

Newstead Town Board Meeting- September 22, 2003

A Public Hearing was called to order by the Newstead Town Board on Monday, September 22, 2003 at the Newstead Town Hall at 7:30 PM.

Present: Gerald F. Summe- Supervisor
Joan M. Glor- Councilwoman
Tom George- Councilman
Harold L. Finger- Councilman
Christine Falkowski- Building Administrator
Andrew Casolini- Town Engineer
Dawn D. Izydorczak- Town Clerk
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present except Councilman Cummings.

Greg Brown led the pledge to the flag.

A Public Hearing on the proposed AT & T cellular tower at 12564 Rapids Road was called to order at 7:30pm.

The Town Clerk read the proof of publication.

The Supervisor explained the issues of the project.

Comments: Maureen Elwell, representing AT&T spoke regarding the project. The height of the tower seemed to be the biggest issue from those concerned. She outlined the basics of the project. George Drysdale of AT&T went over lighting requirements on the project. Carl Klingenschmitt approved of developments so far. Communications are continuing.

A motion was made by Councilman Finger, seconded by Councilwoman Glor to close the public hearing at 7:45pm.

A Public Hearing on the proposed establishment of a new Water District #10 was called to order at 7:50pm.

The Town Clerk read the proof of publication.

The Supervisor and Town Engineer Andrew Casolini explained the issues of the project and the reasons for the public hearing.

Comments:

Phil Whitman, Sandhill Rd., questioned if the \$571 was a one-time fee or a yearly fee.

Ross Rumfola, Miland Rd., questioned when does the fee charge begin.

Richard Olaf, Greenbush Rd., questioned if all of Greenbush Road was in the WD #10.

Lewis Debroome, Hiller Rd., questioned if Hiller Rd will be in the WD 10 and how far.

Walter Tadasz, Scotland Rd. questioned what side of the road the lines may run on and how do you burrow under the road and thru driveways. How much lead-time will residents have to know when their lines need to be in the ground?

Cynthia McClellan, Cedar St. questioned where meters would be and how they are installed.

Cost and Billings were questioned.

Greg Brown, 80 Eckerson, questioned if cost of the district is liable to those residents within the district. Does the town receive any subsidy from ECWA? He also questioned if after the term of loans, the charges disappear totally. Supervisor responded no, there would always be some maintenance costs on the district. Are ECWA rates locked in? No, water tower costs will mainly be charged through to Genesee Co. users.

Kathy Baker, Burdick Rd, questioned if wells on her road were tested.

Ray Sequin, Greenbush Rd., questioned why charge would continue after bonds are paid?

Tom Depczynski, Sandhill Rd questioned how service is connected, phases or all at once.

A motion was made by Councilwoman Glor, seconded by Councilman Finger to close the public hearing at 8:30pm.

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A Regular Meeting of the Newstead Town Board was convened at 8:34pm with the same members present as above.

Minutes from the previous regular board meeting held on September 8, 2003 were presented for approval. A motion was made by Councilman Finger, seconded by Councilwoman Glor to approve as presented. Carried Unanimously

Communications – The Town Clerk presented the following:

A communication from the Erie County Dept. of Public Works announcing the closure of Scotland Road from Martin Road to Carney Road beginning on Monday, September 29 thru 30th.

A packet of information from the Town of Lancaster on their Comprehensive Master Plan Adoption.

The monthly water sampling report from the Village of Akron was completed on September 3, 2003 with all levels being within acceptable ranges.

The County of Erie announced a series of 4 meetings for public officials to obtain information on the Home Energy Assistance Program and the changes that will be implemented in the 2003-2004 program.

A Certificate of Attendance was presented to Assessor Fred Pask upon completion of his seminar on Assessment Administration.

A monthly report from BFI with the listing of complaint calls from residents for the month of August 2003.

A letter from the NYS DOT announcing completion of the Newstead portion of the Main Road reconstruction project and an outline of the maintenance responsibilities of the Town.

A letter to Dog Control Officer David DeYoung with information on bats and how to handle calls regarding bats and the risk of rabies.

A letter from the Department of State invites our local officials to attend a regional seminar on November 6, 2003 regarding cable television regulations.

A letter from New Creation Fellowship announcing a class titled “The Ultimate Deer Hunting Seminar” being given by Charles Alsheimer on Tuesday, October 14, 2003 at 7:00pm at 3325 Genesee Street.

A press release from the Akron Village Police Department announcing the distribution of free cable style gunlocks to village and town residents beginning on September 23, 2003 at the village and town halls. There is a 2-lock limit per household.

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

Work Session: Supervisor Summe reported that work session was held on September 8, 2003 and the following were discussed: Airport rezoning, Water District #10, Water service to Alabama, the Senior Center, the AT & T cell tower, drainage issues and other topics.

Privilege of the Floor – Nancy Eckerson and Marcia Tordy made a request to perform a study on the Maple lawn Cemetery and presentation of work that was done in the cemetery already. Assistance is being received from NYS Cemetery Association and Forest Lawn cemetery on Adopt a Grave program. Supervisor will help in any way to get program started.

James Baker requested a light to be placed on the curve on Burdick Rd. Town Board will look at it.

Approval of Bills -Councilwoman Glor reported that she had reviewed the Abstract from Batch #195 & 196 from the 9/8/03 meeting with the previously UN-audited vouchers and found everything in order. She presented Abstract Batch # 197 & 198. Vouchers on this abstract numbered 2403-2404 and 2405-2451 totaling \$161,080.21 and were presented for payment approval by Councilwoman Glor, seconded by Councilman George to approve payment.

Abstract Batch 197 & 198:

General Fund (A) -\$8,361.96, Fund (B) \$28.50, Highway (DA) -\$0, Highway: Outside Village (DB) \$4,839.06, Capital Projects- WD#5-Phase II (HC) \$361.15, Senior Center (HF)- \$86,640.00, Sewer Dist. #2 (HJ)- \$3,760.00,CAP- Library Fund (HE)-\$22,070.98, Fire Protection (SF) \$281.60, Refuse (SR) \$18,196.08, Sewer Fund (SS) \$1,304.67, and Water Districts (SW1) \$20.07, (SW2) \$0, (SW3) \$49.77, (SW4) \$0, (SW5) \$12,554.45, (SW6) \$4.95, (SW7) \$424.13, (SW7A) \$727.61, (SW8) \$0, (SW9) \$1,455.23, Trust & Agency (TA) \$0, Totaling \$161,080.21 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Not present

Assessor –Not present

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

Leisurewood Camp	5720 Cummings Rd	ROW Access
Alvin O'dell	13358 Bloomingdale	Roof
Bob Lorenz	1149 Hiller	One Family Home
Thomas Eldred	12527 Clarence Ctr	Porch
Richard Campbell	12725 Brucker	One Family Home
Kevin Stoldt	13060 Dorsch	One Family Home
Michael Buckley	6289 Utley	Pole Barn
Robert Vacanti	5498 Barnum	One Family Home
John Pawlick, Jr.	4532 South Ayers	Pond
Jack Powell	6230 Utley	Pipe permit
Richard Campbell	12725 Brucker	Pipe permit
Michael Cran	12588 Brucker	Pipe permit

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

Town Clerk- Presented August Dog Control Officers Report. Tax bills have been mailed and payments are being received. Office will be opened for Saturday hours from 9:00am – 12:00pm on October 4th and 11th. Payments are being taken at the Bank of Akron. Discuss shirts for the employees following meeting.

Attorney for the Town- Nothing at this time

COUNCILPERSONS

Cummings – Not present

George – Nothing at this time

Glor –Nothing at this time

Finger –Nothing at this time

SUPERVISOR – A Special Meeting will be held on the Tentative Budget at Work Session Sept 29, 2003 at 7:30pm.

UNFINISHED BUSINESS

Water District #5- Phase 3 & 4 – Nothing new.

Water District #10-

Establishing WD#10:

A motion was made by Councilman George, seconded by Councilwoman Glor to establish Water District # 10 and prepare all the necessary forms to do so.

(Resolution Attached) Ayes 4 Nay- 0 Carried Unanimously

Authorization of Construction of WD#10:

A motion was made by Councilman George, seconded by Councilman Finger authorizing construction and the issuance of bond applications for financing of WD#10.

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

Town Wide Drainage-Nothing

Christian Airmen Re-Zoning- Draft law –Legal review for FAA

A motion was made by Councilman George, seconded by Councilwoman Glor to hire legal services to review the proposed draft law in an amount not to exceed \$5,000.00.

Ayes- 4 Nay-0 Carried Unanimously

Senior Center- Colors being chosen this week, Brickwork done, electrical, plumbing in process Windows and insulation this week.

Sewer Project- Kandey Co not able to be here by end of the week. Would like extension to October 17,2003.

Motion was made by Councilman George, seconded by Councilwoman Glor for the Kandey Co. to have crews out by Thursday for lawn restorations. Restorations extended to Monday September 29,2003 and tank work extended to October 14, 2003

Ayes-4 Nay-0 Carried Unanimously

AT & T Cell Tower- under new business

Other- nothing

NEW BUSINESS

Airport Equipment Building Site Plan:

A motion was made by Councilman George, seconded by Councilwoman Glor approving the site plan to construct an equipment storage building within compliance of the specifications set forth.

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

Change of Use- Site Plan for 13035 Main Road:

A motion was made by Councilman Finger, seconded by Councilwoman Glor approving the site plan for a tanning salon at 13055 Main Road.

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

Community Development Block Grant Consortium:

A motion was made by Councilwoman Glor, seconded by Councilman George authorizing the Supervisor to Publish a Notice of Public Hearing to hear public comments on the use of potential Community Development Block Grant funds on October 13, 2003 at 7:50pm at the Newstead Town Hall.

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

Other:

Request for Special Use Permit-Quarry Hill Estates -Area Variance in Mobile Home Park

A motion was made by Councilwoman Glor, seconded by Supervisor Summe.

Discussion occurred, Councilman George stated not in best interest of the community and does not support it. Councilman Finger agrees and Supervisor Summe feels that this would set a precedent that they don't want to start.

Ayes- 0

Nay-4

Motion declined

Question Period- None

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 9:17 PM

Carried Unanimously

Respectfully Submitted,

Dawn D. Izydorcak, Town Clerk