

Newstead Town Board Meeting- November 8, 2004

A Public Hearing was called to order by the Newstead Town Board on Monday, November 8, 2004 at the Newstead Town Hall at 7:50PM.

Present: Gerald F. Summe, Supervisor
Tom George- Councilman
Joan Glor- Councilwoman
Harold L. Finger- Councilman
Scott Chaffee- Councilman
Jim Ebersole- Highway Supt.
Christine Falkowski- Building Administrator
Andrew Casolini- Town Engineer
Nathan Neill- Town Attorney
Dawn Izydorczak- Town Clerk
Kathleen McLeod Lang- Deputy Town Clerk

Roll Call was taken with all board members present.

Tom Cowan led the pledge to the flag.

Supervisor Summe called the public hearing on the proposed Kelkenberg major subdivision to order.

The Clerk read the proof of publication.

Comments:

Ron Snyder, 12178 Hunts Corners Road, expressed concern with sale of more and more vacant land, which is using up more agricultural land. The Planning Board Chairman Thomas Cowan explained there are a total of 4 new homes planned at this time with minimal impact expected.

Charles Kelkenberg, 5870 Davison Road, project applicant and contractor explained number of lots and scope of project.

Adam Stoltman, 6678 Dye Road, thanked Mr. Cowan for clarifying how many new homes will be added. Questioned if drainage issues were addressed behind all the homes at rear of lots. Yes, Erie County and the towns drainage committee have addressed drainage.

Town Engineer Andrew Casolini explained that all comments have been received by agencies and a meeting was held with developer today to go over all requirements for project. A stop work order has been issued on the house currently underway and all progress on the project will be stopped until issues are addressed.

Ron Snyder, 12178 Hunts Corners Road, questioned who performed Perk Tests and he was informed the Erie County Health Department does all testing. He also questioned drainage swales to be developed and how they may affect bordering properties.

Pat Kerl, 6289 Dye Road, questioned lot frontages and depths.

Mike Showalter, 6595 Dye Road, questioned whether a poll of all the neighbors could be taken and whether it would influence the decision.

Scott Woodward, 6600 Dye Road, has lived in the area for 15 years and questioned whether the town has considered a more restrictive building code to keep the agricultural flavor of the town and allow less building.

Richard Beyers, 7023 Sandhill Road, travels Hunts Corners Road everyday and traffic is terrible. He questioned how many driveways would enter onto Hunts Corners. The answer was three.

Lu Woodward, 6600 Dye Road, stated being an environmental engineer she has experience with these issues and provided the board with copies of wetland maps, expressing her concerns with drainage, wetlands and traffic.

There being no further discussion a motion was made by Councilwoman Glor, seconded by Councilman Chaffee to close the public hearing on the Kelkenberg major subdivision.

A regular meeting of the Town Board was called to order at 8:27 pm with all the same members present as above.

Minutes from the previous regular board meeting held on October 25, 2004 and the special meeting held on November 1, 2004 were presented for approval. A motion was made by Councilman Finger, seconded Councilwoman Glor to approve as presented. Carried Unanimously

Communications – The Town Clerk presented the following:

A fax transmission from Amherst Central Alarm Office reporting the fire/EMS calls for October 2004 for Akron Fire Co.- 52 and Newstead Fire Co.- 22.

A letter to the Town Board from resident Kevin Borth requesting a conference on the Water District 10 project.

An announcement from State Comptroller Alan Hevesi's office regarding a teleconference entitled "Turn Your Downtown Around: Tips, Tools & Money" which will be held November 16th at 6:15pm at the Erie County CCE, 21 S. Grove St., East Aurora, NY. Anyone interested in attending can see the Town Clerk.

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

Work Session: Supervisor Summe reported that at work session held on November 1, 2004 the following items were discussed: Rt. 5 re-zoning, water district #10, water tank issues, new town hall project, discussion on plumber's licensing, open development ordinance, comments on Local Law #5 and town wide drainage, as well as other issues.

Privilege of the Floor –No one spoke

A motion was made by Councilwoman Glor, seconded by Councilman Finger approving the budget transfer within the highway accounts as per the memo request by bookkeeper Kathy Strobele.

Approval of Bills -Councilwoman Glor reported that the Abstract from Batch #332 & 333 from the October 25, 2004 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #335. Vouchers on these abstracts numbered 1166-1244 totaling \$48,661.95 and were presented for payment approval by Councilwoman Glor, seconded by Councilman Finger to approve payment.

Abstract Batch 335:

General Fund (A) -\$12,739.44, Fund (B) \$127.50, Highway (DA) -\$0, Highway: Outside Village (DB) \$17,967.01, Capital Projects- CAP-Senior Center (HF)- \$2,000.00, CAP- Library Fund (HE)- \$0, CAP-WD#10 (HI)- \$8,000.00, CAP- Town Hall (HK)- \$0, Fire Protection (SF) \$2,267.04, Refuse (SR) \$0, Sewer Fund (SS) \$1,683.88, Sewer District #2 (SS02)- \$476.40, and Water Districts (SW1) \$0, (SW2) \$85.41, (SW3) \$0, (SW4) \$108.70, (SW5) \$2,336.97, (SW6) \$295.04, (SW7) \$411.50, (SW7A) \$46.59, (SW8) \$31.06, (SW9) \$85.41, (SW10) \$0, Trust & Agency (TA) \$0, Totaling \$48,661.95 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway –The Park Pavilion is closed for the winter and trucks are ready for snow. All driveway pipes have been installed except one, which will go in this week. There were 8 loads of fill taken to 13800 Main Rd. The tire issue needs to be addressed on this parcel.

Assessor –The Assessor’s knee surgery went well and he is home. Rebecca Baker will start attending Town Board Meetings in his place.

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

David Perry	11948 Meahl	Shed
Chris Ellis	7309 Maple	Split Rail Fence
Barry Pingatore	4992 S. Newstead	Garage Addition
Ron Herbach	11947 Hunts Corners	Single Family Home
Robert Clark	12909 Dorsch	Single Family Home
Anthony Tobolski	12033 Tonawanda Creek	Windows & Siding
Donald George	11688 Nice	Shed
Walter Tadasz	7140 Scotland	Shed

A motion was made by Councilman Chaffee, seconded by Councilman George to accept and approve the Building Report and Zoning Report as presented. Carried Unanimously

Town Clerk- Presented Dog Control Officer’s Report for October, 2004

Attorney for the Town – Nothing at this time

COUNCILPERSONS

Chaffee –Moving forward with gathering information on licensing of plumbers.

George –Nothing at this time

Glor –The Highway Dumpster contract is coming due and we are renegotiating.

Finger-Nothing at this time.

SUPERVISOR –Received memo from DEC and bids are being let out on Nov.28th for removal of all tires on Main Rd. behind the Kelly Schultz property. The clean up at 13800 Main Rd. is complete.

UNFINISHED BUSINESS

Water District #10/Water Tank- All work is moving along.

Town Wide Drainage-Working on SEQR and Negative Declaration is in place.

Town Hall Project- Moving along well with the rough framing and electrical complete. Drywall will proceed when roofing is complete this week. Entry way work going to bid.

Route 5 Zoning-Scheduling another meeting of the committee.

Other- nothing

NEW BUSINESS:

Water Tank- Hire Wilson Environmental:

A motion was made by Councilman Chaffee, seconded by Councilman George approving the hiring of Wilson Environmental for the water tank project and authorizing the Supervisor to sign the necessary agreements.

(Resolution Attached) Ayes-5 Nays- 0 Carried Unanimously

Adoption- 2005 Budget:

A motion was made by Councilwoman Glor, seconded by Councilman Finger approving the proposed 2005 Budget as presented.

(Resolution Attached) Ayes-5 Nays-0 Carried Unanimously

Director of Senior Services position:

A motion was made by Councilwoman Glor, seconded by Councilman George approving the position of Director of Senior Services as requested by personnel.

 Ayes-5 Nays-0 Carried Unanimously

Approval of Final Discontinuance of Schurr Road

A motion was made by Councilman Finger, seconded by Councilman Chaffee, to approve the final discontinuance of Schurr Road now that all requirements have been met and approving the order and consent for Discontinuance.

(Resolution Attached) Ayes-4 Abstain-1 Carried

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 8:50 PM

Carried Unanimously

Respectfully Submitted,

Dawn D. Izydorczak,
Town Clerk