Porch remodel/replace
Earl Prior	12228 Clarence Center	Roof
Gail Roth	129 Quarry Hills	Roof

The Town Board accepted the report as presented.

**Town Clerk**- presented July Dog Control Officers report.

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

**COUNCILPERSONS:**

**George**- Nothing at this time

**Finger**- Nothing at this time

**Rooney**- Nothing at this time

**Esposito**- Nothing at this time

**SUPERVISOR-** the July Supervisors Report is on file with the Town Clerk for inspection. On September 24<sup>th</sup> the Supervisor will be hosting the Erie County Association of Towns meeting at Ivy Ridge. All board members & officials are invited to attend.

**UNFINISHED BUSINESS:**

**Water District #10-** Scotland Rd Extension/Consolidation- the plans have been submitted to ECWA for the Scotland Rd project and the packet to the Department of Health is set to go out tomorrow.

**Shared Public Works Facility Committee-** the design work, site grading & site plans will be the focus of the next meeting. They are hoping to finalize these soon so site work can begin.

**Grants-** the joint highway facility is in progress, the town hall court/archives addition planning is underway and \$10,000 has been secured from Senator Ranzenhofer for upgrade work at the Senior Center fitness room. The Murder Creek Mitigation grant submission will begin soon.

**NEW BUSINESS:**

**Amendment of 2009 Budget- GIS grant:**

A motion was made by Councilman Finger, seconded by Councilwoman Esposito issuing approval to amend the 2009 budget to account for receipt of the final payment of the GIS grant, increasing appropriations A1680.110 \$916.00 and A1680.410 \$5,630.00 and increasing revenues \$6,546.00. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye  
Carried Unanimously

**Scotland Rd Waterline Extension Project- NYSDOH Application Approval:**

A motion was made by Councilman Rooney, seconded by Councilman George authorizing the Supervisor to execute and submit to the NYS Department of Health an application for approval of Plans for Public Water Supply Improvement for the Scotland Rd waterline extension project. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye  
Carried Unanimously

**Akron Fire Department Truck Purchase Approval:**

A motion was made by Councilwoman Esposito, seconded by Councilman Rooney approving the purchase by the Akron Fire Co. of a GMC 5500 2009 E-One Fire Truck at an estimated cost of \$194,109 with a portion of such cost to be paid for by a grant in the amount of \$147,750. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye  
Carried Unanimously

**Town Zoning Policy Amendment:**

A motion was made by Councilman George, seconded by Councilman Finger approving the amendment of the previously adopted Town Zoning Policy relative only to a change in title to the Senior Clerk of Planning & Zoning. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye  
Carried Unanimously

**Approval of Request for Town Park Use:**

A motion was made by Councilman Rooney, seconded by Councilman George approving the request by Cub Scout Pack 531 to use the Town Park to shoot off bottle rockets as part of a merit badge. Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye  
Carried Unanimously

**Question Period-** no one spoke

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilwoman Esposito to adjourn the meeting at 8:30pm.

Carried Unanimously

Respectfully Submitted,  
Dawn D. Izydorczak, Town Clerk