

## **Newstead Town Board Meeting- July 14, 2003**

A Regular Meeting was called to order by the Newstead Town Board on Monday, July 14, 2003 at the Newstead Town Hall at 8:00 PM.

Present: Gerald F. Summe- Supervisor  
Joan M. Glor- Councilwoman  
Thomas George- Councilman  
Harold L. Finger- Councilman  
Fred Pask- Assessor  
Christine Falkowski- Building Administrator  
James Ebersole- Highway Superintendent  
Andrew Casolini- Town Engineer  
Nathan Neill- Town Attorney  
Dawn D. Izydorczak- Town Clerk

Roll Call was taken with all board members present except Councilman Cummings who is on vacation.

Scott Chaffee led the pledge to the flag.

Minutes from the previous regular board meeting held on June 23, 2003 and a special board meeting on June 30, 2003 were presented for approval. A motion was made by Councilman George, seconded by Councilwoman Glor to approve as presented.

Carried Unanimously

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

A copy of a resolution passed by the Town of Wales regarding the City of Buffalo's financial condition and agreeing not to forward any of the 1% sales tax to the city until it gets its affairs in order.

A letter from Erie County to Andrew Casolini, town engineer regarding the town-wide drainage district creation and the town's lead agency status.

A letter from the Newstead Fire Company thanking the Town Board for all their efforts regarding the LOSAP program and the special election.

A fax transmission from Amherst Central Alarm Office reporting the calls for June 2003 for Akron Fire Co.: 30 and Newstead Fire Co.: 25. The semi-annual report showed 225 calls for Akron Fire Co. and 124 calls for Newstead Fire Co. to date.

A letter from NYS Office of Parks, Recreation & Historic Preservation announcing that the Town of Newstead has been awarded \$38,147.00 in matching grant monies for the Newstead Connector Trail project.

A letter from Subsea Oil & Gas Inc. advising the town that an exploratory gas/oil well drilling permit has been filed for a Town of Newstead parcel.

A letter from Kreher's Poultry Farms requesting permission from the Town Board to cross the bike path with a water line.

A notice from Erie County of a pre-construction meeting for 2003 culvert replacement group 3 on July 14, 2003 at 9:30am at the Highway Conference Room at 95 Franklin Street in Buffalo

A letter from resident Karen Pauly regarding the Mina Beeman property on Havens and Stage Roads stating their support for Water District 10 and outlining the future use of the property at their location.

A copy of the 2003 Annual Report of the Division of Real Property Tax with 2002 Equalization Rates and 2003 Tax Rates.

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

**Work Session:** Supervisor Summe reported that work session was held on June 30, 2003 as well as July 7, 2003 and the following issues were discussed: the Senior Center project, WD#5- Phase 3 & 4, Water District #10, sewer district issues, town-wide drainage issues, update on airport re-zoning, the Utley Rd subdivision, sale of Highway trucks, bike path signage, town park issues, recreation issues and judges requests on credit card payments.

**Privilege of the Floor –**

Bill Peronne, Draper Road- questioned driveway entrance policy set by the town. Would like to see homeowners on town roads have the ability to have covered drainage ditches as opposed to open ditches. The board addressed his concerns and explained why the policy was put into effect at this time.

George Bencic, 12606 Main Road- raised concerns over his property located at the corner of Cummings and Main Roads and the problems he has been having with the State and Erie County Water Authority. He asked the town board for any help they might offer in getting his problems resolved.

**Approval of Bills** -Councilwoman Glor reported that she had reviewed the Abstract from Batch #163 & 164 from the 6/23/03 meeting with the previously UN-audited vouchers and found everything in order. She presented Abstract Batch # 168 &169. Vouchers on Abstract Batch 168 &169 numbered 2048-2055 and 2056-2149 totaling \$92,859.24 and were presented for payment approval by Councilwoman Glor, seconded by Councilman Finger to approve payment.

Abstract Batch 168 & 169:

General Fund (A) -\$36,822.38, Fund (B) \$0, Highway (DA) -\$0, Highway: Outside Village (DB) \$30,420.22, Capital Projects- WD#5-Phase II (HC) \$0, Capital Projects- Library Project (HE) \$0, WD#7 (HD)- \$0, Senior Center (HF)- \$110.00, Sewer Dist. #2 (HJ)- \$52.00, Fire Protection (SF) \$2,981.31, Refuse (SR) \$17,915.12, Sewer Fund (SS) \$1,391.25 and Water Districts (SW1) \$0, (SW2) \$80.45, (SW3) \$0, (SW4) \$102.40, (SW5) \$2,164.94, (SW6) \$277.93, (SW7) \$431.53, (SW7A) \$0, (SW8) \$29.26, (SW9) \$80.45, Trust & Agency (TA) \$0, Totaling \$92,859.24

Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS**

**Highway** – advertisements out on the sale of four vehicles: two pickup trucks, a van and a small dump truck. They are patching holes on roads and will be hauling blacktop for the Town of Marilla on Wednesday. Supt. Ebersole will make some calls for Mr. Bencic to the State and County to try to resolve his problem.

**Assessor** – Fred thanked the board members for their patience during his illness. He will be on vacation the next two Saturdays. The town has been given a tentative equalization rate of 95%. His office is already gearing up for the 2004 revaluation.

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

Keith Kuzara	12282 Rapids	AG Pool
Jerry Bower	13889 Knapp	Roof Replacement
Timothy Gibbs	13871 Knapp	AG Pool
David Lally	11760 Clarence Center	Pool house
David Olszewski	13340 Steiner	Storage Bldg
Joan Gesel	6381 Dye	Roofing/Siding
Thomas Cutter	11528 Main	AG Pool
Bob Strach	5714 Barnum	I G Pool

Chauncey Vanice	8067 Greenbush	AG Pool
Steven Schleef	12781 Swift Mills	One Family Home
Anthony Kaminski	5659 Cummings Rd	Addition
Chad Spring	7385 Cedar	One Family Home
Phillip Smith	12942 Carney	AG Pool & deck
Ronald Davidson	7706 Fletcher	Arbor
Dan Roland	12767 Dorsch	Pool & Pole barn
Bob Janis	11635 Rapids	One Family Home
Lederhouse/Yousey	6972 Draper	Deck
Larry Fioretto	3 Quarry Hills	Carport
Lisa Harris	7852 Moore	One Family Home
Baaley Baer	4351 S. Newstead	One Family Home
5 Corners Business Park	13760 Indian Falls	New Sign
Kelly Schultz Antiques	11199 Main	Sign renewal
Nathan Sutton	11433 Tonawanda Creek	Floodplain development

Zoning Officer Rebecca Baker's zoning report was presented.

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

**Town Clerk-** Presented the June 2003 Dog Control Officers report. Notified the board that an offer was made to the Newstead Historical Society of the old copy machine downstairs at no charge except a .018/copy usage fee. The Historical Society turned this offer down. The Supervisor & Councilwoman Glor informed board that the old machine will be moved over to the Denio building for the town historian and Help Hearts & Hands use. The new copy machine will be here Tuesday. Tax collection for 2003 is over and finalized with the County.

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

**COUNCILPERSONS**

**George** – Nothing at this time

**Cummings** – Nothing at this time

**Glor** – Nothing at this time

**Finger** – questioned Supt. Ebersole if any calls had been received on the roofing job while he was out of town and update on signage for bike path.

**SUPERVISOR** –The April Supervisor's Report is on file at the Town Clerks office. Announced that the grant for the connector trail project has been received. Budget worksheets are out to all department heads. They should be returned by July 24<sup>th</sup>. Announced that for the first time in a decade the towns payroll is certified. He thanked Bookkeeper Kathy Strobele for all of her hard work and efforts to get 9 years worth of payrolls certified by the County.

**UNFINISHED BUSINESS**

**Water District #5- Phase 3 & 4** -Close-out paperwork will be ready within two weeks.

**Water District #10 Survey-** the second letter for mailing is ready for review and revisions before sending out.

Water District #10 formation- Lead Agency:

A motion was made by Councilman George, seconded by Councilwoman Glor declaring lead agency status on the Water District #10 project and instructing the building department to conduct a coordinated review.

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

**Christian Airmen Re-Zoning-** received informal comments from Christian Airmen. Needs work session time to discuss and review.

**Senior Center-** fundraising plan is set and underway. Footers are 50% complete.

**Sewer Project-** construction is mobilizing and ready to start. A work order change is necessary for the switch from a digging to a lateral bore.

Sewer District No.2- Work Change Order:

A motion was made by Councilman George, seconded by Councilwoman Glor approving the work change order for the Sewer District #2 project changing from a digging method to a lateral bore method resulting in a \$25,236 savings on the project.

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

**Town Wide Drainage-** new meeting scheduled with the DEC on August 6<sup>th</sup>.

Other-nothing

### **NEW BUSINESS**

#### **Wendel fees- Sewer District #2:**

A motion was made by Councilman Finger, seconded by Councilwoman Glor approving the additional engineering fees on the Sewer District #2 project as proposed by Wendel Duchscherer.

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

#### **Adoption Local Law No. 3 of 2003:**

A motion was made by Councilwoman Glor, seconded by Councilman George adopting a determination of non-significance for Local Law No. 3 of 2003.

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

A motion was made by Councilwoman Glor, seconded by Councilman George adopting Local Law No. 3 of 2003 known as "Amendment to the Code of the Town of Newstead to Amend the Site Plan Review Requirements".

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

#### **Clarence Central School Contract- tax collection:**

A motion was made by Councilman George, seconded by Councilwoman Glor approving the contract declaring the Town Clerk as Tax Collector for the 2003- 2004 tax cycle.

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

#### **Akron Central School Contract- tax collection:**

A motion was made by Councilman Finger, seconded by Councilwoman Glor approving the contract declaring the Town Clerk as Tax Collector for the 2003- 2004 tax cycle.

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

Other:

Kreher's Bike Path Crossing:

A motion was made by Councilwoman Glor, seconded by Councilman Finger approving the request of Kreher's Poultry Farm to cross under the bike path with a 4 inch water line, under the conditions set forth in the approval.

(Resolution Attached)      Ayes-4      Nays-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 8:56 PM

Carried Unanimously

Respectfully Submitted,

Dawn D. Izydorczak, Town Clerk