

Newstead Town Board Meeting- June 11, 2007

A Public Hearing was called to order by the Newstead Town Board on Monday, June 11, 2007 at 7:50PM 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.
John Good- Code Enforcement Officer
Nathan Neill- Town Attorney
Dawn D. Izydorczak- Town Clerk
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present.

The Supervisor called to order a public hearing on a 7-lot major subdivision on Cummings Road at 7:50pm.

The Clerk read the proof of publication.

Comments: No one spoke

The Supervisor stated that Wendel is working with the applicant to address some drainage issues.

There being no further comments, a motion was made by Councilman Finger, seconded by Councilman George to close the public hearing at 7:55pm.

A regular meeting was called to order at 7:56pm with the same members present as above.

Supervisor Cummings led the pledge to the flag.

Minutes from the previous regular meeting held on May 29, 2007 were presented for approval. A motion was made by Councilman Decker, seconded by Councilman Finger to approve as presented.
Carried Unanimously

Communications – The Town Clerk presented the following:

A letter from Anchor Acres farm owner Ronald Dawydko addressing concerns over an ongoing project on Clarence Center Rd that could potentially affect the tributaries to Beeman Creek and drainage in that area.

The May 2007 Operations Report was received from Amherst Central Alarm office reporting 46 calls for Akron Fire Co. and 24 calls for Newstead Fire Co.

Erie County Dept. of Environment & Planning will be holding a household hazardous waste drop-off day Saturday, June 16th from 9:00am – 2:00pm at the Erie Community College South Campus in Orchard Park.

A motion was made by Councilman George, seconded by Councilman Decker 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: water district #10, windmills resolution, Adesa sewer update, joint facilities project, town park use on July 4th, 6 lot subdivision, ag exemptions draft, public access to records draft, senior & vets exemptions changes, wetlands proposal, conservation easement, grant submissions, planning issues, regionalism in Erie & Niagara counties and the codification review.

Privilege of the Floor – No one spoke

Approval of Bills -Councilman Decker reported that the Abstract from Batch #622 from the May 29, 2007 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #621. Vouchers on this abstract numbered 510 - 560, totaling \$52,581.41 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch #621:

General Fund (A) -\$15,889.71, Fund (B) \$2,861.23, Highway (DA) -\$0, Highway: Outside Village (DB) \$1,816.34, Capital Projects: CAP-WD#10 (HI)- \$0, Reserve- Roof Repair (HR01)- \$0, (HL) October Storm- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$3,923.52 Refuse (SR) \$21,572.03, Sewer Fund (SS) \$388.30, Sewer District #2 (SS02)- \$240.50, and Water Districts (SW1) \$40.20, (SW2) \$88.44 (SW3) \$112.56, (SW4) \$112.56, (SW5) \$2,420.04, (SW6) \$305.52, (SW7) \$426.12 (SW7A) \$48.24 (SW8) \$32.16 (SW9) \$88.44, (SW10) \$2,215.50, Trust & Agency(TA)- \$0 :
Total: \$52,581.41 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – The Superintendent reported he attended Ithaca Highway School last week, pick up of trees and brush at Town Hall is continuing, high school seniors did some community service last week by cleaning up the bike path, and they still have Siehl Road to be sprayed and tarred, but all the other roads are complete.

Councilman Finger and the Historical Society wanted to thank Mike and the highway crew for the lawn service they are providing at the Octagon and Knight-Sutton Museum properties.

Assessor – the assessor is on vacation but submitted a written report advising the board that 172 Board of Assessment Review appointments were held over 4 days. The B.A.R. will be deliberating for the next couple of weeks and notices with B.A.R. decisions will be mailed out the first week of July. She also reported the town just received notice of new Ag values from the state, which will have to be applied to the tentative roll.

Councilman Decker questioned the impact of the notification from the state of the new Ag values on the resolution to be adopted later this evening. Supervisor Cummings stated he did not know how it would affect this.

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

Phil Guarnatt	7608 Maple	I.G. Pool
Shannon Thompson	12143 Nice	A.G. Pool
Wally Smith	6610 Draper	Shed
Golden Pond Estates	Lot 236	Manufactured home
Golden Pond Estates	Lot 260	Manufactured home
Golden Pond Estates	Lot 261	Manufactured home
Leisurewood Campground	5720 Cummings	Right-of-Way Access
Bonnie Wawrzyniec	12461 Swift Mills	Roof
Joseph Frey	12089 Clarence Ctr	Demolition (barn)
Joseph Frey	12456 Clarence Ctr	Demolition (barn)
Ken Koehler	5771 Barnum	Milk-house
Stan Jasinski	4457 Ayers	A.G. Pool
David Fisher	5200 Crittenden	Remodel
Newstead Fire Co.	12012 Rapids	Roof & Walls

Board accepted the report as presented.

John Good stated he is keeping an eye on the Clarence Center Road project and the owner has been warned that no more work is to be done until the appropriate permits are issued. He also will be investigating a report of a dirt track being built and used on Utley Road. He has had a good response on the 2 articles that were published in the papers on building permits and new pool requirements.

Town Clerk-The Dog Control Officers report for May was presented. The editorial analysis and copies of all newly re-written chapters of the town code was sent out to General Code. We are now looking at a 90-120 day period for them to prepare the code in its new format and return it to the town for the public hearing and final approval process.

Attorney for the Town – Nothing at this time

COUNCILPERSONS

George- Nothing at this time

Finger- Nothing at this time

Decker- The Drainage Committee will be meeting on June 19th

Rooney- He visited the highway garage yesterday. The Recreation Board meeting will be next week to discuss the summer sessions.

SUPERVISOR-The March 2007 Supervisors Report is complete. He met with Senior Center Director on some issues. He also called Erie County Legislator Mike Ranzenhofer about the Crittenden Road bridge closing regarding potential problems on the bridge being closed for a long time period and deterioration of the State Street bridge from the excess traffic. He hopes to push the project ahead quickly along with help from the village.

UNFINISHED BUSINESS

Water District #10- Phase 2 & Extensions- They are replacing topsoil and hydro-seeding in phase 2 and continuing with installation on North Millgrove and Hiller, which is nearing completion.

Route 5 Re-Zoning- Work Session item next week

Shared Public Works Facility Committee-They met with the Village Board and have agreed to proceed with looking at possible cost reductions as well as other options in an effort to exercise due diligence in exhausting all possible options on the project. There is a meeting set for next week to give Wendel their next instructions in moving ahead.

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

G.I.S. – phase 1 work almost complete. We received a letter today in response to our application for funding on the Phase 2 GIS grant. Unfortunately the application was denied for this years round of funding. This item can be removed from the agenda.

NEW BUSINESS:

Local Law No. 2 of 2007- Windmills- Public Hearing:

A motion was made by Councilman Decker, seconded by Councilman George approving the calling of a public hearing on June 25, 2007 at 7:45pm at the town hall to hear comments on the proposed Local Law No. 2 of 2007 regulating Windmills within the Town of Newstead.

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

Carried Unanimously

Ag Exemptions applied to Fire Districts Approval:

A motion was made by Councilman George, seconded by Councilman Rooney authorizing the Assessor to use agricultural assessments in the levy of special district fire protection charges on eligible parcels within the town.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Decker-No, Rooney-Aye

Carried

Town of Amherst Central Fire Alarm Contract- Public Hearing:

A motion was made by Councilman Finger, seconded by Councilman Decker approving the calling of a public hearing to hear comments on the proposed contract renewal with the Town of Amherst

for Central Fire Alarm Services thru December 31, 2010. The public hearing shall be held June 25, 2007 at 7:40pm at the town hall.

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

6-lot Dorsch Rd Subdivision- Lead Agency:

A motion was made by Councilman Rooney, seconded by Councilman George declaring lead agency on a proposed 6-lot major subdivision on Dorsch Rd owned by Kevin Stoldt, Jr. and authorizing the building department to conduct a coordinated review.

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

6-lot Dorsch Rd Subdivision- Public Hearing:

A motion was made by Councilman Rooney, seconded by Councilman George approving the calling of a public hearing on a proposed 6-lot major subdivision on Dorsch Rd owned by Kevin Stoldt, Jr. to be held on June 25th, 2007 at 7:55pm at the Newstead Town Hall.

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

Town Park Grant Application:

A motion was made by Councilman Finger, seconded by Councilman Decker approving the filing of an application for funds from NYS Office of Parks, Recreation and Historic Preservation for a grant to improve the Newstead Town Park and authorizing the Supervisor to execute said application, as well as any appropriate conservation easements or preservation covenants required.

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

July 4th Town Park Use Approval:

A motion was made by Councilman Finger, seconded by Councilman Decker approving the use of the Town Park property for the fireworks display on July 3rd for the July 4th festivities occurring throughout to the town and village.

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

Question Period- Ron Hatcher of 2 Sylvan Parkway questioned traffic control measures to be taken during and after the July 4th fireworks. He stated things have improved over the last few years but his concern is that they would never get a fire truck down Skyline Drive if they needed to during the fireworks. The Supervisor will talk to Mayor about this. Councilman Finger stated he will address this with the Celebration Committee and the Fire Police also.

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilman Rooney to adjourn the meeting at 8:29 PM.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorczak, Town Clerk