

Newstead Town Board Meeting- April 8, 2002

A Regular Meeting was called to order by the Newstead Town Board on Monday, April 8, 2002 at the Newstead Town Hall at 8:00 PM.

Present: Gerald F. Summe – Supervisor
Thomas George – Councilman
Joan M. Glor- Councilwoman
Harold L. Finger- Councilman
Donnal D. Folger- Code Enforcement Officer
Frederick J. Pask- Assessor
Andrew Casolini – Town Engineer
Nathan Neill- Town Attorney
Dawn D. Izydorczak- Town Clerk
Kathleen McLeod Lang – Deputy Clerk

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

Assessor Fred Pask led the pledge to the flag.

Minutes from the previous regular board meeting held on March 25, 2002 and a special board meeting on April 1, 2002 were presented for approval. A motion was made by Councilman Finger, seconded by Councilwoman Glor to approve as presented.

Carried Unanimously

Communications - Clerk presented the following:

Notices of events for Western New York Earth Day celebrations to be held during the week of April 18 – April 26, 2002 at Buffalo State College and the University of Buffalo.

Notice of a Erie County Computer Recycling Day to be held at Buffalo State College on Saturday, April 20, 2002 between 10:00am and 2:00pm. They will be accepting CPU's (hard drive) monitors, keyboards, mouse and printers. Another day is scheduled for May 25, 2002 at Erie Community College North Campus and June 29, 2002 at ECC- South Campus, both from 9:00am – 2:00pm.

A notice from Erie County Dept of Environment & Planning announcing funding available to income-eligible households wishing to connect their homes to new community sewer and water services. A maximum of \$5,000 is available to primary residence homeowners who fall within the stated income limits. For more information, interested parties can call 858-8390.

A memo from Wendel Duchscherer regarding the site plan review of the Schutt Rd subdivision and their findings on the project.

A Recommendation of Award from Wendel Duchscherer on Water District #5-Phase 2 project to Sergi Construction for the low bid in the amount of \$1,823,733.00.

A letter from Erie County Clerk David Swarts stating his opposition to a proposed increase in Records Management fees from \$5.00 to \$20.00 to create an Institute for Cultural Education fund. These funds are collected at the County as recording fees. He is asking all local municipalities to support a resolution in opposition of this proposed increase.

The Erie County Sheriffs report for the month of March was received. Village of Akron- 63 calls, Town of Newstead- 95 calls responded to.

A fax transmission from Amherst Fire Alarm reporting the March 2002 calls responded to by the Akron Fire Co.- 40 and by the Newstead Fire Co.-19.

A copy of the Akron Village Board Minutes for March 18, 2002 was received.

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

Carried Unanimously

Work Session: Supervisor Summe reported that a work session was held on April 1, 2002 and the following was discussed: A meeting with auditors Deloitte & Touche, the Airport Rezoning, the Radio Tower, Water District #5-Phase II, the Comprehensive Master Plan, Highway Dept. concerns, Citizen of the Year, Litigation American Ref-Fuel, the Facilities Study and other issues including an Akron Road street light.

Privilege of the Floor –

Thomas Northem, owner of the Country Cottage Motel located at 13536 Main Road spoke regarding drainage problems behind his motel. He has spoke with Don Kreher of the Drainage Committee and was supposed to have a meeting with him. The water on 3 sides of his property all drains right to the back of the motel building. He would like to purchase additional neighboring property to expand the motel, but will not do this until the drainage problem is addressed. Highway Superintendent Jim Ebersole responded that the drainage committee would be discussing that area and his concerns at their next meeting. He has also been discussing the issue with the State to divert the drainage in that area to the West in the near future. Supervisor Summe requested that Mr. Northem send a memo outlining his concerns to the Board and the Drainage Committee.

Approval of Bills – Councilwoman Glor reported that she had reviewed abstract #6 from 3/25/02 meeting and found them to be in order with the previously un-audited vouchers. She presented Abstract #7 Vouchers on Abstract #7 numbered 260 – 315 totaling \$36,829.43, and were presented for payment approval by Councilwoman Glor, a motion was made by Councilman Finger, seconded by Councilman George to approve payment.

Abstract #7

General Fund “A” – \$14,973.00, Fund “B” \$426.25, Highway “DA” - \$0.00, Highway Outside Village “DB”\$13,367.57, Capital Projects-WD#5 “HC” \$238.00, Library Projects “HE” \$119.70, Fire Protection “SF” \$1,326.95, Refuse “SR” \$0.00, Sewer Fund “SS” \$4,342.50, and Water Districts “SW1”- \$0.00, “SW2”- \$52.24, “SW3”- \$45.00, “SW4” - \$102.40, “SW5”- \$1,016.65, “SW6”- \$277.93, “SW7”- \$431.53, “SW8”- \$29.26, “SW9”- \$80.45, Trust & Agency “TA”- \$0.00, totaling \$36,829.43.

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Highway Superintendent Ebersole announced that April 21, 2002 would be the last day for roadside brush pick-up in the Town. To date they have hauled 40-50 loads. He also announced that the week of May 6th will be the large metal goods pick-up and the annual tire drop off will be April 27th from 9:00am-1: 00pm. The Boy Scouts will be doing community service this Saturday by picking up the branches in the cemeteries and hauling them to the roadside. The Ditching Committee will meet this Thursday at 7:00pm at the highway garage. They will be rolling the soccer fields this week and sweeping the bike path. Jim also reported on his attendance at the Con-Expo conference. He looked at many items that will be needed in the future by the Town.

Assessor – Mr. Pask reported that ads were placed in the paper for the coming week reminding residents of the May 1st due date for exemption forms. A tentative Special Franchise spreadsheet was distributed to Board members for review. Grievance Day will be held on one day this year. Councilwoman Glor questioned the values on Special Franchises and Fred informed the Board that the values are determined by the State.

Code Enforcement Officer - The following building permits were presented for the record:

Steven Carver	11670 Rapids	Garage
John Olaf	7815 Fletcher	One family home

John DeLelys	12897 Clarence Ctr	Garage replacement
John Sowinski	13470 Steiner Rd	Porch enclosure

Motion was made by Councilman Finger, seconded by Councilwoman Glor to approve report as presented.

Carried Unanimously

Supervisor Summe questioned Don on some of the issues remaining on the “unfinished items” Report. He would like to address some of these issues at the next couple work sessions.

Town Clerk– Dawn presented the Dog Control Officers report for the month of March.

Attorney for the Town – Nathan reported on a phone call he had with Tom Graham of the ECWA regarding Water District 3 repairs and the bulk purchasing proposed on that line. There are 5 potential customers in the Genesee County Town of Pembroke who will be serviced, but Pembroke has returned no contracts or paperwork.

A motion was made by Councilman George, seconded by Councilwoman Glor to authorized the Town Attorney to write a letter to the Town of Pembroke notifying them of a May 17th deadline for all necessary paperwork and contracts to be filed with the Town of Newstead, and all lines must be at the road no later than July 31, 2002.

Carried Unanimously

COUNCILPERSONS

George – Nothing to report.

Cummings – Not present.

Glor – Received first report from Joanne Rausch, Senior Coordinator. Good progress is being made on behalf of the seniors.

Finger- Attended a meeting last week with the Highway Dept. He will also be attending the Drainage Committee meeting this Thursday.

SUPERVISOR – He has written a tentative letter to the Village Trustees, but would like the other Board members comments before sending the letter. A meeting is scheduled with the 3rd software vendor this Friday.

UNFINISHED BUSINESS

Water District #5 – Andrew reported that a pre-construction meeting would be held the week of April 22, 2002 for all involved parties in the project. Target date is May 1st. They are getting updated homeowners list for district from Assessor. Regarding extension areas, Andrew has been in contact with Ag & Markets, Dept of Health & other agencies. Process for extension areas takes 100 days. In district extensions fit under project scope, but out of districts do not. E.F.C. will work with the Town. Also, the Town is under direction from the DEC to respond to issues on the other water districts. Some resolutions may need to be done to clear up issues.

A motion was made by Councilman George, seconded by Councilwoman Glor to authorize the Town Engineer to initiate the process with Ag & markets on in district expansions for Water District 5-Phase 2.

Carried Unanimously

Library Project – Councilman George attended a construction meeting last week. Substantial completion is scheduled for last week of April. The library is scheduled to be fully open by June 3, 2002. The Denio library is scheduled to close 1 week prior to that date. Tom requested work session time May 6th to review final change orders. The Supervisor reported that Bill Paxon & several other guests are scheduled for a dedication to be held tentatively on May 31st at 7:00pm.

Comprehensive Master Plan Update- The discs have been received from Peter J. Smith Co. with the final plan. The Supervisor would like to have final comments an accepting or adopting the plan from the Board as soon as possible.

Christian Airmen Re-Zoning- Nothing new.

Facility Study- Nothing new.

Toll Barrier- Nothing new.

Radio Tower- Nothing new.

Web Site- Under review; please submit comments to David.

Other- The Supervisor announced that, due to the Citizen of the Year dinner, the April 22, 2002 Board meeting is re-scheduled to April 29, 2002. Work session will begin at 7:15 pm and the regular meeting will begin at 8:00pm. A public hearing will also be held that night at 7:45pm regarding the Walser temporary special permit.

NEW BUSINESS

Public Hearing for Walser Bio-Remediation special permit-

A motion was made by Councilman George, seconded by Councilwoman Glor to set a date of April 29, 2002 at 7:45pm for a public hearing regarding a Bio-Remediation temporary Special Permit at the Walser property located on Main Road in the Town of Newstead.

Carried Unanimously

Other:

A motion was made by Councilman George, seconded by Councilwoman Glor to approve the form of the proposed Inter-municipal Water Service Agreement between the Town of Alden and the Town of Newstead and the Out of District Customer Agreement. The Supervisor is authorized to sign the Out of District Customer Agreements upon receipt and the Town Board members are authorized to sign the Inter-municipal Water Service Agreement.

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

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 at 9:00 PM.

Work Session to continue after the meeting.

Carried Unanimously

Respectfully Submitted,

Dawn D. Izydorczak
Town Clerk