

Newstead Town Board Meeting- December 11, 2006

A Public Hearing was called to order by the Newstead Town Board on Monday, December 11, 2006 at 7:40PM at the Newstead Town Hall.

Present: David Cummings- Supervisor
Tom George- Councilman
Harold Finger- Councilman
Mark Decker- Councilman
Michael Bassanello- Highway Supt.
Rebecca Baker- Assessor
Andrew Casolini- Town Engineer
Nathan Neill- Town Attorney
Dawn D. Izydorczak- Town Clerk
Kathleen Lang- Deputy Town Clerk

The Supervisor called the public hearing to order at 7:40 for proposed Local Law #4 of 2006 calling for a 6 month moratorium on Windmills within the Town.

The Clerk read the proof of publication.

The Supervisor explained this is simply an extension of a previous 6 month moratorium passed earlier this year.

Comments: No one spoke

There being no further comments, a motion was made by Councilman Finger, seconded by Councilman George to close the public hearing on proposed Local Law #4 of 2006 at 7:48PM.
Carried

The Supervisor called the public hearing to order at 7:50 for proposed Local Law #3 of 2006 on proposed new administration and enforcement procedures under the Fire Prevention and Building Codes within the Town.

The Clerk read the proof of publication.

The Supervisor explained all these code changes are mandated by the State of New York for 2007.

Comments: No one spoke

There being no further comments, a motion was made by Councilman Decker, seconded by Councilman Finger to close the public hearing on proposed Local Law #3 of 2006 at 7:53PM.
Carried

Roll Call was taken with all board members present except Councilman Murray who had a prior commitment.

Supervisor Cummings led the pledge to the flag.

Minutes from the previous regular board meeting held on November 27, 2006 were presented for approval. A motion was made by Councilman Finger, seconded by Councilman Decker to accept as presented.
Carried

Communications – The Town Clerk presented the following:

A notice from Erie County Water Authority including excerpts from its November 20, 2006 meeting amending the water tariffs effective January 1, 2007.

The October 2006 Operations Report was received from Amherst Central Alarm Office, reporting 127 calls for Akron Fire Co. and 80 calls for Newstead Fire Co.

The November 2006 Operations Report was received from Amherst Central Alarm Office, reporting 33 calls for Akron Fire Co. and 21 calls for Newstead Fire Co.

A notice from the Town of Pembroke issuing a Declaration of Lead Agency on their proposed Comprehensive Plan Update project and requesting comments from neighboring municipalities.

A letter with Petition was received from the Town of Alabama requesting signatures in support of a NYS Veterans Cemetery to be located on property known as the John White Memorial State Game Farm in the Town of Alabama. Anyone interested in signing the petition can see the Town Clerk.

A letter from the Akron Central School Superintendent to the Town Supervisor requesting that 3 representatives from the Town of Newstead be appointed to serve on the Budget Advisory Committee to assist in formulating the 2007-2008 school budget.

A letter from Time Warner Cable announcing the impending expiration of some of the channels they currently carry and notifying the town that these services may be lost in the future.

A letter from Erie County Executive Joel Giambra explaining the next assessment phases for the Erie County Parks systems due to damage from the October storm and requesting information from the town on any county parks within its jurisdiction that may still be in need of future assistance.

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

Work Session: The Supervisor reported that no work session was held last week due to the annual safety meeting.

Privilege of the Floor –No one spoke

Approval of Bills -Councilman Decker reported that the Abstract from Batch #558 & 559 from the November 27, 2006 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #563 & 564. Vouchers on this abstract numbered 1217 & 1218 - 1269, totaling \$73,406.45 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch #563 & 564:

General Fund (A) -\$33,791.76, Fund (B) \$439.17, Highway (DA) -\$0, Highway: Outside Village (DB) \$2,111.35, Capital Projects: CAP-WD#10 (HI)- \$387.52, Reserve- Roof Repair (HR01)- \$0, (HL) October Storm- \$197.32, Drainage (SD)- \$0, Fire Protection (SF) \$3,923.52, Refuse (SR) \$23,209.08, Sewer Fund (SS) \$10.64, Sewer District #2 (SS02)- \$0, and Water Districts (SW1) \$40.20, (SW2) \$88.44, (SW3) \$112.56, (SW4) \$112.56, (SW5) \$2,420.04, (SW6) \$305.52, (SW7) \$3,876.93, (SW7A) \$48.24, (SW8) \$32.16, (SW9) \$88.44, (SW10) \$2,211.00, Trust & Agency(TA)- \$0 Total: \$73,406.45 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Mike received a phone call from the County contractors at 3:45pm today that they had completed the town brush pick up. Superintendent Bassanello drove thru the town and found piles of brush still located on Main Rd east of Buell Street and on Cummings Rd. The contractors will be coming out to finish pick up for those areas tomorrow. Then brush pick up will be complete in the town except for a few areas on the bike path that the highway crews will take care of. It was suggested by Councilman George that the town publish a thank you and notification that all brush pick up is complete and that there will be no further brush collections.

Assessor – Becky announced a quarter of the village road work is done and she has 3 to 4 more days of work to do until that part of the revaluation project is complete. She also announced updates to the library page on the town web site have been done and she is working on the list of items to update for other departments and committee's.

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

Ivy Nicholas

11592 Main

Roof

John Nixon	5404 Crittenden	Pole barn
Joe Healey	5220 Crittenden	Windows, roof, siding
Mary Beth Betzold	5698 Buell	Siding
Joe Frey	12227 Clarence Center	Demolition
Bradley Baer	4351 South Newstead	Lean-to
Kevin Clapp	13586 Carney	Permit renewal
Kevin Kipfer	12744 Stage	Permit renewal
Richard Orcutt	11918 Meahl	Wall replacement

The Town Board accepted the Building Report as presented.

Town Clerk- Akron Central School and Clarence Central School tax collections have been completed for the 2006-07 and unpaid bills have been returned to the County for collection. We have received the refurbished Town Board minute's books from 1949 -1953 from Browns River. They will now be preserved for decades to come. Dawn called for an update on the Brucker Rd speed study requested back in May. The job has been assigned and will begin soon as weather permits. The State DOT only received our request from the County on October 5th. Dawn has made phone calls to get an update on the study requested last December for Scotland and Martin Roads. She is having difficulty getting an answer on this from the County. This type of request does not fall under the State DOT jurisdiction. The November Dog Control Report was presented.

Attorney for the Town –Nothing at this time

COUNCILPERSONS

George-Nothing at this time

Finger-Nothing at this time

Decker-Nothing at this time

Murray-Absent

SUPERVISOR-He wants to remind all applicable employees their letters of re-appointment for 2007 are due as soon as possible.

UNFINISHED BUSINESS

Water District #10- Phase 1A & Phase 1B – The Tennessee gas pipeline crossing will be a couple day operation with either a Thursday start date or next Tuesday at the latest.

Phase 2- They are testing on Brucker and Maple Rd. 6,000 of 8,000 feet of line has been completed on Greenbush Rd and 2,000 of 3,000 feet of line has been completed on Martin Rd. There contractors were delayed due to the October Storm and are asking for a 3 week extension on the completion date. The Town Engineer recommends granting the extension until January 12, 2007. During an under road boring at Hiller and Billo roads they ran into a large boulder. They worked with the Highway Superintendent to do an open cut instead. They will patch with temporary pavement for winter and then properly fix the road in the spring.

Route 5 Re-Zoning-Councilman George will have packages ready for everyone to discuss at work session.

Shared Public Works Facility Committee-There is a meeting Monday with the design team. They are still on schedule.

NYS Toll Barrier- Waiting for response

October Storm- Brush pick-up is completed. The Supervisor, Kathy Strobele and Highway Supt. Bassanello are still working on FEMA and SEMO paperwork. A lot of detail is needed to complete the paperwork. FEMA is trying to get money to the town as soon as possible. They have learned that

pictures are vital to the process and need to be taken during storms and the clean up process in the future. Potential creek and drainage problems in the future are being looked at.

NEW BUSINESS:

WD #10-Phase 2- Extension of Substantial Completion:

A motion was made by Councilman Decker, seconded by Councilman Finger approving the extension of the substantial completion date on the Water District #10- Phase 2 project from December 22, 2006 to January 12, 2006 due to the delays caused by the October storm. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Murray-Absent
Carried

Lateral Restriction Request- 6265 Dye Rd: Discussed at Work Session. The Board would like the application re-submitted with more detail explaining the hardship.

Hire Grant Writer-GIS Grant Application, Phase 2:

A motion was made by Councilman George, seconded by Councilman Finger authorizing the hiring of CRA Infrastructure & Engineering to write the phase 2 grant application for the GIS implementation at a cost not to exceed \$1,000 and authorizing the Supervisor and the Town Clerk to sign said agreement contingent upon receipt of an acknowledgment from State Archives that the fire company's are eligible for part of the funding under this grant. Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Murray-Absent
Carried

*The Akron Central School Budget Advisory Committee representatives as requested by the school board will be incoming Councilman Justin Rooney and Town Clerk Dawn Izydorczak.

*The last regular Board Meeting will be held Wednesday, December 27, 2006.

Question Period- No one spoke

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilman Decker to adjourn the meeting at 8:29 PM.
Carried

Respectfully Submitted,
Dawn D. Izydorczak, Town Clerk