

## Newstead Town Board Meeting- January 12, 2004

A Regular Meeting was called to order by the Newstead Town Board on Monday, January 12, 2004 at the Newstead Town Hall at 8:00 PM.

Present: Gerald F. Summe- Supervisor  
Joan M. Glor- Councilwoman  
Harold L. Finger- Councilman  
Scott Chaffee- Councilman  
James Ebersole- Highway Superintendent  
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 out of town on business.

Town Clerk Dawn Izydorczak led the pledge to the flag.

Minutes from the previous regular board meeting held on December 22, 2003 and the Organizational Meeting on January 5, 2004 were presented for approval. A motion was made by Councilwoman Glor, seconded by Councilman Chaffee to approve as presented.

Carried Unanimously

**Communications** – The Town Clerk presented the following:

The 2004 Training School & Annual Meeting of the Association of Towns will be held February 15-18, 2004 in New York City. All board members have been given a copy of the schedule of events.

A fax transmission from Amherst Central Alarm with the December 2003 Monthly report of fire/EMS calls for Akron Fire Co.- 38 and Newstead Fire Co.- 20.

A fax transmission from Amherst Central Alarm with the 2003 Annual Report of fire/EMS calls for Akron Fire Co.- 485 and Newstead Fire Co.- 267.

A letter from the NYS Department of Health regarding Application Packages for DWSRF Project Funding for water district projects by municipalities.

A letter from Erie County Department of Environment & Planning regarding the Preliminary Notice of Intent on the Water District #10 waterline construction.

A letter from Time Warner Cable regarding a disagreement with Cablevision Systems over their Programming Affiliate Agreements which could result in loss of two channels to our local viewers.

The December 2003 Monthly Report from BFI of customer complaints regarding refuse service.

The Quarterly Report from October 1 – December 31, 2003 from BFI showing a total of 470.55 tons of non-recycled waste and 110.61 tons of co-mingled recycled materials from 1,653 residential units.

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

Carried Unanimously

**Work Session:** Supervisor Summe reported that at the work session held on January 5, 2004 the following issues were discussed: the Senior Center, WD #10, Comprehensive Plan implementation, Property purchase for town use, American Ref-fuel negotiations, highway funds, the David Swarts letter, town-wide drainage and Sewer District #2 as well as other issues.

**Privilege of the Floor** – Robert Scheib, 51 Brooklyn Street, has made several visits to board beginning in 1995-2001 on the issue of the tire pile on Route 5 behind Antique World. Mr. Scheib presented new board member Councilman Chaffee with a packet of copies outlining the history of the tire pile. He requested an update on the issue and questioned if the sewer project in Clarence Center will have an effect on this problem. He also questioned the Akron Airport status especially the issues of the construction of a cross-wind runway and a no fly zone over the school. Supervisor Summe responded to both questions: Super Fund moneys will be necessary for cleanup of the tire pile and the airport issues are now with the FAA for review with our consultants.

**Approval of Bills** -Councilwoman Glor reported that she had reviewed the Abstract from Batch #222 & 223 from the 12/22/03 meeting with the previously UN-audited vouchers and found everything in order. She presented Abstract Batch #225, 227 & 228. Vouchers on this abstract numbered for 2003-2825-2823,2834-2875, 2004-1-15 totaling \$210,018.26 and were presented for payment approval by Councilwoman Glor, seconded by Councilman Finger to approve payment.

Abstract Batch 225, 227 & 228:

General Fund (A) -\$21,144.35, Fund (B) \$215.63, Highway (DA) -\$0, Highway: Outside Village (DB) \$3,730.40, Capital Projects- WD#5-Phase II (HC) \$12,800.71, CAP-Senior Center (HF)- \$31,529.62, Sewer Dist. #2 (HJ)- \$3.30, CAP- Library Fund (HE)-\$0, CAP-WD#10 (HI)- \$0, Fire Protection (SF) \$2,135.69, Refuse (SR) \$18,051.08, Sewer Fund (SS) \$0, and Water Districts (SW1) \$967.29, (SW2) \$80.45, (SW3) \$56.38, (SW4) \$102.40, (SW5) \$118,373.54, (SW6) \$277.93, (SW7) \$439.78, (SW7A) \$0, (SW8) \$29.26, (SW9) \$80.45, Trust & Agency (TA) \$0, Totaling \$210,018.26  
Carried Unanimously

### **COMMITTEE AND DEPARTMENT HEAD REPORTS**

**Highway** –Trucks and equipment are in good shape. N.Millgrove/Stage intersection maintenance is difficult to plow due to new sign. Met with Erie County Highway over this issue. Schurr Road is closed.

**Assessor** –Not present

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

Tom Baker	12547 Rapids	Addition
David DeYoung	11491 Tonawanda Creek	Roof
Adam Maloney	13424 Stage	Single Family Home
Paul Stephens- Apts.	11803 Main	Demolition- 2 bldgs

A motion was made by Councilman Finger, seconded by Councilwoman Glor to accept and approve the building report and zoning report as presented.

Carried Unanimously

**Town Clerk**-The Dog Control Officers monthly report for December 2003 was presented. Requested work session time to discuss potential dog licensing late fees.

**Attorney for the Town**- Nothing at this time

### **COUNCILPERSONS**

**Chaffee** – Nothing at this time

**George** –Not present

**Glor** –She attended her first NEST meeting with a new recycling promotion on billboards and flyers to be under way soon.

**Finger**-Nothing at this time

**SUPERVISOR** –Nothing at this time

**UNFINISHED BUSINESS**

**Water District #10-** Pursuing state and federal grants. NYS Health Dept recommended and endorsed project. Base mapping and utility information almost done.

**Town Wide Drainage-**This project is on the joint meeting agenda with Akron Village. Wendel working on a G.I.S. graphic.

**Christian Airmen Re-Zoning-** Waiting for response on attorney’s discussions with FAA.

**Senior Center-**Councilwoman Glor stated that the seniors are delighted with new space they have been using for 2 weeks now. Open House for the public is scheduled for Sunday, January 18<sup>th</sup> from 1:00-3:00PM.

Councilman Finger stated contractor items are minimal now and should close out in 3-4 weeks. Also stated the seniors very pleased with new center.

**Sewer Project-**Pump stations site visited and complete with recommendation of payment with \$2,500.00 to be held until finalization of project.

Other- nothing

**NEW BUSINESS**

**Short-term Financing WD#10:**

A motion was made by Councilman Chaffee, seconded by Councilwoman Glor authorizing the supervisor to sign the Letter of Intent to obtain short-term financing on the WD#10 project.

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

**Strippit Training Center Purchase Negotiation:**

A motion was made by Councilwoman Glor, seconded by Councilman Finger authorizing the Supervisor to negotiate the potential purchase of the Strippit Training Center building contingent upon the conditions set forth in the resolution.

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

**Stop DWI Contract**

A motion was made by Councilman Finger, seconded by Councilwoman Glor authorizing the Supervisor to execute the appropriate documents for the 2003 Stop DWI Contract.

Ayes- 4      Nay-0      Carried Unanimously

**Sewer District #2- Pay Request 2:**

A motion was made by Councilman Finger, seconded by Councilwoman Glor authorizing that the payment request 2 made by Kandey Company on Sewer District #2 project be made per Wendel’s recommendations with \$2,500.00 to be held on the project.

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

**Highway Fund for 2004**

A motion was made by Councilman Finger, seconded by Councilwoman Glor authorizing the Supervisor sign contracts for \$225,334.50 for Highway Funds 2004.

Ayes-4      Nay-0      Carried unanimously

**Public Informational Meeting**

A motion was made by Councilwoman Glor, seconded by Councilman Chaffee, to hold a Public Informational Meeting on January 26, 2004 at 7:45pm for discussion on purchasing Strippit Training Center building.

Ayes-4

Nay-0

Carried unanimously

**Question Period-** No one spoke

There being no further business to come before the board a motion was made by Councilwoman Glor, seconded by Councilman Finger to adjourn the meeting at 8:35 PM

Carried Unanimously

Respectfully Submitted,

Dawn D. Izydorczak,  
Town Clerk