

Newstead Town Board Meeting- November 22, 2004

A Regular Meeting was called to order by the Newstead Town Board on Monday, November 22, 2004 at the Newstead Town Hall at 8:00PM.

Present: Gerald F. Summe, Supervisor
Tom George- Councilman
Joan Glor- Councilwoman
Scott Chaffee- Councilman
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 except Councilman Finger who is sick.

Andrew Casolini led the pledge to the flag.

Minutes from the previous regular board meeting held on November 8, 2004 were presented for approval. A motion was made by Councilwoman Glor, seconded Councilman George to approve as presented. Carried Unanimously

Communications – The Town Clerk presented the following:

The Water Sampling Reports for water districts #1 & #3 for October and November 2004 were received from the Village of Akron with all levels in acceptable ranges.

The Erie County Sheriff's report for October 2004 was received with Akron Village requesting service for 65 incidents and the Town of Newstead requesting service for 97 incidents.

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

Work Session: Supervisor Summe reported that at work session held on November 15, 2004 the following items were discussed: Rt. 5 re-zoning, open development ordinance, Local Law #5, Fences and wall and decorative markers, water district #10, water tank issues, new town hall project, discussion on plumber's licensing, security system at the Senior Center and health care cost.

Privilege of the Floor –Kevin Borth, 7553 Scotland Rd., referred to his request by letter 2 weeks ago contesting non-bidding on the Water District #10 project for engineering services. He feels the town should have bid out the engineering work on the project. He also feels there is a fiduciary obligation to go to bid on a project this large. Supervisor Summe and Town Attorney Neill explained that professional services are not biddable items and by law are not required to be bid. Councilman George also addressed the issue explaining that there are times when it is more essential to look at qualifications than to accept low bid. Accepting low bid traditionally has cost the town more money in the end. Our Town Engineer specializes in the areas of water & sewer and has completed 4 other water districts successfully for the town.

Mr. Borth also questioned if all requirements have been met to receive funding on the WD#10 project and that the monies can not be rescinded and the Lateral Restriction Policy requirements were questioned. He threatened the Town of Newstead with lawsuit if they get involved with his current suit with Dande Farms.

Approval of Bills -Councilwoman Glor reported that the Abstract from Batch #335 from the November 8, 2004 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #339 & 340. Vouchers on these abstracts numbered 1245- 1285 and 1286-1292 totaling \$219,344.55 and were presented for payment approval by Councilwoman Glor, seconded by Councilman Chaffee approve payment.

Abstract Batch 339 & 340:

General Fund (A) -\$59,721.09, Fund (B) \$27,532.00, Highway (DA) -\$0, Highway: Outside Village (DB) \$44,055.93, Capital Projects- CAP-Senior Center (HF)- \$0, CAP- Library Fund (HE)-\$0, CAP-WD#10 (HI)- \$0, CAP- Town Hall (HK)- \$68,118.49, Fire Protection (SF) \$0, Refuse (SR) \$19,361.04, Sewer Fund (SS) \$19.57, Sewer District #2 (SS02)- \$58.17, and Water Districts (SW1) \$354.00, (SW2) \$0, (SW3) \$114.26, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0, Trust & Agency (TA) \$0, Totaling \$219,344.55

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – By report stated they are finishing up projects before the winter season and all equipment is up and in great shape. Gave a synopsis from the Erie County Highway Department of what the County “Red Budget” means to local highway departments for snow removal operations.

Assessor –Not present

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

David Edwards	5821 Cummings	Pole barn roof & awning
Leisurewood Campground	5720 Cummings	Office Addition

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

Town Clerk- At last meeting of the Erie County Town Clerk’s Association she was nominated for and elected the Secretary for a 2-year term beginning January 1st. Genesee and Niagara Tax Collections are complete for the Akron Central School District. A new tax collection information brochure will be available at the town hall within the next week full of important tax information.

Attorney for the Town – Nothing at this time

COUNCILPERSONS

Chaffee –Nothing at this time

George – Nothing at this time

Glor – Nothing at this time

Finger- Not present

SUPERVISOR –He attended several Erie County meetings on the 2005 Budget last week.

UNFINISHED BUSINESS

Water District #10/Water Tank-Information for review this week and easement for water tank is ready.

Town Wide Drainage-On going. Ready for work session discussion next week.

Town Hall Project-The Supervisor stated that the interior walls, electric, insulation and heating system are complete. The preliminary design for the main court entrance is in and being revised. Paint and flooring going to bid.

Route 5 Zoning-Nothing new at this time.

