

Newstead Town Board Meeting- September 13, 2010

A regular meeting was called to order by the Newstead Town Board on Monday, September 13, 2010 at 8:00pm at the Newstead Senior Center.

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

Roll Call was taken with all board members present.

Councilwoman Esposito led the pledge to the flag.

Minutes from the previous regular meeting held on August 23, 2010 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Baran to approve both as presented. Carried Unanimously

Communications – The Town Clerk presented the following correspondence:

A notice from Erie County DPW regarding the requirements for renewal of the 2010-2013 snow removal & ice control contract.

Notification of a WNY Stormwater Management Training Program with several topics to be covered from 10/27/2010 thru 7/12/2011 in Rochester, NY.

A press release from the Buffalo & Erie County Library announcing numerous upcoming free events throughout the Erie County libraries in the month of September. Notably: September 21, 2010 at the Newstead Library- a women's book club from 7:00-8:30pm.

An announcement from TVGA Consultants of a workshop on 10/22/2010 at Michael's Banquet Facility in Hamburg, NY featuring Grants topics, Planning & Zoning training and municipal operations topics

A letter from Time Warner Cable regarding the current programmers and broadcasters they are currently under negotiations with for services.

A letter from National Fuel requesting information on any public improvement projects planned in the town for the upcoming year which will enable them to plan for pipeline replacement projects.

A notification from NYS Floodplain & Stormwater Managers Association of workshops to be held in Batavia, NY on October 13th & 14th

The August Operations Report was received from Amherst Central Alarm Office reporting 44 calls from Akron Fire Co and 27 calls for Newstead Fire Co.

An email was received from the Tonawanda Watershed Committee requesting any information, history or photographs of the Tonawanda Creek areas that the town may have to assist them in building a comprehensive map guide of the creek from its headwaters in Wyoming County to its mouth at the Niagara River. Information should be submitted by October 1st.

A notice from Erie County Dept of Environment & Planning of its next Electronic Recycling Day, Saturday, September 18, 2010 from 9am to 1pm at the GM Tonawanda Engine Plant #5 on Vulcan St and its next Unwanted Pharmaceutical Drop-off Saturday, September 25th from 9am to 1pm at 4 locations: Kenmore Mercy Hospital, American Red Cross on Delaware, Village of East Aurora Public Works Barn on Pine St and the Hamburg Fair Grounds on South Park Ave.

A motion was made by Councilman Mayrose, seconded by Councilman Rooney to accept and file the presented correspondence. Carried Unanimously

Work Session: The Supervisor reported that at the work session held August 30th the following issues were discussed: flag lots proposal, water district issues, joint facility & town hall projects update, planning issues, Murder Creek project, GIS training request, 2011 budget, the Jaycees Field, contracts and personnel issues as well as any other issues brought before the board. No work session was held September 6th due to the holiday weekend. An executive session was held earlier tonight to Discuss contractual matters and personnel issues.

Privilege of the Floor – Doug Ceisner of 100 East Ave informed the board he has been watching assessed values and comparing several properties. He questioned what he sees as inconsistencies. He questioned the assessed value on a Main Rd property owned by a Board of Assessment Review member versus his assessment on Main Rd. The Supervisor asked if he has spoken with the assessor about these issues and he stated he has on some of them.

Budget Transfers: a motion was made by Councilman Rooney, seconded by Councilman Mayrose to approve the recommended budget transfers per the memo from Bookkeeper Colleen Salmon dated 9/13/10. Carried Unanimously

Approval of Bills – Councilwoman Esposito reported that the Abstract from Batches #972 & 973 from the August 23, 2010 meeting has been reviewed with the previously un-audited vouchers and everything was found in order. She presented Abstract Batches #974, 980 & 981. Vouchers on these abstracts numbered from 893 - 994 totaling \$175,803.91 and were presented by Councilwoman Esposito, seconded by Councilman Rooney to approve payment as follows:

Abstract Batch #974, 980 & 981:
 General Fund (A) -\$24,962.09, General Fund- Outside Village (B) \$40,029.79, Highway (DA) -\$0, Highway: Outside Village (DB) \$10,163.01, Capital Projects: CAP- Highway Garage- (HG) - \$11,431.38, CAP-Murder Creek (HM) \$0, CAP- Equipment Purchase (HR02) \$0, CAP-Library Basement (HR04)- \$0, CAP- Scotland Rd (HS)- \$0, CAP- Town Hall Addition (HT) \$3,549.37, Drainage (SD)- \$905.00, Fire Protection (SF) \$4,336.24, Refuse (SR) \$29,552.19, Sewer Fund (SS) \$26.23, Sewer District #2 (SS02)- \$249.07, and Water Districts (SW1) \$40.20, (SW2) \$88.44, (SW3) \$112.56, (SW4) \$112.56, (SW5) \$14,920.04, (SW6) \$305.52, (SW7) \$426.12, (SW7A) \$48.24, (SW8) \$32.16, (SW9) \$88.44, (SW10) \$32,262.01, Trust & Agency(TA)- \$2,163.25
 Total: \$175,803.91 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – He has been continuing with checks on Bruning Rd and it looks great. They are continuing roadside mowing and off road ditching and hauling in sand & salt for winter. He will be at conference for the rest of this week.

Assessor – no report presented

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

Margaret Cowan	11715 Clarence Center	Roof
Brian Quinn	7840 Fletcher	Roof
Laura Hervey	13234 Stage	Roof
Pete Hennessy	8013 Greenbush	Deck
Mark Young	12391 Hunts Corners	Solar panels
Joseph Popp	11081 Rapids	Garage addition
Joseph Popp	11081 Rapids	Floodplain development
David Powers	11732 Nice	Deck
Kevin McFall	5210 Crittenden	Pole barn
James Grant	6354 Dye	Roof
Doug Seaner	6715 Cedar	Porch
Richard Bruke	13480 Dorsch	Balcony roof
William Lawrence	4212 Crittenden	Permit renewal
Greenbriar Akron LLC	12983 Main	Sign lettering
William Earle	12505 Meahl	Roof
Town & Village	12701 Clarence Center	Highway facility
Patrick Galla	5475 Barnum	Deck

The Town Board accepted the report as presented.

Town Clerk- would like to schedule time with town attorney to begin work on new dog law. School tax bills being processed to go out this week.

Attorney for the Town – nothing at this time

COUNCILPERSONS:

Rooney- he is going to try to attend some other town board meetings and workshops over the next couple weeks. He invited the other board members to come along if they are available.

Esposito- nothing at this time

Mayrose- the AED units are in and will all be installed by next week, all the wiring is done and ready for installations.

Baran- nothing at this time

SUPERVISOR- the Supervisor presented the tentative budget for 2011 and read his budget message to those present. Next work session will be spent reviewing the budget and the public hearing will be on October 25th.

UNFINISHED BUSINESS:

Water District #10- directed Wendel to do map, plan and reports for the Koepsel/Tonawanda Creek Rd areas and Burdick/Tonawanda Creek Rd areas.

Shared Public Works Facility Project- a construction meeting was held today. Work to begin this week at the site and they still plan to have the shell up and enclosed by winter.

Town Hall Project- interior work is well underway. New walls are going up with insulation, drywall new windows and doors in by end of this week. New front handicapped doors will be scheduled for installation either over a weekend or in November once addition work is completed.

Grants- CDBG grant application public hearing will be set tonight.

Murder Creek Project- public notice posted for the project for the next 30 days for comment from the public.

NEW BUSINESS:

Adoption – Knox Box Policy:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the proposed Knox Box Policy as submitted by the Code Enforcement Officer and authorizing distribution of the policy to the appropriate agencies.

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

Approval – 2010-2013 Snow Removal Contracts:

A motion was made by Councilman Mayrose, seconded by Councilman Baran authorizing the Supervisor to execute the 2010-2013 Snow Removal Contracts with Erie County as presented.

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

Approval – Grant Application Request:

A motion was made by Councilwoman Esposito, seconded by Councilman Mayrose authorizing the Supervisor to file an application with E & W G Foundation requesting funding in an amount not to

exceed \$30,000 for the third year of a phased construction renovation project in the Newstead Library lower level and authorizing him to sign the project agreement once award is received.
(Resolution Attached) Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye
Carried Unanimously

Approval – GIS Training Request:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the request by Rebecca Baker & Jennifer Heberling to attend the annual GIS Conference for Training.
Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

Senior Center Budget Amendment:

A motion was made by Councilman Baran, seconded by Councilman Mayrose authorizing the amendment of the 2010 Senior Center budget to account for a \$10,000 grant received from New York State.
(Resolution Attached) Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye
Carried Unanimously

Public Hearing- CDBG Grant application:

A motion was made by Councilman Rooney, seconded by Councilman Mayrose approving the calling of a public hearing to hear public comments on the proposed use of Community Development Block Grant funding for 2011 in the town with the hearing to be held September 27, 2010 at 7:55pm at the Newstead Senior Center.
(Resolution Attached) Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye
Carried Unanimously

Refuse Contract Negotiation Approval:

A motion was made by Councilwoman Esposito, seconded by Councilman Rooney directing the Town Attorney to negotiate with the representatives from Allied Waste for a new 2 year extension to the refuse contract, proposing a 0% increase for 2011 and an increase not to exceed 2.5% for 2012.
Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

Cleaning Contract Bids Rejection & Re-Bid:

A motion was made by Councilman Mayrose, seconded by Councilwoman Esposito to reject all bids received for the new cleaning contracts due to the bids were not clearly comparable to the specifications set forth.
Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

A motion was made by Councilman Mayrose, seconded by Councilwoman Esposito to more specifically clarify the bid specifications for the cleaning contract and re-bid the contracts with corrections to the specifications. The Town Clerk is directed to mail letters to the companies that bid explaining the rejection and asking them to re-bid under the new terms.
Cummings-Aye, Rooney -Aye, Esposito-Aye, Mayrose-Aye, Baran-Aye Carried Unanimously

Supervisor Cummings and Councilman Mayrose have been meeting with the fire company committee on the new 3 year fire contract and should have a proposal to the rest of the board in the next week or two.

Question Period- Doug Ceisner of 100 East Ave questioned putting the meeting agendas on the website prior to meetings not after. The Town Clerk explained that the county hosts the town's website and the agendas are sent to them on Fridays but they are at the mercy of the county as to when they get posted to the website. Usually it is not until late Monday afternoon or Tuesday.

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 8:48pm.
Carried Unanimously

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