

Newstead Town Board Meeting- November 13, 2017

A regular meeting was called to order by the Newstead Town Board on Monday, November 13, 2017 at 8:00pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
John Jendrowski- Councilman
Joseph Dugan- Councilman
Edmund Burke- Councilman
Jeannine Morlacci- Councilwoman
Mike Bassanello- Highway Supt
Nathan Neill- Town Attorney
Brendan Neill- Assistant Town Attorney
Scott Rybarczyk- Wendel/Town Engineer
Jennifer Heberling- Deputy Town Clerk

Roll Call was taken with all board members present.

Councilman Burke led the pledge to the flag.

Minutes from the regular meeting held on October 23, 2017 were presented for approval. A motion was made by Councilman Jendrowski, seconded by Councilwoman Morlacci to approve as presented. Carried Unanimously

At the work session prior to the meeting, a motion was made by Councilman Jendrowski, seconded by Councilman Dugan to enter executive session at 6:30pm to discuss contracts. Having taken no action, a motion was made by Councilwoman Morlacci and seconded by Councilman Burke to exit executive session at 7:13pm.

Also at the work session prior to the meeting, a motion was made by Councilman Jendrowski, seconded by Supervisor Cummings to enter into executive session at 7:34pm to discuss issues involving the CEO position under personnel. After having taken no action, a motion was made by Councilman Dugan and seconded by Councilman Burke to exit executive session at 7:38pm.

Agenda Changes – none

Communications – The Deputy Town Clerk presented the following correspondence:
A letter from Charter Communications notifying the town of upcoming programming changes.

A letter and packet was received from the Emergency Medical Services Board regarding the renewal of the Pre-Hospital Emergency Medical Services Agreement with Twin City Ambulance.

A letter was received from the Amherst Bi-Centennial Commission requesting a proclamation for the Town of Amherst on the occasion of their 200th anniversary.

A letter from NYS Agriculture & Markets announcing the application process for funding for dog shelters thru the Companion Animal Capital Fund.

The Association of Towns packets for Newly Elected Officials training and the annual Town Officials School were received and distributed to the officials.

A letter from the NYS Department of State notifying the Town that Local Law #6 of 2017 was received and filed on October 5, 2017.

Copies of letters to the Akron Fire Co and Newstead Fire Co from Erie County Water Authority were received notifying the 2 companies of new waterline installations in the town that are now in full service.

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

Work Session: The Supervisor reported that at the last work session the following items were discussed: buildings projects- town park, water & sewer projects updates, highway trailer, planning items, grants updates, cleaning services and Twin City contract renewal, 2018 budget and appointments, snow removal, Erie county Tax Act, Cold War Exemption renewal, contracts and personnel issues and any other items brought before the Board.

Agenda Items Question Period: no one spoke

Budget transfers: a motion was made by Councilman Jendrowski, seconded by Councilman Dugan to approve the budget transfers as presented in a memo from Bookkeeper Colleen Salmon dated 11/13/17. Carried Unanimously

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1764 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1771 prepay & 1772 + postage transfer for payment. Vouchers on this abstract(s) numbered from 1212- 1270, totaling \$102,938.49. Councilman Dugan seconded to approve payment as follows:

Abstract Batch(es) #1771 prepay & 1772 + postage transfer:
General Fund (A) -\$35,272.19, General Fund- Outside Village (B) \$22,150.75, Highway (DA) -\$0, Highway: Outside Village (DB) \$1,010.48, CAP- Water-Scotland- (HS) \$, CAP-Sewer Dist. 3(HNL) \$1,317.50, CAP- Trail Grant (HTG)- \$110.00, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$0, CAP- Water- Cedar (HW02)- \$6,400.78, Drainage (SD)- \$60.24, Fire Protection (SF) \$0, Refuse (SR) \$35,347.79, Sewer #1 Fund (SS) \$1,031.26, Sewer District #2 (SS02)- \$237.50, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$0, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0; Total: \$102,938.49 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Mike reported the crews dug out a driveway in Skyline Park, picked up leaves in Maple Lawn Cemetery and other places in the village, cleaned Draper Road and picked up 2 loose gravel signs, they checked roads for flooding and put up appropriate signs on flooded roads, they checked on plugged cross culverts on Miland Road on 11/4 and checked bridges for icing and the roads in the southern end of town on 11/10 at 4am & 9am.

Assessor – no report presented.

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

Lois Eldred	12521 Clarence Center	Siding
Jeffrey Ferrigno	7189 Downey	One Family Home
Kelly Schultz Premier Antiques	11167 Main	Roof
Joan Summe	11850 Stage	Shed
Michael Begiers	13478 Martin	Shed
Greg Papke	4977 N Ayers	Interior drainage
John Covell	7414 Maple	Roof
Gary Kumro	13639 Dorsch	Roof
Joseph Koszuta	5062 N Ayers	Roof
Mark Wanamaker	11236 Clarence Center	Lean-to
Stainless Steel Brakes	11470 Main	Certificate of Compliance
Charles Kelkenberg	5735 Davison	Demolition
Tim Kowalak	11895 Buckwheat	Demolition
Matthew Darlak	5460 Barnum	2 Family Home
Michael Egloff	12820 Carney	Garage
Rebecca Greta	96 Quarry Hill Est	Carport enclosure

Grace Brucker 12564 Rapids Pole barn
Eric Pirson 11732 Rapids Permit renewal
The Town Board accepted the report as presented.

Town Clerk - nothing at this time

Attorney for the Town – nothing at this time

COUNCILPERSONS:

Jendrowski - attended an informational session on the responsibility of the planning board and attended part of a planning board meeting, the food pantry fund raiser and a pancake breakfast put on by the Legion Auxiliary.

Dugan – had a conversation with Newstead Fire Chief Mutter regarding the Twin City contract.

Burke – attended a John Deere mower demonstration, took part in interviews for a cleaning person, attended the planning board informational session and part of a planning board meeting, spoke with Christine regarding a site plan question and attended the food pantry fund raiser.

Morlacci – attended the food pantry fund raiser which brought in \$8500 plus food donations and attended the pancake breakfast put on by the Legion Auxiliary.

Supervisor- had discussions with several residents on Stage Road regarding drainage, noise and housing, attended the planning board informational session, the cleaning position interviews, AOT meeting, spoke to the village regarding several open issues, attended a meeting with the historian, working on zombie properties in the town and attended the food pantry fund raiser.

UNFINISHED BUSINESS:

Buildings – concrete should be poured for park building this week.

Planning – discussion on CEO and assessor positions.

Water/Sewer – Lewis Road sewer is in, the cross over is in and the pump station is in. Currently working on generator power (since Friday) until National Grid completes the hook up.

Grants – currently have 3 applications out and are waiting for determinations. We are also looking for grants to supply water to the rest of the town that is unserved.

NEW BUSINESS:

Adoption- 2018 Budget:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the adoption of the 2018 Budget as presented in the Preliminary Budget with a change on line A1990.4 from \$15,000 to \$14,550.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye
Carried Unanimously

Public Hearing- Twin City Ambulance Contract:

A motion was made by Councilman Jendrowski, seconded by Councilwoman Morlacci approving the calling of a public hearing on the proposed renewal of the Pre-Hospital Emergency Medical Services Agreement with Twin City Ambulance, to be held on November 27, 2017 at 7:45pm and authorizing the Town Clerk to publish the hearing notice.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye
Carried Unanimously

Approval- Return of PIP Funds:

A motion was made by Councilwoman Morlacci, seconded by Councilman Jendrowski approving the return of \$23,539.51 in unused Public Improvement Project funds to Stanley Tatara for his Havenwood subdivision project.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye
Carried Unanimously

Approval- Sale of Hart St/Murder Creek property:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the sale of a parcel of land owned by the town measuring 65 feet by 27.5 feet at the end of Hart St to Sandra Rose for a cost of \$4,200 with the purchaser to pay all costs of the transaction and the town to retain an easement for ingress and egress through the property.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- No, Morlacci-Aye
Carried

Approval- Amherst Bi-Centennial Proclamation:

A motion was made by Councilman Dugan, seconded by Councilman Burke issuing a proclamation acknowledging the Town of Amherst's 200th anniversary celebration.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye
Carried Unanimously

Public Hearing- Local Law #7 of 2017:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski authorizing the calling of a public hearing on the proposed Local Law #7 of 2017 regarding repealing Local Law #6 of 2017, to be held on November 27, 2017 at 7:55pm and authorizing the Town Clerk to publish the hearing notice.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye
Carried Unanimously

Public Hearing- Local Law #8 of 2017:

A motion was made by Councilman Jendrowski, seconded by Councilman Burke authorizing the calling of a public hearing on the proposed Local Law #8 of 2017 regarding the renewal of the Cold War Veteran Exemption, to be held on November 27, 2017 at 7:40pm and authorizing the Town Clerk to publish the hearing notice.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye
Carried Unanimously

Lead Agency- MGA Research project- 13311 Main Rd:

A motion was made by Councilwoman Morlacci, seconded by Councilman Burke authorizing a declaration of lead agency status on the proposed site plan for MGA Research located at 13311 Main Rd and authorizing the building department to conduct a coordinated review.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye
Carried Unanimously

Public Hearing- Site Plan- MGA Research- 13311 Main Rd:

A motion was made by Councilwoman Morlacci, seconded by Supervisor Cummings authorizing the calling of a public hearing on the proposed site plan for MGA Research located at 13311 Main Rd, to be held on November 27, 2017 at 7:30pm and authorizing the Town Clerk to publish the hearing notice.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye
Carried Unanimously

Approval- Standard Work Day Reporting:

A motion was made by Councilman Dugan, seconded by Councilwoman Morlacci authorizing the standard work day and reporting resolution for elected and appointed officials dated November 13, 2017 and instructing the Town Clerk to post for 30 days.

(Resolution Attached) Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye
Carried Unanimously

Approval- Penflex Audit Package:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the Penflex Audit Package, excluding the audit, and authorizing the Supervisor to execute the agreement.

Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye Carried Unanimously

Approval- Advertise for Annual Applications for 2018:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski authorizing the Town Clerk to advertise for the annual applications for appointed positions for 2018.

Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye Carried Unanimously

Approval- Snow Removal Contract for 2018:

A motion was made by Councilman Jendrowski, seconded by Councilwoman Morlacci authorizing the Supervisor to sign an agreement with Golden Dome Property Services for 2017-18 snow removal services per the proposal submitted.

Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye Carried Unanimously

Amendment- Fall-Winter Recreation Staff:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving the proposed amendment to the list of Recreation staff members for the Fall-Winter session and approving the pay rates for same.

Cummings-Aye, Dugan -Aye, Burke-Aye, Jendrowski- Aye, Morlacci-Aye Carried Unanimously

Privilege of the Floor/Question Period: Mike Maggiore, 12785 Dorsch Rd stated this is the first town board meeting he has ever attended and he is impressed with how much the board cares about the town. He purchased his property in 1999 and there was a vacant lot next door. He had been told the lot was not buildable due to a creek that runs through it. The lot has been purchased and a house is being built in the corner closest to his house, 20 feet from his property line. He feels this is too close and doesn't fit in with the feel of the town. Supervisor Cummings took his phone number and will talk to him after he speaks to the CEO.

There being no further business to come before the board for the regular meeting a motion was made by Councilman Dugan, seconded by Councilman Burke to adjourn the regular meeting at 9:00pm.

Carried Unanimously

Respectfully Submitted,
Jennifer Heberling, Deputy Town Clerk