

## Newstead Town Board Meeting- March 26, 2007

A Regular Meeting was called to order by the Newstead Town Board on Monday, March 26, 2007 at 8:00PM at the Newstead Town Hall.

Present: David Cummings- Supervisor  
Tom George- Councilman  
Harold Finger- Councilman  
Mark Decker- Councilman  
Justin Rooney- Councilman  
Mike Bassanello- Highway Supt.  
Andrew Casolini- Town Engineer  
Rebecca Baker- Assessor  
Nathan Neill- Town Attorney  
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present.

Supervisor Cummings led the pledge to the flag.

Minutes from the previous regular meeting held on March 12, 2007 were presented for approval. A motion was made by Councilman Finger, seconded by Councilman Rooney to approve as presented.  
Carried Unanimously

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

The Town of Clarence, Holland, and Orchard Park have all passed resolutions adopted by their Town Boards in support of the Internet Sex Offender Legislation

The Town of Cheektowaga Town Board has adopted a resolution memorialize NYS to enact bill to keep St. Joseph's Hospital open.

The Town of Alabama Town Board will conduct a Public Hearing at 7:00pm on Monday, March 26, 2007 on the adoption of proposed Local Law No.1 of 2007 amending the Zoning Law and Zoning Map of the Town of Alabama.

A letter was received from Sprint to announce their new discounts and promotions for government employees.

A letter from Martin Denecke, Director of Town of Hamburg Recreation and President of Niagara Frontier District of NYS Recreation and Park Society's announced the 67<sup>th</sup> Annual Conference and Exhibition in Buffalo from April 22-25.

An e-mail was received from Jeff Randall, General Manager of Rothland Golf Course requesting a waiver on the 30 day notification for liquor license application due to the change in ownership of the golf course.

A letter was received from the Town of Pembroke with a notice of a Public Hearing to be held by the Pembroke Town Board on April 11 at 7:00PM for Local Law No.2 Of 2007 Amending the Zoning Law of the Town of Pembroke.

A letter from Whiting Door Manufacturing Corp, 113 Cedar Street was received informing the Newstead Town Board of the condition of the main drainage ditch that runs through their property.

A letter from Mobilitie Investments LLC with a notification of sublease of space on the cell tower between Mobilitie and Cricket Communications, Inc. was received.

A letter from Jeffrey Bono and Philip Queeno, 12329 Main Rd., requesting a public hearing regarding tentative 2007 Assessments.

A letter from Time Warner Cable presenting the Town of Newstead with a franchise fee collection check in the amount of \$25,881.76

A letter from Michael McMahon, Land Service Manager National Fuel , in regards to Mr. Bruce Pacyon property on Wahl Road, Town of Newstead and his planning to do work in the vicinity of a high-pressure gas line. A brochure on encroachment on pipeline and safety with construction requirements was provided by National Fuel.

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

**Work Session:** The Supervisor reported that at the last work session the following issues were discussed: the re-valuation project, Leisurewood Lift Station, water district #10 issues, planning/zoning issues, shared facilities project, grants proposals review, drainage issues, as well as other items.

**Privilege of the Floor** –No one spoke

**Approval of Bills** -Councilman Decker reported that the Abstract from Batch #598 from the March 12, 2007 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #601. Vouchers on this abstract numbered 222-259, totaling \$370,244.37 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch #601:

General Fund (A) -\$105,572.07, Fund (B) \$, Highway (DA) -\$0, Highway: Outside Village (DB) \$17,148.91, Capital Projects: CAP-WD#10 (HI)- \$10,954.85, Reserve- Roof Repair (HR01)- \$0, (HL) October Storm- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$150,000.00, Refuse (SR) \$0, Sewer Fund (SS) \$216.46, Sewer District #2 (SS02)- \$92.09, and Water Districts (SW1) \$7.17, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$77,132.00, (SW6) \$0, (SW7) \$0, (SW7A) \$2,606.94, (SW8) \$0, (SW9) \$6,513.88, (SW10) \$0, Trust & Agency(TA)- \$0

Total: \$370,244.37

Carried Unanimously

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

**Highway** – They have broomed out the main bike path and started some ditching for removal of debris from October storm.

**Assessor** –The assessment notices were mailed Friday and we had a steady flow of residents with questions and concerns. Ms.Baker would like to thank the Newstead residents for being so polite and understanding of the process. There is an ORPS website to compare house values. The deadline to speak with Becky is May 1<sup>st</sup> and June 5<sup>th</sup> is Grievance Day with Assessment Review Board.

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

Jane & Darrell White	12817 Swift Mills	Single Family Home
Sandra Aquila	11658 Clarence Ctr.Rd	Demo
Kelly Schultz	11145 Main Rd.	Entrance Addition/windows

Board accepted the report as presented.

**Town Clerk-** nothing to report

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

### **COUNCILPERSONS**

**George-** He is working with Attorney Neill on the redraft of site plan and zoning overlay.

**Finger-**He is working on some building issues. He also questioned Superintendent Bassanello on the soccer field preparation for season opening in a month. He should make contact with the soccer league for a time schedule, getting the building open, dumpster drop off and water turn on. The Board needs to approve the May tournament use of the Town Park.

**Decker-** He attended the Drainage Meeting and they met with Town Engineer Andrew Casolini. They are looking for where the immediate problems and issues are now. Then develop a schedule for future issues.

**Rooney-** The Recreation Board meeting for March was cancelled but the next meeting will be April 9<sup>th</sup> and he attended the Drainage Meeting last week.

**SUPERVISOR-** The airport construction resolution from County Legislator Michael Ranzenhofer was copied and put in board members mail boxes. This will be put on the work session agenda. He has met with Akron Mayor Elect Patterson and plans for monthly meeting starting in April. Supervisor Cummings attended the Association of Towns meeting where Erie County Water Authority was present. They stated that the generators and power is back up. He has received letters from the Board of Education for members of the Town Board to help with the building advisory committee in which the Supervisor will attend and Superintendent Search will be Councilman Rooney attending. He also met with ADESA on the Sewer District and Bob Kowalik from Akron Public Works.

### **UNFINISHED BUSINESS**

**Water District #10-** Phase 1A & Phase 1B –The Tennessee Pipe Line is complete and test came back positive.

Phase 2-Milherst has begun the line on Crittenden Road and will hit rock for 2500 feet.

They will start on Downey Road in 2 weeks. Pilon Construction contracts are being worked on.

**Route 5 Re-Zoning-**They would like work session time next week to review.

**Shared Public Works Facility Committee-**Work session time for draft final report submitted and tentative meeting in April.

**NYS Toll Barrier-** waiting for a response from NYS Thruway Authority.

**G.I.S.** – phase 1 work continuing. Waiting to hear on approval for Phase 2 grant.

They met with State Representatives on Wednesday and that went well. There will be training on April 1<sup>st</sup>.

### **NEW BUSINESS:**

#### **Niagara Specialty Metals SitePlan Amendment-Larger Dust Collector**

A motion was made by Councilman Decker, seconded by Councilman Finger approving this project classified as Type II under SEQR and approves the amended site plan request from Niagara Specialty Metals at 12600 Clarence Center Road.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Rooney-Aye

Carried Unanimously

#### **Mileage Worksheet**

A motion was made by Councilman Finger, seconded by Councilman Rooney approving the use of the mileage worksheet for Town of Newstead employees.

Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Rooney-Aye

Carried Unanimously

#### **Elected Officials Timesheets**

A motion was made by Councilman Rooney, seconded by Councilman George that under the Terms and Conditions, elected officials are not required to maintain time sheets.

Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Rooney-Aye

Carried Unanimously

Cell phones and timesheets will be discussed next work session

#### **Rothland Golf Course SLA waiver**

A motion was made by Councilman Finger, seconded by Councilman Rooney authorizing the waiver of 30days for liquor license renewal for Rothland Golf Course.

Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Rooney-Aye

Carried Unanimously

**Question Period-** No one spoke

The Grant Writer projects will be discussed at work session after this meeting.

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilman Decker to adjourn the meeting at 8:28 PM.

Carried Unanimously

Respectfully Submitted,  
Kathleen McLeod Lang, Deputy Town Clerk