

Newstead Town Board Meeting- September 22, 2014

A public hearing was called to order by the Newstead Town Board on Monday, September 22, 2014 at 7:55pm at the Newstead Town Hall.

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

Roll Call was taken with all board members present except Councilman Rooney.

The Supervisor called the public hearing to order on the request for public input on the use of Community Development Block Grant funding for 2015.

The Clerk read the Proof of Publication. The Supervisor gave a brief history of past CDBG projects and what the funds can be used for. He explained that the Rural Transit Van Service is always designated as a project. Some ideas the Board is looking at are updating the bathrooms at the Denio building, soffit at the town hall, and a wind break wall and moving of the handicapped door push button at the Senior Center.

Comments: no one spoke

There being no further comments, a motion was made by Councilman Mayrose, seconded by Councilman York to close the public hearing at 8:04pm. Carried

The regular meeting of the town board was called to order at 8:04pm with the same members present as listed above.

CEO Ralph Migliaccio led the pledge to the flag.

Minutes from the previous regular meeting held on September 8, 2014 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman York 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 NYSDOT regarding the Town's request for parking restrictions signage at Rt. 5 and Rt. 93, stating that a traffic engineering study has been ongoing at that site and once it is concluded they will advise the Town of their findings.

A letter from Northern Erie Sno-Seekers regarding use of the west shoreline bike path for their 2014-15 snowmobile season from December 15th – April 1st.

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

Work Session: The Supervisor reported that at work session held last week the following issues were discussed: dog control issues, planning issues, water district issues, building projects, parks master plan, highway issues, 2015 budget & other financial matters, joint village meeting and any other issues brought before the Board.

Agenda Items Question Period: none

Budget Transfers: a motion was made by Councilman Mayrose, seconded by Councilman York approving the budget transfers per memo from Bookkeeper Colleen Salmon dated 9/22/14.

Carried

Approval of Bills – Councilman Mayrose reported that the Abstract(s) from Batch(es) #1430 & 1431 from the September 8, 2014 meeting have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch(es) #1437 plus wire transfers for payment. Vouchers on this abstract(s) numbered from 936 - 978, totaling \$281,384.81. Councilman York seconded to approve payment as follows:

Abstract Batch(es) #1437 plus wire transfers:

General Fund (A) -\$15,764.90, General Fund- Outside Village (B) \$512.48, Highway (DA) -\$0, Highway: Outside Village (DB) \$3,654.45, CAP-Murder Creek (HM) \$0, CAP- Scotland Rd (HS)- \$0, CAP- Water Improvement (HW)- \$0, CAP Water-Downey (HW01)- \$1,360.00, Drainage (SD)- \$59.62, Fire Protection (SF) \$4,577.44, Refuse (SR) \$25,695.96, Sewer Fund (SS) \$29.65, Sewer District #2 (SS02)- \$100.06, Trust & Agency(TA)- \$194,750.00 and Water Districts: Consolidated (SW00) \$6,917.09, (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$144.76, (SW8) \$0, (SW9) \$383.63, (SW10) \$27,434.77 Total: \$281,384.81

Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Mike submitted the attached report stating the crews worked 2 days on the Murder Creek project, completed 411’ of road ditching with 231’ of that pipe on McNeeley Rd, mowed 2,.25 miles of field ditches, mowed 2 miles of lanes with the forest cutter for the new bike path project, inspected trucks #10 & #3 and did necessary repairs, unloaded the piping for the Draper & Downey Rd project, did 245’ of road ditching on Moore Rd and he attended the fall highway conference.

Assessor – a report was presented regarding training sessions for the staff, the new Income Verification Program for Enhanced STAR, special district policy, new GIS layers, income limits for Senior Exemptions and the new Property Tax Freeze Credit for NYS.

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

Chauncey Vanice	8067 Greenbush	Hot tub enclosure
James Barron	12264 Main	Roof
Kevin Borth	12188 Buckwheat	Remodel
Kelly Schultz	11061Main	Storage building
Sleepy Hollow Lake Resort	13800 Siehl	Special event permit
The Great Pumpkin Farm	11199 Main	Special event permit
Joseph Rizzo	5670 Cummings	Shed

The Town Board accepted the report as presented.

Town Clerk- school tax bills have been mailed out and are already returning at a brisk pace. Hunting license sales are peaking just before the October 1st deadline for DMP’s.

Attorney for the Town – the closing of the County Park property was done on Friday so the Town now owns the property.

COUNCILPERSONS:

Rooney – not present

Mayrose – he visited the murder creek project site a couple times, spoke with zoning board members, and attended court sessions here as well as in Amherst.

York – he also visited the murder creek project site and continues to speak with disappointed residents regarding the Swift Mills Rd bridge project.

Supervisor- the August Supervisor’s Report is on file with the Town Clerk. Also the Tentative Budget for 2015 has been filed with the Town Clerk. He attended the Elma Supervisor’s meeting, met with the Senior Director, met with Lawley reps, met with Town Attorney Neill and Alden State Bank, attended the ECWA review meeting, met with a roofing company regarding their inspection results, met with NYSERDA reps, met with Leisurewood reps on the bike path project, and spoke with our insurance carrier and airport reps on a request. He presented his 2015 Budget message to those present.

UNFINISHED BUSINESS:

Joint Facility- nothing new

Planning Projects- the Erie County prisoners spent last week cleaning brush in the old railroad beds for the new bike path project. They will be done this week and then the area will be ready for engineering and next spring’s construction to start.

Conservation issues- Murder Creek- Phase 2 work has been completed. Seeding and plantings are still to be done and Erie County Soil is working on the final project figures for the grant.

Water projects- most of the materials for Draper & Downey Rd project have been delivered. They are setting the schedule for inspectors to be on site for construction and will start soon.

NEW BUSINESS:

Public Hearing- 2015 Budget:

A motion was made by Councilman Mayrose, seconded by Councilman York approving the calling of a public hearing on the preliminary budget for 2015 for the Town to be held on October 27, 2014 at 7:45pm at the Town Hall and authorizing the Clerk to publish the legal notice.

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

Adoption- Local Law #6 of 2014- Tax Cap Override:

A motion was made by Councilman Mayrose, seconded by Councilman York approving the adoption of Local Law #6 of 2014 authorizing the Override of the Tax Cap Limit by the Town.

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

Approval- Northern Erie Sno-Seekers:

A motion was made by Councilman York, seconded by Councilman Mayrose approving the use of the bike path by the Northern Erie Sno-Seekers snowmobile club for their 2014-15 snowmobile season subject to the terms set forth in the resolution.

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

Approve-Change Order-Murder Creek Phase 2:

A motion was made by Councilman Mayrose, seconded by Councilman York approving the increase in the maximum amount of the contract on the Murder Creek Phase 2 project with D & H Excavation from \$60,720 to \$70,720 and authorizing the Supervisor to execute the contract amendment.

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

Approve- Security Cameras Installation Award:

A motion was made by Councilman York, seconded by Councilman Mayrose approving the award for a security camera system installation at the Town Hall to Micro Systems and Support for a proposal bid of \$9,750.00.

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

Approve- Village/Town Shred-it Event:

A motion was made by Councilman Mayrose, seconded by Councilman York approving the proposed Shred-it Event for Saturday, September 27th from 9:00am – 12:00pm.

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

Approve-Request for new light pole:

A motion was made by Councilman Mayrose, seconded by Councilman York authorizing the request to National Grid for a new street light pole to be erected on pole #37 on Bloomingdale Rd.

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

Privilege of the Floor/Question Period:

Dr. Ed Burke of 27 Crescent Dr thanked the Board for the addition of the sidewalks along Skyline Drive at the Town Park. It was much needed and they are widely used and are an asset to our community.

The Town Board entered a joint meeting with the Village of Akron Board at 8:45, the minutes of which are reported separately. They exited that joint meeting at 9:48pm.

The work session scheduled for October 6th has been cancelled.

There being no further business to come before the board a motion was made by Councilman Mayrose, seconded by Councilman York to adjourn the regular meeting at 9:48pm.

Carried Unanimously

Respectfully Submitted,

Dawn D. Izydorczak, RMC, Town Clerk