

Newstead Town Board Meeting- February 23, 2004

A Public Hearing was called to order by the Newstead Town Board on Monday, February 23, 2004 at the Newstead Town Hall at 7:45 PM.

Present: Gerald F. Summe, Supervisor
Joan M. Glor- Councilwoman
Tom George- Councilman
Harold L. Finger- Councilman
Scott Chaffee- Councilman
Fred Pask- Assessor
Andrew Casolini- Town Engineer
Nathan Neill- Town Attorney
Dawn Izydorczak- Town Clerk
Kathleen Lang- Deputy Clerk

Supervisor Summe called the public hearing on Local Law No. 1 of 2004 to order at 7:45pm and gave a brief explanation of the proposed moratorium on new commercial development along Route 5.

The Clerk read the Proof of Publication.

Comments:

Doug Burg, 12860 Main Rd, stated this issue was addressed some 20 years ago when he was on the Town Board, which they decided that zoning for new development belonged on Route 5. He questioned logistics of what the current board is trying to do. The board answered all the questions, especially about the access management of driveways and parking lots and set back requirements for businesses.

Doug Ceisner, 100 East Avenue, stated he still feels the board can not tell people how to use their own land if they pay taxes. He questioned set backs and why we can not just ask people to do things instead of making all these laws. He also questioned the signal at Rt.5 and Rt.93.

Joan Phelps, 60 Bloomingdale Rd., questioned if you can make a new building tie into an existing business' driveway like McDonald's and would they be receptive to this. The Board has been told that McDonald's would be willing to cooperate and are so far.

Joe Asbeck, 123 East Ave, expressed concern that narrow lots on Main could be affected by the use of set backs as well as the use of service roads. The Board responded that those issues would be taken into account.

There being no further comments, a motion was made by Councilwoman Glor, seconded by Councilman Finger to close the public hearing on proposed Local Law No. 1 of 2004.

Carried Unanimously

A Regular Meeting was called to order by the Newstead Town Board on Monday, February 23, 2004 at the Newstead Town Hall at 8:00 PM.

Roll Call was taken with all board members present.

Doug Burg led the pledge to the flag.

Minutes from the previous regular board meeting held on February 9, 2004 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:

A Certificate of Completion was received by Assessor Fred Pask for completing a course on Preservation of Electronic Records with the University of the State of New York Education Department through the NYS Archives office.

The monthly Water Sampling Report was received from the Village of Akron for Water Districts 1 & 3 with all levels within acceptable ranges.

A letter from NYS Office of Technology regarding their current review under SEQRA of a proposed statewide wireless network.

A notice from the Erie County Legislature announcing their proposals for the 8-year Alden, Clarence, Newstead Agricultural District EC#1 and Clarence, Newstead Agricultural District EC#14. Any comments must be made to the Erie County Clerk and Clerk of the Erie County Legislature within thirty (30) days after publication of the notice.

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

Work Session: Supervisor Summe reported that no work session was held last week due to board member attendance at the Association of Towns meetings in New York.

Privilege of the Floor – Doug Ceisner, 100 East Avenue, he stated that it has been one year since he cleaned up his property at the corner of South Newstead and Main Rd. and questioned the Anderson property and their clean up schedule. Supervisor thinks it is due to be completed in April. He also questioned the traffic light at Route 5 and Route 93. The board is still working on this issue regularly.

Budget Transfers:

A motion was made by Councilwoman Glor, seconded by Councilman Finger to approve the year-end budget transfers and amendments as requested by Bookkeeper Kathy Strobele. Carried Unanimously

Approval of Bills -Councilwoman Glor reported that the Abstract from Batch #236 from the 2/9/04 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #240 & 241. Vouchers on these abstracts numbered 70-91 totaling \$334,717.66 and were presented for payment approval by Councilwoman Glor, seconded by Councilman Finger to approve payment.

Abstract Batch 240 & 241:

General Fund (A) -\$12,637.93, Fund (B) \$89.95, Highway (DA) -\$0, Highway: Outside Village (DB) \$62,822.53, Capital Projects- WD#5-Phase II (HC) \$0, CAP-Senior Center (HF)- \$8,304.63, Sewer Dist. #2 (HJ)- \$0, CAP- Library Fund (HE)-\$0, CAP-WD#10 (HI)- \$138,000.00, Fire Protection (SF) \$0, Refuse (SR) \$20,130.51, Sewer Fund (SS) \$1,819.22, Sewer District #2 (SS02)- \$0, and Water Districts (SW1) \$818.19, (SW2) \$8,800.00, (SW3) \$94.70, (SW4) \$5,625.00, (SW5) \$0, (SW6) \$75,575.00, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, Trust & Agency (TA) \$0, Totaling \$334,717.66 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – not present. Supervisor Summe reported the new truck is in and Dave Brucker will be out of work for 3 weeks due to illness and the board wishes him well.

Assessor –He requested work session time for meeting with state on the revalues. He would also like to set up meeting for public at Senior Center. The photo project almost complete. He will be off Friday for a class with Becky.

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

Golden Pond Estates	13415 Main	Temp Sign renewal
Duwayne Grabenstatter	12447 Hunts Corners	Rehab to code for C/O
Country Care Day Care	11936 Rapids	Special Permit Renewal
Michael Baran	12800 Carney	One Family home

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

Carried Unanimously

Town Clerk- 2004 County/Town tax bills are out. Town newsletter will be in the next issues of local papers. Still working on dog ordinance.

Attorney for the Town- Nothing at this time

COUNCILPERSONS

Chaffee – He is Liason for Rotary project of restrooms in Village and met with them last week and will report back to board.

George –Nothing at this time

Glor –Nothing at this time

Finger-Nothing at this time

SUPERVISOR – He attended the Benefits meeting for fire company retirement plan. There are 40 Newstead and 50 Akron firemen who qualify.

UNFINISHED BUSINESS

Water District #10-More people in field (with picture ID's) now that the weather has improved. Will be out for the next few weeks. They are working on preliminary designs for the district.

Town Wide Drainage-Setting schedule for kick off meeting.

Christian Airmen Re-Zoning-FAA response warrants further discussion.

Senior Center-close out by next meeting

Sewer Project-close out by next meeting

Town Hall Project-Construction manager out this week to tour facility. RFP's out this week for architectural services.

Rezoning Commercial District-Nothing at this time

Other- Assessor Pask reminded the board that a new member of the Board of Assessment Review needs to be appointed.

NEW BUSINESS

Discontinuance of Schurr Rd:

A motion was made by Councilman Chaffee, seconded by Councilman George approving the revised Site Plan as submitted for the discontinuance of Schurr Road by County Line Stone Co. Inc. (Resolution Attached) Ayes-4 Nay-0 Abstain- 1 Carried

RFP for Design- A motion was made by Councilman George, seconded by Councilman Chaffee to send out RFP for design services for the new town hall. Carried unanimously

Proposal for Bike Path Design- A motion was made by Councilman George, seconded by Councilman Finger requesting Wendel Duschcherer to provide a proposal on a bike path design and environmental study for a trial link in conjunction with Erie County Parks. 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 8:27 PM

Carried Unanimously

Respectfully Submitted,

Dawn D. Izydorzak,
Town Clerk