

Newstead Town Board Meeting- July 24, 2006

A Regular Meeting was called to order by the Newstead Town Board on Monday, July 24, 2006 at 8:00PM at the Newstead Town Hall.

Present:

Tom George- Deputy Supervisor/Councilman
Harold Finger- Councilman
Mark Decker- Councilman
Brian Murray- Councilman
Michael Bassanello- Highway Supt.
Andrew Casolini- Town Engineer
Rebecca Baker- Assessor
Christine Falkowski- Building Administrator
John Good- Code Enforcement Officer
Nathan Neill- Town Attorney
Kathleen Lang- Deputy Town Clerk

Roll Call was taken with all board members present except Supervisor Cummings who is out of town.

Code Enforcement Officer John Good led the pledge to the flag.

Minutes from the previous regular board meeting held on July 10, 2006 were presented for approval. A motion was made by Councilman Finger, seconded by Councilman Murray to accept as presented.
Carried

Communications – The Deputy Town Clerk presented the following:

A certified resolution from the Town of Alden stating their opposition to the County proposed 4-Year Plan.

A certified resolution from the Town of Marilla stating their opposition to the County proposed 4-Year Plan.

A certified resolution from the Town of Clarence stating their opposition to the County proposed 4-Year Plan.

A certified resolution from the Town of Alden stating their support of the termination of the County's 1977 Sales Tax Revenue Distribution Agreement.

A certified resolution from the Town of Aurora stating their support of the termination of the County's 1977 Sales Tax Revenue Distribution Agreement.

A certified resolution from the Town of Brant stating their support of the termination of the County's 1977 Sales Tax Revenue Distribution Agreement.

A certified resolution from the Town of Sardinia stating their support of the termination of the County's 1977 Sales Tax Revenue Distribution Agreement.

A certified resolution from the Town of Concord regarding their support of the termination of the County's 1977 Sales Tax Revenue Distribution Agreement and also a certified resolution regarding their opposition to the County proposed 4-Year Plan.

A copy of the statement read by the Akron Fire Company at the NYS Thruway Authority meeting on the relocation of the Williamsville Toll Barrier. The statement shares the fire companies concerns over the proposed project.

A certified resolution from the Town of Pembroke stating their opposition of the relocation of the NYS Thruway toll barrier. As in 2001, the Town of Pembroke prefers improvements to the current Williamsville location rather than relocation to any other town.

An e-mail from Kathryn Radeff, Buffalo News correspondent, informing the town she will no longer be covering meetings for the Buffalo News. After 17 years of reporting the news in our area, she has decided to leave the paper.

A certified resolution from the Town of Colden regarding their opposition to the County proposed 4-Year Plan.

An important notice from the New York State Environmental Facilities Corporation announcing proposed regulation revisions in the Drinking Water State Revolving Fund.

The July water testing report was received for water districts 1 and 3 reporting all levels within acceptable ranges.

The 2nd quarter solid waste and recycling report was received from Waste Management.

A letter from G. Jeffrey Haber, Executive Director of the Association of Towns informing the approved legislation in the State Assembly and Senate regarding plea bargain system as it pertains to traffic tickets. This is awaiting the Governor's action.

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

Work Session: Deputy Supervisor George reported that at the work session held on July 17th the following issues were discussed: water district issues, shared facilities project, Rt. 5 re-zoning, numerous planning/zoning issues, fire contracts, personnel matters, the toll barrier issue, bike path recommendations, and police services/police garage.

Privilege of the Floor –Douglas Ceisner, 100 East Ave. questioned the Town of Newstead's website in regards to Agricultural Exemptions information for school tax. He also asked if there is any minutes documenting drainage work from years past from the Drainage Committee. Councilman Decker stated that minutes are now being taken, but were not in previous years. The Highway Dept. has records of ditching work done in the Town. Mr. Ceisner wanted to know if anyone knew about the meeting on September 7th regarding Open Government in Albion with Robert Freeman. We should send a representative from the Town to attend. He questioned the lawsuit status of the Dr. Hoover property on Greenbush Road. Town Council requested a pre-trial conference, and it is being held up by the Plaintiffs.

A motion was made by Councilman Decker, seconded by Councilman Murray to approve the budget transfers requested by Bookkeeper Kathleen Strobele per her memo dated July 19, 2006. Carried

Approval of Bills -Councilman Decker reported that the Abstract from Batch #526 from the July 10, 2006 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #530. Vouchers on this abstract numbered 691 - 726, totaling \$29,282.84 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch #530:

General Fund (A) -\$8,458.30, Fund (B) \$249.66, Highway (DA) -\$0, Highway: Outside Village (DB) \$9,431.94, Capital Projects: CAP-WD#10 (HI)- \$0, Highway Garage (HG)- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$465.00, Refuse (SR) \$0, Sewer Fund (SS) \$4,249.55, Sewer District #2 (SS02)- \$209.64, and Water Districts (SW1) \$6,218.75, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0, Trust & Agency(TA)- \$0
Total: \$29,282.84 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway –Road shoulder work is continuing. On Wednesday and Thursday Billo, Hiller, Stage, Havens & Schutt Roads will be worked on.

Assessor –Nothing at this time

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

Gary Bachowski	7920 Fletcher	a.g. pool
Richard Johnson	12997 Stage	a.g. pool
Niagara Specialty Metals	12600 Clarence Center	Sign
Rusty Roehling	12491 McNeeley	Two family home
Jon Campbell	12680 Brucker	Shed/greenhouse
Robert Simon	6337 Dye	Deck
L. Charles Papke	4973 Ayers	i.g. pool

The Town Board accepted the Building Report and a Zoning Report as presented.

Town Clerk- The June Supervisor’s Report is on file with the Town Clerk.

Attorney for the Town –Easements are slow coming in and are being signed after a problem with names.

COUNCILPERSONS

George-Nothing at this time

Finger-He has been working on regular property maintenance and spent time with the Senior Coordinator this week.

Decker-Minutes from the Drainage Committee meeting will be available this week.

Murray-Nothing at this time

SUPERVISOR- Not present

UNFINISHED BUSINESS

Water District #10- Phase 1A & Phase 1B –The maintaince should be completed end of August. Town Engineer Andrew Casolini presented the Board with a framed copy of the article published in “ARC News” regarding the Water District #10 project using GIS.

Phase 2-Preliminary milestone data and scheduling of roads has been received for construction.

Water Tank-First phase filling tank and VOC testing has begun, and the second phase is on line for next week.

Water Dist #1 Switchover-Scheduled for July 26, 2006

Rapids Rd. Substation-work session

Route 5 Re-Zoning- work session discussion next week

Shared Public Works Facility Committee-Draft reports were discussed at meeting last Thursday, should finish up next month and schedule joint meeting with Town and Village.

Fire Contracts-Have been presented; will be finalized at July 31st work session.

NYS Toll Barrier-DEIS comment period extended; progress continues with research plan.

NEW BUSINESS:

ECWA Hydrant fees- WD #1:

A motion was made by Councilman Decker, seconded by Councilman Murray approving the payment of hydrant fees to Erie County Water Authority for four (4) hydrants in Water District #1
Motion Carried (Resolution Attached)

Councilman George Aye
Councilman Murray- Aye
Councilman Finger- Aye
Councilman Decker-Aye

Unsafe Building at Burdick Rd:

A motion was made by Councilman George, seconded by Councilman Murray regarding the unsafe building located at 8323 Burdick Road owned by William Dixon, which calls for final plan for demolition or restoration to be submitted within 30 days from today with work to be completed or at least good faith effort within 90 days. Debris removal must begin within 30 days and completed within 60 days. Only four cars are allowed to remain on site pending completion of a storage building to house them in provided the building permit is applied for within 30 days.
Motion Carried (Resolution Attached)

Councilman George-Aye
Councilman Murray-Aye
Councilman Finger-Aye
Councilman Decker-Aye

Bike Path- Refuse Containers:

A motion was made by Councilman Murray, seconded by Councilman George approving the placing of refuse containers along the bike path by the highway department crew.
Motion Carried

Councilman George-Aye
Councilman Murray-Aye
Councilman Finger-Aye
Councilman Decker-Aye

Question Period- Doug Ceisner, 100 East Ave, questioned why Route 5 is being rezoned again. Councilman George stated it is the same project started approximately two years ago that is now in the final planning phase. Mr. Ceisner feels this is a joke as the cost of the engineers is paid by the tax payers.

Annette Bell, Victor, NY, sister of Mr. William Dixon, questioned the backgrounds of Christine Falkowski and John Good. She feels the Town is not working in good faith with foreclosure notices filed at the County against her brother's property at 8323 Burdick Road. She was informed that a Notice of Pendency was filed, not a foreclosure notice. The Town of Newstead is not foreclosing on the property.

There being no further business to come before the Board, a motion was made by Councilman Finger, seconded by Councilman Murray to adjourn the meeting at 8:35 PM.

Carried

Respectfully Submitted,
Kathleen McLeod Lang, Deputy Town Clerk