

Newstead Town Board Meeting- November 9, 2015

A public hearing was called to order by the Newstead Town Board on Monday, November 9, 2015 at 7:55pm at the Newstead Town Hall.

Present: David Cummings- Supervisor
Justin Rooney- Councilman
Donald York- Councilman
John Jendrowski- Councilman
Nathan Neill- Attorney for the Town
Mike Bassanello- Highway Supt
Scott Rybarczyk- Town Engineer
Dawn Izydorczak- Town Clerk
Jennifer Heberling- Deputy Clerk

Roll Call was taken with all board members present except for Councilman Mayrose who is out of town for work.

Supervisor Cummings called the **public hearing** to order regarding the violations on the **unsafe building located at 13907 Bloomingdale Rd** owned by Thomas Cashman.

The Clerk read proof of publication.

Supervisor Cummings explained the violations against the property and attempts to contact the property owner. Town Attorney Nathan Neill submitted copies of the Notice of Determination and photos of the property from last spring submitted to the Board by the Code Enforcement Officer as evidence of the properties condition and noted the condition of the property has only gotten worse since then.

Comments: Mr. Cashman did not appear before the Board nor did any representative on his behalf. No comments were received from the public.

There being no further comments, a motion was made by Councilman Rooney, seconded by Councilman York to close the hearing on the unsafe building violations at 8:05pm.

The **regular meeting** of the Town Board was called to order at 8:05pm with the same members present as listed above.

Councilman Rooney led the pledge to the flag.

Minutes from the previous regular meeting held on October 26, 2015 were presented for approval. A motion was made by Councilman Rooney, seconded by Councilman Jendrowski to approve as presented. Carried

Agenda Changes – None

Communications – The Town Clerk presented the following correspondence:

A letter from Time Warner Cable notifying the town of the programmers and service providers they are currently in negotiations with for service.

A letter from the Department of State notifying the town that local laws #4 & #5 were received and filed on October 15, 2015.

Certified resolutions were received from the Towns of Orchard Park and Grand Island regarding their support for terminating the current 1977 Sales Tax Revenue Distribution Agreement with Erie County and developing a new formula for sales tax revenue distribution in Erie County that is more fair and equitable to all towns and cities in Erie County.

A certified resolution was received from Erie County Legislature designating Hunts Corners Rd an Access Highway to allow for truck traffic on the road that is currently against the old vehicle & traffic law.

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

Work Session: The Supervisor reported that at the last work session held, the following items were discussed: review of the 2016 budget, buildings projects at town buildings, water/sewer issues, planning issues, grant items, IT services, village issues- sewer billings & CRT fees, and any other matters brought before the Board.

Agenda Items Question Period: Bob Scheib of 51 Brooklyn Street appeared on behalf of Charles Carter, 6 Marshall Avenue, and read the following statement:

“With recent grant approval, the Akron Airport was given permission to add runway lights and a beacon; and, (conditional) approval for the pavement of the crosswind runway deemed essential by the FAA. I say conditional because the FAA stipulation was that the crosswind runway meet FAA criteria for length – which in the past it has not.

Questions:

- A. Has there been any work performed at the airport site since the last board meeting when the petition for variance was turned down and if so, have the necessary permits and inspections been performed? SEQR report submitted? Code analysis been submitted?
- B. Has the fire marshal been through the site in recent months? Last meeting when the variance was requested, there was a question of site access in case of fire and installation of a lock box for fire department use. Has this been installed as they said it would be?”

Supervisor Cummings stated that he did not know the answers to these questions and he would get back to Mr. Carter.

Budget transfers: a motion was made by Councilman Rooney, seconded by Councilman York to approve the budget transfers as requested by Bookkeeper Colleen Salmon in a memo dated November 9, 2015. Carried

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #1555 have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1559 for payment. Vouchers on this abstract(s) numbered from 1171-1211, totaling \$62,504.24. Councilman Rooney seconded to approve payment as follows:

Abstract Batch(es) #1559:

General Fund (A) -\$23,772.63, General Fund- Outside Village (B) \$431.02, Highway (DA) -\$0, Highway: Outside Village (DB) \$7,042.48, CAP-Murder Creek (HM) \$0, CAP- Scotland Rd (HS)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$0, Reserve for Roofs (HR01) \$0, Drainage (SD)- \$0, Fire Protection (SF) \$5,000.00, Refuse (SR) \$26,253.61, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$0, Trust & Agency(TA)- \$0 and Water Districts: Consolidated (SW00) \$4.50, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0 Total: \$62,504.24 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – crews helped the village with leaves, hauled CR-2 for shoulders, mowed field ditch on Bloomingdale Road, road ditching on Downey Road (400’), helped Erie County check cross cut on Burdick Road, cut and cleaned tree in Maple Lawn Cemetery, checked roads for limbs during high winds, put slide in sander’s in #3 and #9 truck and reported that Zoladz has ground the brush at the town dump.

Assessor – no report

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

Don Nicholas	5370 Barnum	Roof
Stephen Ward	7647 Greenbush	Roof
Paul Fix	13362 Steiner	Roof
Eric Pirson	11732 Rapids	Permit renewal

Nathan Schmitt	12003 Rapids	Carport
American Legion Post #900	Hake & Rt. 93	Temporary sign
Faith Fellowship Church	11478 Main	Permanent sign

The Town Board accepted the report as presented.

Town Clerk- nothing at this time

Attorney for the Town – nothing at this time

COUNCILPERSONS:

Rooney – scheduling the final Indigenous People Day wrap up meeting, reviewed fire company documentation, had a budget discussion with recreation board members and will reach out to Ed Rath to see if the town can comment on the designation of Hunts Corners Road as a truck route.

Mayrose – not present

York – thanked everyone who voted in the election and thanked all the veterans in honor of Veterans Day.

Jendrowski – met with Dan Eckerson from Newstead Homes on the library project and the Denio project, met with Amanda Harrington regarding ball drop issues, met the new Assessor Bill Sivecz and thanked Becky Baker for her years of service.

Supervisor – met with Town Attorney Neill and representatives from ADESA regarding the increase in sewer bills and some past billings, met with the Seneca Nation regarding Indigenous People Day, met with the Director of the Senior Center regarding issues for winter safety, dealt with a ditching issue on Bloomingdale Road, attended interviews with the Town Clerk and will be out of town for the rest of the week. Councilman Rooney and Councilman Mayrose will be in charge.

UNFINISHED BUSINESS:

Buildings – heating issues at the town hall are being addressed and worked out.

Planning - will be discussing Agri-Business in an upcoming work session.

Water – nothing new on sewer issue. They are continuing work on the Cedar Street pressure issues.

Grants – nothing new.

NEW BUSINESS:

Approval- 2016 Budget:

A motion was made by Supervisor Cummings, seconded by Councilman Rooney authorizing the adoption of the 2016 Town Budget as presented.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Absent, York-Aye, Jendrowski- Aye
Carried

Supervisor noted the final budget is \$34.00 under the tax cap requirement.

Approval- Unsafe Building Demolition-13907 Bloomingdale Rd:

A motion was made by Councilman Rooney, seconded by Councilman York approving the demolition of the unsafe building located at 13907 Bloomingdale Rd owned by Thomas Cashman.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Absent, York-Aye, Jendrowski- Aye
Carried

Approval- Municipal Endorsement- Akron Airport- Runway Lights:

A motion was made by Councilman York, seconded by Councilman Rooney approving the Municipal Endorsement for the Akron airport to accept federal grant funding for a rehabilitation project on the runway lights at the airport. The Supervisor is authorized to execute the agreement.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Absent, York-Aye, Jendrowski- Aye
Carried

Approval- GPS Receivers purchase & Service Agreement with Wendel:

A motion was made by Councilman Jendrowski, seconded by Councilman Rooney approving the purchase of 2 GPS receivers and the agreement with Wendel for setup of and training on those receivers. The Supervisor is authorized to execute the agreement.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Absent, York-Aye, Jendrowski- Aye
Carried

Approval- Recreation Staff Hiring for Fall/Winter 2015-16:

A motion was made by Councilman Rooney, seconded by Councilman York approving the request by the Recreation Director to hire staff for the fall/winter 2015-16 recreation session as per the attached list.

Cummings-Aye, Rooney -Aye, Mayrose-Absent, York-Aye, Jendrowski- Aye Carried

Approval- Annual Applications Ad:

A motion was made by Councilman Rooney, seconded by Councilman Jendrowski authorizing the Town Clerk to run the annual applications ad in the papers for 2016 job opportunities.

Cummings-Aye, Rooney -Aye, Mayrose-Absent, York-Aye, Jendrowski- Aye Carried

Approval- Changes to Electronic Recycling Program policy:

A motion was made by Councilman Rooney, seconded by Councilman Jendrowski authorizing the change in policy for the electronics recycling program to end November 25, 2015 and then go to a punch card system for CRT units, limiting each household to 2 times per year..

Cummings-Aye, Rooney -Aye, Mayrose-Absent, York-Aye, Jendrowski- Aye Carried

Reappointment- B.A.R. member:

A motion was made by Councilman Rooney, seconded by Councilman Jendrowski approving the reappointment of Steve Carlson to the Board of Assessment Review for a six year term expiring on 9/30/2020.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Mayrose-Absent, York-Aye, Jendrowski- Aye
Carried

Privilege of the Floor/Question Period: Edmund Burke, 27 Crescent Drive, asked if there was going to be an increase in the cost of the recycling program to the tax payers due to changes in the program. Supervisor Cummings answered that in the budget there was a \$1.00 per household increase to cover new programs for 2016.

Supervisor Cummings asked before the meeting was adjourned, that if you see a Veteran, thank them for their service.

There being no further business to come before the board a motion was made by Councilman Rooney, seconded by Councilman Jendrowski to adjourn the regular meeting at 8:40pm.

Carried

Respectfully Submitted,

Dawn D. Izydorczyk, RMC, Town Clerk