

Newstead Town Board Meeting- January 22, 2007

A Regular Meeting was called to order by the Newstead Town Board on Monday, January 22, 2007 at 8:00PM at the Newstead Town Hall.

Present: David Cummings- Supervisor
Harold Finger- Councilman
Mark Decker- Councilman
Justin Rooney- Councilman
Mike Bassanello- Highway Supt.
Andrew Casolini- Town Engineer
John Good- Code Enforcement Officer
Nathan Neill- Town Attorney
Dawn D. Izydorczak- Town Clerk
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present except Councilman George who is out of town on business.

Robert Scheib led the pledge to the flag.

Minutes from the previous regular meeting held on January 8, 2007 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 update on the “Rural Vision Initiative” being led by the Community & Rural Development Institute, Rural New York Initiative, Rural Resources Commission and Cornell University Cooperative Extension.

An e-mail message from Colleen Salmon, President of Akron Sports, Inc., regarding the baseball leagues concerns over the present fields in the County Park and their desire to work with the town on developing baseball fields at the Town Park. Their board would like to meet with the town board to discuss these issues.

The November and December Response Statistics were received from Twin City Ambulance. Akron Fire Co. received 32 hot and 12 cold responses in November and 33 hot and 17 cold responses in December. Newstead Fire Co. received 17 hot and 6 cold responses in November and 31 hot and 20 cold responses in December.

The 2007 Conservation Tree & Shrub Seedling program order forms are in. Orders must be in to Erie Co. Soil & Water Conservation Dept. by March 16, 2007 and the pick-up date for orders will be April 14, 2007.

A memo from Erie Co. Dept. of Environment & Planning announcing training sessions for Planning & Zoning Board members to meet the new mandatory training requirements to be held March 1, 2007 from 6:00pm – 10:00pm at the Erie Co. Emergency Operations Center at 3359 Broadway in Cheektowaga.

A letter from NYS DEC announcing grants applications available for the State Wildlife Grants program to fund projects to implement the recommendations in the New York Comprehensive Wildlife Conservation Strategy.

A notification from the Department of State that Local Laws #3 and #4 for 2006 were received and filed with their offices on January 4, 2007.

A certified copy of a resolution passed by the Town of Cheektowaga regarding the Boards support of proposed sex offender legislation Bill#A.12114 in the State Assembly which would enact a new law known as Article 495 entitled Computer Sex Crimes Against Children.

A letter from Empire State Development regarding the 2010 Census and the importance of town's participation in the LUCA program to ensure accurate census counts.

An October Snow Storm Response workshop is being offered February 8th at the Erie County Fire Training Academy on 3359 Broadway in Cheektowaga to advise municipalities how to do Urban Tree Inventories and Assessments. Anyone interested in attending should see the Town Clerk.

The Supervisor stated he has been holding talks with the County on the County Park's situation and their proposed opening dates for this season.

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

Work Session: The Supervisor reported that at the work session held last week the following issues were discussed: town insurance policies, FEMA, water district #10 issues, Rt. 5 re-zoning issues, shared facilities project, October Storm status, planning/zoning issues, grants, senior income limits(assessment), codification review as well as other items.

Privilege of the Floor – Robert Scheib, 51 Brooklyn Street, welcomed new Councilman Rooney to the Town Board. He presented a list of topics of concern: 1. Akron Airport- concerns over expansion, feels jets should be pushed to Batavia and not allowed to land here and the crosswind runway issues. 2. Town-wide drainage- with focus on Murder Creek, specifically through Erie County Park and parallel with Brooklyn Street he feels we need to work with village to stay on top of this issue. Major concerns are maintaining current flow and bank erosion occurring along Murder Creek: Specifically between Mechanic Street eastward to 105 Main Street, both north and south creek banks. 3. Senior Van Services- should share with Village to provide our own service instead of sharing with Clarence on the Erie County Van Service. He also noted his proposal to add to shared facility study a 3 bay garage to house 3 vehicles needed for the handicapped and seniors. 4. Concerns over Buell/Westgate intersection which has no handicapped accessible sidewalks. 5. The entrance and exits from Pixley's Plaza and the Bank of Akron on Buell Street.

Approval of Bills -Councilman Decker reported that the Abstract from Batch #576, #577 & 578 from the January 8, 2007 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #581, #582 & #583. Vouchers on this abstract numbered 1374-1404 for 2006 and 16 -30 for 2007, totaling \$112,437.07 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch #581, #582 & #583:
General Fund (A) -\$31,025.80, Fund (B) \$0, Highway (DA) -\$0, Highway: Outside Village (DB) \$1,582.87, Capital Projects: CAP-WD#10 (HI)- \$57,956.40, Reserve- Roof Repair (HR01)- \$0, (HL) October Storm- \$642.66, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$21,122.37, Sewer Fund (SS) \$27.22, Sewer District #2 (SS02)- \$79.75, and Water Districts (SW1) \$0, (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: \$112,437.07 Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – There are crews from the county through FEMA working on the Bike Path and Maple Lawn Cemetery trimming the hanging branches leftover from the October Storm.

Assessor –She sent a report stating 36 people have signed up so far to attend the commercial property owners meeting tomorrow morning at 8:00am. We have received 2 responses from businesses that would like us to add their name and website link to our town site.

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

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|----------------------|---------------------|----------------------------|
| Doug Sescil | 12526 Buckwheat | Pole barn |
| O'Brien | 13077 Martin | Roof |
| Rhoda Payne | 11468 Hunts Corners | Demolition |
| CMK Builders | 6277 Dye | One family home |
| Verizon Wireless | 4490 South Newstead | Cell tower co-location |
| Buffalo Drilling Co. | 12340 Main | Special use permit renewal |
| Michael Young | 11131 Hunts Corners | Barn re-facing |
| Bradley Rehwaldt | 13589 Bloomingdale | Roof |

The Board accepted the report as presented.

Town Clerk- Nothing at this time

Attorney for the Town –Nothing at this time

COUNCILPERSONS

George- Not present

Finger- He attended to sewer problems at one building and a roof leak at another. He and Highway Superintendent discussed lawn care for the spring for town properties and he has a meeting scheduled with Little League Soccer on Wednesday to discuss spring schedule issues.

Decker-The Drainage Committee had no meeting this month but will meet in February.

Rooney-The Recreation Board will continue to meet on Mondays, but will be switching to an earlier start time so Town Board members can attend. The town board has requested copies of minutes for each meeting which must include the members present, discussions and motions presented and passed.

SUPERVISOR- He attended a bi-monthly meeting with the Clarence, Lancaster, and Amherst Supervisors. He also attended the NEST meeting last week. The Town has been awarded \$6,000.00 for an Urban & Community Forestry Grant from the DEC due to the October Storm damage.

UNFINISHED BUSINESS

Water District #10- Phase 1A & Phase 1B – Final schedule for Tennessee pipeline crossing is in place.

Phase 2-The meters and installations are complete. The contractor is currently off-site until 2nd week in March when they will do the necessary creek crossings.

Route 5 Re-Zoning-They have done a thorough review of the proposal and sent it back to the Planning Board one final time for review.

Shared Public Works Facility Committee-The final version of plan due this month.

NYS Toll Barrier- Waiting for response

G.I.S- Phase 1 is 70% complete, Phase 2 is being discussed at a meeting on Wednesday at 9am to go over final draft of the grant application.

NEW BUSINESS:

PIP Proposal Approval:

A motion was made by Councilman Finger, seconded by Councilman Rooney authorizing the Supervisor to sign the proposed agreement dated December 18, 2006 with Wendel Duchscherer to review and update subdivision and infrastructure regulations in an amount not to exceed \$11,300.00. (Resolution Attached) Cummings-Aye, George-Absent, Finger-Aye, Decker-Aye, Rooney-Aye
Carried

2007 Legal Services Contract Approval:

A motion was made by Councilman Rooney, seconded by Councilman Decker authorizing the Supervisor to sign the proposed contract with Nathan Neill to provide legal services for the Town of Newstead for the year 2007.

(Resolution Attached) Cummings-Aye, George-Absent, Finger-Aye, Decker-Aye, Rooney-Aye
Carried

Cell Tower Permit Renewal:

A motion was made by Councilman Decker, seconded by Councilman Finger approving the proposed renewal of a special use permit for the cellular tower located at 11167 Main Road contingent upon receipt of the \$50 Renewal Fee and removal of the prior contract provisions requiring a certification by an engineer and removal of 10 year renewal requirement.

Cummings-Aye, George-Absent, Finger-Aye, Decker-Aye, Rooney-Aye
Carried

The Town Board has received a request from Christian Airmen which the Supervisor will investigate prior to next weeks work session.

They also received a recommendation from the insurance company for a work place violence policy which will be discussed at next weeks work session also.

Question Period- No one spoke

There being no further business to come before the board a motion was made by Councilman Rooney, seconded by Councilman Finger to adjourn the meeting at 8:39 PM.

Carried

Respectfully Submitted,
Dawn D. Izydorczak, Town Clerk