

## Newstead Town Board Meeting- October 13, 2009

A Public Hearing was called to order by the Newstead Town Board on Tuesday, October 13, 2009 at 7:55pm at the Newstead Town Hall.

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

Roll Call was taken with all board members present.

Councilman Rooney led the pledge to the flag.

Supervisor Cummings called the public hearing on proposed uses of Community Development Block Grant funding for 2010 to order at 7:55pm.

The Town Clerk read the proof of publication.

Comments: no one spoke

Supervisor Cummings outlined the grants processes and stated that the Rural Transit Van Service is always included as one of the projects for funding. He offered other possible suggestions for projects this year including new handicapped accessible doors at the Senior Center.

There being no further comments a motion was made by Councilman Rooney, seconded by Councilman George to close the public hearing on the CDBG Funding for 2010 at 8:10pm.

Carried Unanimously

A regular meeting of the Newstead Town Board was called to order at 8:10pm with the same board members present as listed above.

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

Carried Unanimously

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

A letter from Time Warner Cable announcing planned changes to their service that are planned for the end of September. A letter from Time Warner amending some of the changes reported in the previous letter received on 9/28/09.

The September 2009 Operations Report was received from Amherst Fire Alarm Office reporting 40 calls for Akron Fire Co and 26 calls for Newstead Fire Co.

The July – September 2009 Quarterly Report was received from Allied Waste reporting 1,820+/- residential units collected for with 503.97+/- tons of solid waste collected and 64.20 tons of co-mingled recyclables collected.

An announcement of Planning and Zoning Training sessions being provided by TVGA Consultants on October 26<sup>th</sup>, November 2<sup>nd</sup> and November 10<sup>th</sup> in various locations.

A notice received from Erie County DPW announcing the closure of the bridge between Cedar St near Koepsel Rd and Foote Rd starting on October 8<sup>th</sup> thru the summer of 2010 for repairs.

A letter from E & W G Foundation acknowledging receipt of the towns grant application and stating it is currently under review.

A letter from NYS DOT announcing the speed reduction on McNeeley Rd between Hake and Dye Rds to 45 mph down from 55 mph effective immediately. All signs necessary for posting the new speed are the responsibility of the Town of Newstead.

A notice from New York Urban & Community Forestry Council announcing a workshop on “Becoming a Tree Campus, USA” to be held October 23, 2009 from 10:30 – 3:00 at the Whitney Technology Center at Onondaga Community college in Syracuse, NY.

A copy of the Questions and Answers sheet from the NYS DEC regarding the new statewide open burning regulations adopted by the State of New York and effective October 14, 2009.

A motion was made by Councilman Finger, seconded by Councilman Rooney 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: water district issues, Joint Facilities, grant submissions, multiple planning issues, CEO draft contract, preliminary 2010 Budget comments, grant projects, as well as any other items found necessary and then the board convened to the Village Hall for a joint town/village board meeting.

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

**Budget Transfers:** a motion was made by Councilwoman Esposito, seconded by Councilman Finger approving the budget transfers as requested by Bookkeeper Colleen Salmon in a memo dated 10/13/09, with the exception of the transfers requested for the Recreation Department budget. Carried Unanimously

**Approval of Bills** -Councilwoman Esposito reported that the Abstract from Batch # 874 from the September 28, 2009 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batches #879 & 881. Vouchers on this abstract numbered from 1065- 1123 totaling \$130,345.99 and were presented by Councilwoman Esposito, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #879 & 881:

General Fund (A) -\$23,251.54, General Fund- Outside Village (B) \$113.23, Highway (DA) -\$0, Capital Projects: CAP-WD#10 (HI)- \$0, Library Basement (HR04)- \$0, Highway Garage- Cap (HG) - \$55,832.50, CAP- Town Hall Addition (HT) \$0, Highway: Outside Village (DB) \$7,726.33, Drainage (SD)- \$3,863.15, Fire Protection (SF) \$4,309.44, Refuse (SR) \$28,498.49, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$97.15, and Water Districts (SW1) \$40.20, (SW2) \$88.44, (SW3) \$149.41, (SW4) \$112.56, (SW5) \$2,498.69, (SW6) \$305.52, (SW7) \$426.12, (SW7A) \$48.24, (SW8) \$32.16, (SW9) \$88.44, (SW10) \$2,864.38, Trust & Agency(TA)- \$0  
Total: \$130,345.99 Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – they have started with the sand and salt mixing as well as other preparations for winter. Mike will be attending a conference tomorrow on efficient cost saving methods for municipalities. The department will be going back to a 5 day work week possibly next week.

**Assessor** – no report presented

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

Kevin Stoldt, Jr.	13009 Dorsch	Pole barn
Carl Schoenwetter	7310 Scotland	Roof
Wideman Farms	11720 Hunts Corners	Pole barn addition
David Fisher	5200 Crittenden	Porch Roof
William DeTine	7317 Sandhill	Siding
Niagara Specialty Metals	12566 Clarence Center	Demolition
Kevin Stoldt, Jr.	11733 Clarence Center	Single family home
Michael Borowczyk	13404 Stage	Garage

The Town Board accepted the report as presented.

**Town Clerk-** School tax collection almost complete for penalty free period. Last day to pay without penalty is Thursday, October 15<sup>th</sup>. Dawn will be out of office next week for surgery. Jennifer will be in charge.

**Attorney for the Town** – Nathan received a letter at home from a company trying to sell insurance on waterline breaks. He feels this is very misleading to any residents who may receive it and it could be a scam. The Supervisor will get a copy of the letter and forward to all town hall employees in case they receive any calls on this.

**COUNCILPERSONS:**

**George-** nothing at this time

**Finger-** nothing at this time

**Rooney-** attended the Disaster training exercise at Perry's last weekend. Stated it was very well run and a very nice exercise to have for all those involved.;

**Esposito-** attended the 10/7 Court Consolidation Committee meeting and they are re-looking at the numbers provided by the Village Clerk on court costs and revenues, as there seems to be several errors in the numbers. They will also be reassessing the latest drawings for the town hall addition. She also attended the Celebration committee meeting, the recreation board meeting and also attended the disaster drill at Perry's.

**SUPERVISOR-** He attended the disaster drill at Perry's, a fire contract meeting with Councilman Finger and the fire companies, a Supervisors meeting in Elma and has a meeting tomorrow with the Mayor to further discuss joint town/village issues.

**UNFINISHED BUSINESS:**

**Water District #10-** Scotland Rd Extension/Consolidation- plans are available at the Town Clerk's office for the bid package on the Scotland Rd project as well as thru Wendel's offices. The bid opening is scheduled for November 4<sup>th</sup> at 11:00am.

**Shared Public Works Facility Committee-** the access drive is completed and grading is continuing. The final site location for the building will be brought to the proper elevations by next week and then left to settle until they are ready to start building construction. A building systems meeting was held today.

**Grants-** we are still in the middle of several grants to be submitted over the next few weeks.

**NEW BUSINESS:**

**Public Hearing- Home Based Business Local Law #3 :**

A motion was made by Councilman Finger, seconded by Councilman Rooney approving the calling of a public hearing on October 26, 2009 at 7:15pm at the town hall to hear comments on the proposed Local Law #3 of 2009 regulating to home based businesses.

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

**Drainage District Amendment Approval:**

A motion was made by Councilwoman Esposito, seconded by Councilman Finger authorizing approval of the proposed amendments to the Drainage District and authorizing the filing of the amended District plan with the County Clerk's office.

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

**Approval of Highway Employees Reinstatement:**

A motion was made by Councilman Rooney, seconded by Councilman George approving the reinstatement of highway employee Raymond Schrock to full time work status pending the passing of the standard new employee test regarding the ability to access and use heavy equipment. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye  
Carried Unanimously

**Public Hearing- Niagara Specialty Metals Re-zoning:**

A motion was made by Councilman George, seconded by Councilman Finger approving the calling of a public hearing on October 26, 2009 at 7:55pm at the town hall to hear comments on the proposed rezoning request by Niagara Specialty Metals for a 2.13 Acre parcel of land at 12526 Clarence Center Rd and a portion of 32.43 Acres at 12566 Clarence Center Rd from RA to I2 for future expansion needs of the company.. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye  
Carried Unanimously

**Out of District Water Customer Approval:**

A motion was made by Councilman George, seconded by Councilman Rooney approving the request by Alden resident Michael Winter to tap into the Newstead waterlines on Lesswing Rd pursuant to the Water agreement between the Town of Alden and the Town of Newstead. Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye  
Carried Unanimously

**LOSAP Contract Renewal:**

A motion was made by Councilman Finger, seconded by Councilman Rooney approving the contract for 2010 with Caradet, Grant Co. and authorizing the Supervisor to sell, sign, assign and endorse for transfers, certificates representing stocks, bonds or other securities on behalf of the Town of Newstead for the LOSAP program. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye  
Carried Unanimously

Councilman Finger thanked Mike for the highway crews moving the furniture at Hearts & Hands offices.

Highway Supt. Bassanello thanked the County Commissioners and all involved on obtaining the joint facility driveway permit in a timely manner. He is also looking at getting new stopping signage posted at Scotland and Martin Roads.

**Question Period-** no one spoke

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilman Rooney to adjourn the meeting at 8:50pm.  
Carried Unanimously

Respectfully Submitted,  
Dawn D. Izydorczak, Town Clerk