

## Newstead Town Board Meeting- April 29, 2002

A Public Hearing was called to order by the Newstead Town Board on Monday, April 29, 2002 at the Newstead Town Hall at 7:45 PM.

**Present:** Gerald F. Summe – Supervisor  
Thomas George – Councilman  
Joan M. Glor- Councilwoman  
Harold L. Finger- Councilman  
Donnal D. Folger- Code Enforcement Officer  
Jim Ebersole- Highway Superintendent  
Andrew Casolini – Town Engineer  
Nathan Neill- Town Attorney  
Kathleen McLeod Lang – Deputy Clerk

Roll Call was taken with all board members present except Councilman Cummings who had work related commitment.

Andrew Casolini led the pledge to the flag.

Supervisor Summe called the Public Hearing to order. He explained that this Public Hearing has been called to discuss the request for a temporary special permit for a Bio-Remediation project located at the Walser property at 13677 Main road in the Town of Newstead.

Deputy Town Clerk Lang read the proof of publication printed in the Akron Bugle on April 18, 2002.

Supervisor Summe opened the floor for discussion.

Code Enforcement Officer Folger reported that 3500 yards of diesel contaminated soil has been removed with a total of 10,000 yards of soil has been transported to a landfill.

The town attorney said the next step in this process is a single resolution from the Town Board approving the temporary special permit.

No one else having spoken, a motion was made by Councilman George, seconded by Councilwoman Glor to close the public hearing at 7:55 PM.

Carried Unanimously

A Regular Meeting was called to order by the Newstead Town Board on Monday, April 29, 2002 at the Newstead Town Hall at 8:00 PM.

Minutes from the previous regular board meeting held on April 8, 2002 were presented for approval. A motion was made by Councilman Finger, seconded by Councilwoman Glor to approve as presented.

Carried Unanimously

**Communications** - Clerk presented the following:

A Notice of Intent to Renew Liquor License was received from Carol Ann Sauer of the Border Line Bar located at 11825 Main Rd.

A notice from Erie County Department of Environment & Planning announcing a Household Hazardous Waste Drop-off Day on May 18, 2002 at ECC North Campus from 9:00am – 2:00pm. A list of acceptable wastes to drop-off is attached.

A copy of a Preliminary Notice of Intent from Wendel Duchscherer to the Department of Ag & Markets regarding the Water District 5- Phase 2 extensions.

A letter from New York State Thruway Authority acknowledging receipt of a certified copy of the toll barrier resolution adopted by the Town of Newstead Board.

A letter from U.S. Department of Transportation acknowledging receipt of a certified copy of the toll barrier resolution adopted by the Town of Newstead Board.

A letter from Governor Pataki's Office acknowledging receipt of a certified copy of the toll barrier resolution adopted by the Town of Newstead Board.

The Digest of 2001 Laws Affecting Towns was received from the Association of Towns and is on file in the Town Clerk's office for anyone interested in viewing it.

A letter from Grand Island's Sesquicentennial Committee announcing its schedule of events for their celebrations from April 2002 through October 2002.

A copy of the Akron Village Board Minutes for their Annual Meeting held on April 1, 2002 was received.

A financial statement from the Akron-Newstead Senior Citizens Board was received for the year 2001.

A letter from Rothland's Golf Course announcing they are seeking renewal of their liquor license for 2002 and are making application for a "Ball Park" license to sell beer from a beverage golf cart.

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

Carried Unanimously

**Work Session:** Supervisor Summe reported that a work session was held on April 15, 2002 and the following was discussed: the Radio Tower, Water District #5-Phase II, the Comprehensive Master Plan, Akron Road street light, purchasing new Code Books, the Facilities Study, the Airport Rezoning, Highway Dept. concerns were discussed in Executive session, Compensation Insurance, and other issues.

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

**Approval of Bills** – Councilwoman Glor reported that she had reviewed abstract #7 from 4/8/02 meeting and found Voucher #0290 to be paid twice and was voided. She presented Abstract #8. Vouchers on Abstract #8 numbered 316-374 totaling \$387,339.48, and were presented for payment approval by Councilwoman Glor, seconded by Councilman Finger to approve payment.

Abstract #

General Fund "A" – \$20,860.03, Fund "B" \$308.66, Highway "DA" - \$0.00, Highway Outside Village "DB" \$1,637.81, Capital Projects-WD#5 "HC" \$0.00, Capital Projects "HD"- WD#7A-\$58.75, Library Projects "HE" \$139,900.65, Fire Protection "SF" \$196,000.00, Refuse "SR" \$19,013.33, Sewer Fund "SS" \$2,758.50, and Water Districts "SW1"- \$2,029.95, "SW2"- \$0.66,"SW3"- \$4,545.45, "SW4" - \$0.00, "SW5"- \$34.98, "SW6"- \$14.52, "SW7"- \$6.93, "SW8"- \$0.00, "SW9"- \$169.26, Trust & Agency "TA"- \$0.00, totaling \$387,339.48.

Carried Unanimously

## COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway –Superintendent Ebersole reported that the Tire Drop Off went smoothly with half the amount of tires collected last year. He believes the West Nile scare helped clean up the tire population. The large white metal pick-up is scheduled for May 6,2002 town wide. He would like to thank David Wakeman and the Boy Scouts for their help is limb pick-up in the town cemetery. The bid opening for the Highway Department to purchase a high lift will take place on Monday, May 13 at noon at the Town Hall.

He also would like to thank Erie County Highway Department and the NYSDOT for their assistance in traffic control during brush pickup.

Assessor –not present

Code Enforcement Officer - The following building permits were presented for the record:

Scott Gillies	7914 Fletcher Rd	One Family Home
Scott Gillies	7914 Fletcher Rd	Detached Garage
Charles Williams	11764 Stage Rd	Garage
Edgar Jaramillo	11801 Clarence Ctr	Rear deck
Bill Murty	6396 Dye Rd	I G Pool
Virginia Cobti	8421 Burdick	A G pool & deck
Dan David	13869 Bloomingdale	Work shop
Ray Pionessa	12949 Carney Rd	One Family Home
Leo Kliszak	11789 Clarence Ctr	Roof over deck
John Wisniewski	6708 Utley Rd	Shed
Kreher Farms	11072 Main Rd	Greenhouse
Ron Haight	Maple Rd	I G Pool
Leisurewood	5720 Cummings Rd	Guest pass station
Karen Jozwiak	12261 McNeeley Rd	Shed

Motion was made by Councilman George, seconded by Councilman Finger to approve report as presented.

Carried Unanimously

Don also reported the need to order more Town of Newstead Code Books. The Supervisor will be reporting on this item later in the meeting.

Town Clerk– Deputy Clerk Lang reported the Town Clerk Dawn Izydorczak was presented a Certificate of Training Completing General Education in Town Clerk’s Administration for NYS Town Clerks Association Conference held in Saratoga Springs April21-24.

Attorney for the Town –Nothing at this time

## **COUNCILPERSONS**

George –Nothing at this time

Cummings –Not present

Glor –She has completed the 2001 audit for the Town Clerks office and Town Courts office and found everything in order.

Finger-He and Councilman Cummings met with the Newstead Highway Department to hand out final Employee Handbooks on April 19,2002.

SUPERVISOR –The Supervisor reported copies of the January 2002 Supervisor’s report were given to the Board. The Town Clerk and Supervisor will be checking with list of people who have purchased Town of Newstead Code Books and making a determination on charging for updates.

Supervisor would like to thank Judy Bell and Ellen Frey for their help in the court clerks office during Court Clerk Sandy Pietrowski’s absence. He would also like to thank the Akron Lions Club, John Heinke, Jim Ebersole and the Highway Department for their help in planting trees at the Buell Street Property.

The Supervisors Office has received checks from Erie County for amount of \$52,949.56 for sales tax and \$106,679.08 for snows plowing.

The Supervisor and Bookkeeper attended a State Retirement Seminar and it was very informative.

## **UNFINISHED BUSINESS**

Water District #5 – Pre-construction meeting scheduled for Wednesday, May 1<sup>st</sup>, 2002 at 11 A.M. in the Newstead Town Hall with about 20 to attend.

Library Project –Councilman George spoke with Chris Hogan and confirmed the meeting on May 6 for change orders with the board. The moving date is May 23.

Comprehensive Master Plan Update-this is under Board review.

Christian Airmen Re-Zoning-A letter has been mailed.

Facility Study- nothing at this time

Toll Barrier-nothing at this time

Radio Tower-Supervisor awaiting word from FM Communications tomorrow morning.

Web Site-Councilman Cummings is close to have it up and running.

Other- nothing

## **NEW BUSINESS**

Water District 5- Phase 2 Engineering Services Resolution:

A motion was made by Councilman George, seconded by Councilwoman Glor to authorize Wendell Duchscherer to provide services during the construction of WD5-Phase 2 Per an outlined proposal dated April 1, 2002.

(Resolution Attached)

Ayes-4

Nay-0

Carried Unanimously

Records Management Fee Increase:

A motion was made by Councilman Finger, seconded by Councilwoman Glor to approve a resolution to be sent to the Governor and New York State Legislature opposing a proposed increase in the Records Management fees that are collected by the County from \$5.00 per transaction to \$20.00 per transaction.

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

Municipal Clerk's Week Recognized:

A motion was made by Councilwoman Glor, seconded by Councilman George to approve a resolution proclaiming April 28 through May 4, 2002 Municipal Clerk's Week.

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

Akron-Newstead Health Connection Contract 2002

This agreement is made as of January 1, 2002 between the Town of Newstead at the Newstead Town Hall, Church and John St., Akron, NY and United Medical Center, 127 North St., Batavia, NY. A motion was made by Councilman George, seconded by Councilman Finger to accept this agreement.

Ayes- 4                                      Nay-0                                      Carried Unanimously

Summit Auto Addition

A motion was made by Supervisor Summe, seconded by Councilman Finger to approve the revised site plan submitted.

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

StreetLight at 13830 Indian Falls Rd.

A motion was made by Councilman Finger, seconded by Councilwoman Glor to authorize the installation of a street light at 13830 Indian Falls Rd. by Niagara Mohawk Power Corp.

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

Resolution for Authorizing Additional Appropriations for Highway Equipment (to be funded via additional fund balance)

A motion was made by Councilwoman Glor, seconded by Councilman George authorizes Town Board the amending of the 2002 adopted budget to authorize additional appropriations of \$80,000 in account DB5130.2 "Machinery-Equipment" and use of additional fund balance in the Town Outside Village- Highway Fund (account DB909)

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

Resolution for full time single health insurance to be restored to Town Highway employee Sandra Sanger.

A motion was made by Supervisor Summe, seconded by Councilman George to restore full time single health insurance to Town Highway employee Sandra Sanger.

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

Town of Newstead Water District No.5 Expansion and Waterline Extension

A motion was made by Councilman Finger, seconded by Councilwoman Glor to name Town of Newstead as Type 1 action under SEQR.

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

Request for Temporary Special Permit for a Bio-Remediation project at 13677 Main Road.

A motion was made by Councilman George, seconded by Councilman Finger to approve a temporary special permit for a bio-Remediation project at 13677 Main Road in the Town of Newstead.

(Resolution Attached) 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 at 8:45 PM.

Work Session to continue after the meeting.

Carried Unanimously

Respectfully Submitted,

Kathleen McLeod Lang  
Deputy Town Clerk