

Newstead Town Board Meeting- November 10, 2008

A Public Hearing was called to order by the Newstead Town Board on Monday, November 10, 2008 at 8:05pm 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
Dawn D. Izydorczyk- Town Clerk
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing to order on Local Law No. 4 of 2008 regarding a new proposed Self Storage Law.

The Clerk read the proof of publication.

Comments: No one spoke

There being no further comments a motion was made by Councilman Finger, seconded by Councilman George to close the public hearing at 8:10pm.

Carried Unanimously

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

Town Attorney Nathan Neill led the pledge to the flag.

Minutes from the previous regular meeting held on October 27, 2008 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 New York State Worker’s Compensation Board regarding updates to the Worker’s Compensation forms and highlighting new procedures.

A letter from the Town of Alden announcing their proposed Local Law #5 of 2008 amending the swimming pools law.

A letter from Time Warner Cable announcing the 50 channels they are currently re-negotiating service agreements with.

The October 2008 Operations Report was received from Amherst Central Alarm Office reporting 49 calls for Akron Fire Company and 26 calls for Newstead Fire Company.

A letter was received from Akron Soccer League detailing their requests for use of the Town Park for the 2009 season.

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

Carried Unanimously

Work Session: The Supervisor reported that at the work session held last week the following issues were discussed: water district issues, joint facility issues, grant submissions, planning issues, 2009 budget, personnel issues, as well as other necessary issues.

Privilege of the Floor – Peter Henley of Indian Falls Road questioned if the date for the public information meeting has been set yet and he also inquired if the board had discussed his request from

the last meeting. The Supervisor responded his request has been sent to the committee for discussion. Councilman George stated that the process which they went through on his facility on Indian Falls Road will be presented at this information meeting so, information on his facility will be present.

Stan Serwon of 5759 Davison Road stated he had spoken with Mike Ranzenhofer regarding his request for a 4-way stop sign at Howe and Davison a few weeks ago and wondered if there was any new update. Supervisor Cummings will call Legislator Ranzenhofer this week on this matter.

Budget Transfers: A motion was made by Councilman Finger, seconded by Councilwoman Esposito to approve the budget transfers outlined in a memo from Bookkeeper Colleen Salmon dated 11/10/08. Carried Unanimously

Approval of Bills -Councilwoman Esposito reported that the Abstracts from Batches #760 from the October 27, 2008 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #763 & 764. Vouchers on this abstract numbered 1132- 1181 totaling \$83,405.28 and were presented by Councilwoman Esposito, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #763 & 764:

General Fund (A) -\$11,227.95, General Fund- Outside Village (B) \$1,570.87, Highway (DA) -\$0, Capital Projects: CAP-WD#10-phase 2 (HI)- \$23,884.04, Murder Creek Stabilization (HM) - \$0, Highway: Outside Village (DB) \$6,801.53, Drainage (SD)- \$0, Fire Protection (SF) \$4,735.84, Refuse (SR) \$28,435.45, Sewer Fund (SS) \$73.98, Sewer District #2 (SS02)- \$143.00, and Water Districts (SW1) \$40.20, (SW2) \$88.44, (SW3) \$112.56, (SW4) \$112.56, (SW5) \$2,492.22, (SW6) \$305.52, (SW7) \$426.12, (SW7A) \$48.24, (SW8) \$32.16, (SW9) \$88.44, (SW10) \$2,786.16, Trust & Agency(TA)- \$0,
Total: \$83,405.28 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Mike thanked the 2 high school students who cleaned both sections of the bike path by picking up trash as part of their community service requirements at school. The highway crews are still doing field ditching and road ditching. They also moved all the signs on the south side of the bike path to the north side of the paths. The supervisor thanked the crews for picking up new trees from the Re-Tree project for the Town Hall and Town Park properties.

Assessor – A report was presented regarding the newly adopted Cold War Veterans exemption by the County. The Town board needs to discuss if they would also like to adopt this exemption and advise the Assessor accordingly.

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

Irene Smith	11316 Main	Pole Barn
Kathy Messecar	11931 Rapids	Lean-to
Newstead Fire Co.	Main & Cummings	Sign
Carol Lindenmuth	11119 Howe	Roof
Akron Airport	6646 Scotland	Hanger
Mary Fromwiller	7410 Sandhill	Garage
Golden Pond Estates	Lot 256	Manufactured home
Golden Pond Estates	Lot 242	Manufactured home
Jason Wruck	6012 Crittenden	Roof
Christopher Whitmarsh	5545 Barnum	Shed

The Town Board accepted the report as presented.

Town Clerk - The October Dog Control Officers Report was presented. A reminder that Town Hall will be closed tomorrow Tuesday, November 11th for Veterans Day. Dawn hosted the Erie County Tax Receivers & Collectors meeting here on November 5th at The Dukes at Ivy Ridge and will be

hosting the Erie County Town Clerk's meeting also on November 18th. She invited any of the Board members that would like to attend the lunch with her.

Attorney for the Town – Nathan will work on a resolution/local law for adoption on the Cold War Veterans Exemption.

COUNCILPERSONS

George- Nothing at this time

Finger- Nothing at this time

Rooney- He attended the opening of the adult Recreation fall program last week and Director Dan Roland did a nice job kicking off the program.

Esposito- She is continuing to work on Building Department issues.

SUPERVISOR- He had discussions on the Re-Tree project and met with Mayor Patterson and the Senior Center Director this week.

UNFINISHED BUSINESS:

Water District #10- Phase 3 –They have finished all restoration and hydro-seeding with a tentative final close out set for the 11/24/2008 meeting.

Phase 4/Consolidation-They have answered questions from USDA and waiting for a letter from the Department of Health with their approvals.

Shared Public Works Facility Committee-The informational meeting date is pending and the committee is still finalizing the agreement.

GIS- The equipment purchases are continuing and they are waiting for shipments and delivery.

Mitigation-The grant was turned in on time and comments will be forthcoming from the state over the next month.

Rapids Rd Issue- Letters were sent out on the Rapids Road outdoor furnace issue to both homeowners by CAC Chairman Carl Klingenschmitt.

NEW BUSINESS:

2009 Budget Adoption:

A motion was made by Supervisor Cummings, seconded by Councilman Finger approving the adoption of the 2009 Budget as filed by the Town Supervisor with an amendment to Fire Protection-total taxable value change from \$397,702,005 to \$397,721,373 with no change to tax rate.

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

Public Hearing- 13399 Main Rd:

A motion was made by Councilman George, seconded by Councilman Finger approving the calling of a public hearing on the proposed Newstead Self Storage expansion project at 13399 Main Rd on November 24, 2008 at 7:50pm at the Town Hall to hear public comments on the project.

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

Annual Applications Ad Authorization:

A motion was made by Councilman Finger, seconded by Councilman Rooney authorizing the Town Clerk to place the annual applications advertisement as amended by the Town Board.

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

Baer & Associates Services Approval:

A motion was made by Councilman Rooney, seconded by Councilman Finger authorizing the Supervisor to sign an agreement with Baer & Associates for construction cost consulting services on the proposed town hall addition project in an amount not to exceed \$3,600.00.

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

Highway Phone Service:

A motion was made by Councilman George, seconded by Councilman Rooney authorizing the purchase of 5 push/talk walkie talkies and 2 walkie-talkie/phones thru Nextel Sprint to replace the old 800 MHz system currently used by the Highway Department in their vehicles.

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

The Akron Soccer League request for use of the Town Park facilities and the Senior Center Directors request for a petty cash fund will be discussed at the next work session.

Question Period- No one spoke

The Town Board went into Executive Session to discuss the highway contract negotiation issues at 8:30pm. The Town Board came out of Executive Session at 9:30pm.

There being no further business to come before the board a motion was made by Councilman George, seconded by Councilman Finger to adjourn the meeting at 9:30 PM.

Carried Unanimously

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