

Newstead Town Board Meeting- January 10, 2005

A Public Hearing was called to order by the Newstead Town Board on Monday, January 10, 2005 at the Newstead Town Hall at 7:30PM.

Present: Gerald F. Summe, Supervisor
Harold L. Finger- Councilman
Scott Chaffee- Councilman
Jim Ebersole- Highway Superintendent
Rebecca Baker- Assessor
Christine Falkowski- Building Administrator
Andrew Casolini- Town Engineer
Nathan Neill- Town Attorney
Dawn Izydorczak- Town Clerk
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present, except Councilman George who is away on business.

Mr.Harrington led the pledge to the flag.

The Supervisor called the Public Hearing to order on the Water Tank Joint Increase and Improvement of Facilities funding.

The Clerk read the Proof of Publication from the Akron Bugle.

The Supervisor explained the pictures and displays of the project scope. In 1995, Erie County Water Authority showed need for water tank to ensure water pressure. We could not share the village tank because it is not big enough. Town Engineer Casolini presented the potential impacts of the tank. The cost will be paid by an ad valorem charge on all district users.

Comments: None

With no further comments a motion was made by Councilman Finger, seconded by Councilman Chaffee to close the public hearing on the water tank project at 7:55pm.

A Regular Meeting of the Newstead Town Board was called to order at 8:00 PM with the same Board members present as above.

Minutes from the previous regular board meeting held on December 28, 2004 and the organizational meeting held on January 3, 2005 were presented for approval. A motion was made by Councilman Finger, seconded by Councilman Chaffee to approve as presented.

Carried Unanimously

Communications – The Town Clerk presented the following:

Notification from the NYS Department of State that Local Law No. 5 of 2004 has been received and filed on 12/22/2004.

A fax transmission from Amherst Central Alarm Office was received reporting the calls for the month of December 2004 with Akron Fire Co. receiving 37 calls and Newstead Fire Co. receiving 19 calls.

Information brochures were received from the New York State Public Service Commission launching it “Have an Energy Smart Winter” educational campaign. Brochures on saving energy this winter are available from the Town Clerk’s office.

Information was received from the Association of Towns announcing the 2005 Training School and Annual Meeting for all town officials in New York City from February 20th – 23rd. A schedule of meetings and sessions is in the Town Clerk’s office.

A copy of the letter and Health Department application sent to the NYS Department of Health regarding Water District No. 10 by Wendel Duchscherer.

The 2003 Annual Report for the Erie County Sheriff's Office was received. The report includes the departments S.H.I.E.L.D. Plan and the results from the 2003-2004 Police Integrity survey. It is available for review at the Town Clerk's office.

A Certificate of Excellence in Equity was presented to the Town Board on behalf of the Assessor's office from the NYS Office of Real Property Services.

A motion was made by Councilman Chaffee, seconded by Councilman Finger to receive and file correspondence as presented. Carried Unanimously

Work Session: Supervisor Summe reported that no work sessions were held due to the holiday week.

Privilege of the Floor –

Kevin Borth, 7553 Scotland Rd, questioned the appointment for Highway Superintendent. The Supervisor stated 8 applicants will be interviewed next week Tuesday and then final 3 candidates will have final interviews. He also questioned if current employees have preferences and if the interviews will be public. No, they will not be open to public, but a final report of the applicants will be made and current employees do not necessarily have preference. The appointment of Highway Superintendent will be for one year and will have to run for election in November 2005.

Robert Lichtenthal, 12234 Hunts Corners Road, asked for clarification that the interviews for Highway Superintendent will not be open to the public. Supervisor response was no they will not be open to the public but a report of the interviews will be given.

Approval of Bills -Councilman Finger reported that the Abstract from Batch #348 from the December 28, 2004 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #351 from 2004 and #352 from 2005 and #353 from 2005. Vouchers on these abstracts numbered 1430-1468,1, and 2-15, totaling \$208,313.43 and were presented for payment approval by Councilman Finger, seconded by Councilman Chaffee to approve payment.

Abstract Batch 351,352,353:

General Fund (A) -\$13,047.65, Fund (B) \$884.88, Highway (DA) -\$0, Highway: Outside Village (DB) \$9,941.18, Capital Projects- WD#5-Phase II (HC) \$0, CAP-Senior Center (HF)- \$0, Sewer Dist. #2 (HJ)- \$0, CAP- Library Fund (HE)-\$0, CAP-WD#10 (HI)- \$62.630.00, Town Hall (HK)- \$0, Fire Protection (SF) \$2,267.04, Refuse (SR) \$0, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$0, and Water Districts (SW1) \$0, (SW2) \$85.41, (SW3) \$0, (SW4) \$108.70, (SW5) \$118,478.97, (SW6) \$295.04, (SW7) \$411.50, (SW7A) \$46.59, (SW8) \$31.06, (SW9) \$85.41, Trust & Agency (TA) \$0, Totaling \$208,313.43

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway –Superintendent stated they are replenishing salt and sand mixture, equipment is in great shape.

Assessor –Assessor Rebecca Baker announced her new office hours and updated STAR information. Hours for the Assessor will be Monday, Tuesday, Thursday and Friday 8:30-3:30 with Saturday and evening hours by appointment only.

Building Office –the following building report was presented by the Building Administrator Christine Falkowski:

Fryling,Dale

13235 Main Rd.

Pole Barn

Current Projects: Ivy Ridge Site Plan, Fences, Walls, Open Development, Route 5 Rezoning, Special use Permits Renewals, Sign Permit renewals, Zoning Board –sign variance hearing, Dollar General Site plan, Fire Inspections, Unsafe Building update.

A motion was made by Councilman Finger, seconded by Councilman Chaffee to accept and approve Building Report as presented. Carried Unanimously

Town Clerk- The County Finance Department has informed our offices that the 2005 County/Town tax bills will be received extremely close to the bills due date of March 15, 2005 and that no extensions of time will be granted to make payments. It is conceivable that tax bills may not even go out to the banks and residents until after the date they are actually due and the County insists that late fees will apply. The December 2004 Dog Control Officers Report was presented.

Attorney for the Town – Nothing at this time

COUNCILPERSONS

Chaffee –Letter of intent with Realty USA has been signed for sale of Town Hall. The Town Board has been concerned with the current Town Hall zoning and has requested re-zoning from Akron Village Board.

George –Not Present

Finger-He has requested work session time for security alarm and fire inspections at the Senior Center. Lighting at Denio Community Building is completed. Doors at the Senior Center are fixed. The roof at the highway department to be started possibly this week.

SUPERVISOR – The auditors from Drescher & Malecki are in for yearly audit and doing well. Tire pile on Main Road has gone to bid at a cost of 2.68 million dollars. A joint town meeting of Amherst, Clarence, Newstead and Lancaster was attended by department heads from our town and was well received.

UNFINISHED BUSINESS

Water District #10/ Water Tank-The approach to the bidding cycle needs to be addressed and a discussion on managing our way through the next phase. WD#10 residents may start receiving easements over next couple months and an early response is needed.

Town Wide Drainage- Nothing new, negative declaration to be done soon and funding in place for this year.

Town Hall Project-Progressing well, tentative move in first week of February. Archives room taking shape.

Route 5 Zoning-A Public Hearing is scheduled for Feb 24th

Other-

NEW BUSINESS:

Appointment of New Councilman:

A motion was made by Councilman Finger, seconded by Councilman Chaffee to approve the appointment of Mark Decker to the Councilman position vacated by Joan Glor until 12/31/05.

Ayes- 3

Nays-0

Carried Unanimously

At this time the Regular Board Meeting was halted to allow the Town Clerk to give the Oath of Office to Mark Decker as newly appointed Councilman for the Newstead Town Board. His wife Suzette and children were present for the swearing in ceremony. He took his seat on the board and the meeting continued.

Public Hearing- Ivy Ridge: Special Use Permit:

A motion was made by Councilman Chaffee, seconded by Councilman Finger to approve the calling of a public hearing on the application for a Special Use Permit by Ivy Ridge Golf Course to be held at the Newstead Town Hall on January 24, 2005 at 7:45pm.

(Resolution Attached) Ayes-4 Nays-0 Carried Unanimously

SEQR- WD #10:Phase 1B:

A motion was made by Councilman Finger, seconded by Councilman Chaffee to approve the SEQR Coordinated Review on the proposed waterline extension known as Water District #10- Phase 1B.

(Resolution Attached) Ayes-4 Nays-0 Carried Unanimously

Issuance of Special Use Permits for Rothland and Arrowhead Golf Courses

A motion was made by Councilman Chaffee, seconded by Councilman Finger to approve the Special Use Permits for Rothland Golf Course and Arrowhead Golf Courses.

(Resolution Attached) Ayes-4 Nays- 0 Carried Unanimously

Joint Increase and Improvements: Construction of Water Tank

A motion was made by Councilman Finger seconded by Councilman Chaffee to call for the joint increase and improvements for Districts 1,2,3,4,5,6,7,7A, 8,9,and 10 for Construction of Water Tank in the amount of \$3,000,000, with the town's portion not to exceed \$600,000.

(Resolution Attached) Ayes-4 Nays- 0 Carried unanimously

Ordering Bond Resolution

A motion was made by Councilman Finger, seconded by Councilman Decker, approving financing for construction of Water Tank in an amount not to exceed \$600,000 for the town's portion.

(Resolution Attached) Ayes-4 Nays-0 Carried unanimously

Highway Petty Cash Fund:

A motion was made by Councilman Chaffee , seconded by Councilman Decker to approve the Highway Superintendents maintenance of a petty cash fund in the amount of \$100.00 for 2005.

Ayes-4 Nays-0 Carried unanimously

Bookkeeper Conference Request:

A motion was made by Councilman Finger, seconded by Councilman Decker to approve the request of Bookkeeper Kathy Strobele to attend the Government Finance Officer's Association Conference in Albany from April 6th – 8th, 2005, per her memo dated 1/4/05.

Ayes-4 Nays-0 Carried unanimously

Chips Contract:

A motion was made by Councilman Finger, seconded by Councilman Decker to authorize Supervisor Summe to sign the Chips Contract for 2005.

Ayes-4 Nays-0 Carried unanimously

Purchase Laser printer:

A motion was made by Councilman Chaffee, seconded by Councilman Finger to authorize the Building and Assessors Office to purchase a laser printer from Micro Systems after receiving bids.

Ayes-4 Nays-0 Carried unanimously

Question Period-Kevin Borth, 7553 Scotland, questioned whether a bio would be presented on Mr. Decker and whether engineering on water tank went to bid. Yes it went to bid through ECWA.

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilman Chaffee to adjourn the meeting at 8:41 PM. Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorczak, Town Clerk