

Newstead Town Board Meeting- October 23, 2006

A Public Hearing was called to order by the Newstead Town Board on Monday, October 23, 2006 at 7:45PM at the Newstead Town Hall.

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

The Supervisor called the public hearing to order on the proposed 2007 Budget at 7:45pm.

The Clerk read the proof of publication.

Comments: No one spoke

The Supervisor commented on budget items as presented and addressed in his 2007 Budget Message.

There being no further comments, Councilman Finger made a motion to close the public hearing at 7:55 PM on the proposed 2007 budget. Seconded by Councilman Decker.
Carried Unanimously

A regular meeting of the Newstead Town Board was called to order at 8:00pm with all members present as above.

Roll Call was taken with all board members present.

Councilman Tom George led the pledge to the flag.

Minutes from the previous regular board meeting held on October 9, 2006 were presented for approval. A motion was made by Councilman Murray, seconded by Councilman George to accept as presented.
Carried Unanimously

Communications – The Town Clerk presented the following:

A letter of resignation was received from Dean Hyder, Town Disaster Coordinator, effective October 17, 2006.

A letter from residents W. Barry Jones and Frances P. Romeo regarding their concern over the recent bid on the Water District #10- phase 2 project, which did not include service to Downey Road.

A Notice of Public Hearing from Erie County Board of Health to be held on October 31, 2006 at 3:00pm in the Erie County Dept. of Health boardroom 904 of the Rath building, to hear comments on proposed additions to the Erie County Sanitary Code Article 1, Section 9.

A letter from Girl Scout Troop 1071 requesting permission of the town to allow them in helping to make necessary repairs to the Denio Community Building basement as part of a merit badge they are working on.

A memo from Erie County Dept. of Environment & Planning announcing an extension of the Community Development Block Grant applications deadline until November 6, 2006 at 4:00pm.

A copy of the Drinking Water State Revolving Fund Final Intended Use Plan was received from the NYS Department of Health.

A letter from Time Warner Cable announcing the launch of its new regional sports channel.

A memo from Erie County Department of Environment & Planning outlining the changes made to the General Municipal Law Section 239-NN.

A letter from Natural Resources Conservation Service announcing the 1-day conference on local planning for agriculture on November 9, 2006 at Genesee Community College in Batavia and proving enclosed material on USDA Emergency Watershed Protection Programs.

A letter requesting consideration for appointment as Disaster Coordinator was received from Glenn Joachimiak of the Akron Fire Co.

A fact sheet was received from NYS DEC on "Emergency Tree Care for Municipalities During and After a Storm".

A "Jaeckle Alert" from attorneys Jaeckle Fleischmann & Mugel regarding updates to New York States Freedom of Information Law.

A letter was received from Erie County Department of Public Works- Highways Division thanking the Newstead Highway Department for their assistance during the recent re-paving project on Meahl Road. The residents of Erie County benefit when the county and towns work together for the betterment of our communities.

A certified resolution from the Association of Erie County Governments calling for the Governor, NYS Legislature and State Comptroller to change the present pension system with the establishment of another tier that provides that the ten year employee member contributory period be extended to the entire period of municipal employment.

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

Work Session: The Supervisor reported that at the work session held last week the following issues were discussed: water district #10 issues, substation water service, Route 5 re-zoning, shared facility project, planning & zoning issues, toll barrier issues, 2007 budget, personnel matters, grants, police garage, village police contract.

Privilege of the Floor –Pat Flynn of the Erie Country Sheriffs Department was present and reported on the work done at the EOC during the disaster. The requests for County assistance by municipalities were minor. An estimated 25 million cubic feet of debris will be picked up over the next couple months. The Akron and Newstead Fire Companies recently requested an assessment of Murder Creek for potential flooding. They requested a "fly over" and Mr. Flynn wondered if this was completed. Councilman Finger reported that he saw the helicopter fly over yesterday over the Murder Creek area. The Command Center is slowly pulling representatives out as the need diminishes. Jerry Sentz or Mr.Comerford can handle any requests for additional crews the town may need in the future.

Approval of Bills -Councilman Decker reported that the Abstract from Batch #546 & #547 from the October 9, 2006 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #550. Vouchers on this abstract numbered 1041 - 1074, totaling \$33,526.30 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch #550:

General Fund (A) -\$8,218.41, Fund (B) \$515.27, Highway (DA) -\$0, Highway: Outside Village (DB) \$22,746.26, Capital Projects: CAP-WD#10 (HI)- \$1,938.41, Reserve- Roof Repair (HR01)-

\$0, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$27.05, Sewer District #2 (SS02)- \$80.90, 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: \$33,526.30 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway –Superintendent Bassanello wanted to thank everyone at the Highway Department, the Supervisor and Town Board, and the entire town hall staff for a job well done during the State of Emergency. The residents have been very understanding and supportive. The DOT is helping with brush pick up and our highway crews will continue to pick up through November 17, 2006. The salt and sand were delivered for a total of 2,200 tons of mixture and the highway trucks are ready to go.

Assessor – Not present

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

Newstead Fire Co.	Main & Cummings	Sign
Kreher Farms	5411 Davison	Silo
Cris Ginestre	4564 Ayers	One family home
Joseph Renda	6902 Sandhill	Roof
Chauncey Vanice	8067 Greenbush	fence
Stanley Tatara	4911 Schutt	Driveway
John Buechi	12290 Tonawanda Creek	Porch replacement
Chris Elis	7309 Maple	Roof
Chris Elis	7309 Maple	Addition

The Town Board accepted the Building Report as presented. Christine Falkowski and John Good were present at the Planning Board meeting.

Town Clerk- The penalty free period of school tax collection is over, including the 7 day extension given by the Governor for disaster areas, and the majority of the monies have been transferred to the schools.

Attorney for the Town –Nothing at this time

COUNCILPERSONS

George-Nothing at this time

Finger-Nothing at this time

Decker-The Drainage Meeting was held on October 17th with a poor attendance. Minutes from the meeting will be out soon.

Murray- He wanted to thank the town employees and his fellow board members for their help during the emergency. The residents had a lot of patience during the emergency. He had the privilege of being involved from the beginning to end of the disaster and he is very proud of both the Village of Akron and Town of Newstead communities and how they worked together to handle the crisis.

SUPERVISOR-Nothing at this time

UNFINISHED BUSINESS

Water District #10- Phase 1A & Phase 1B – Andrew requested work session time to discuss final items.

Phase 2-The excessive rain and debris has made it difficult to begin the project. Crews will hopefully be out this week and excavation should start by next Monday. There will be an extension on the deadlines of the contract.

The water station: The water station is up and running. It was used during the emergency. Councilman Decker questioned if we should advertise that the water station is open for business. Councilman George concurred that we should advertise in the Akron Bugle and Pennysaver.

Route 5 Re-Zoning-This is being discussed tonight at the Planning Board Meeting.

Shared Public Works Facility Committee- There is nothing new and Tom will schedule a meeting with the new committee members soon.

NYS Toll Barrier-The comments are in and waiting for response.

NEW BUSINESS:

2006 Storm Update:

The Supervisor thanked the Highway crews, the fire companies and especially Keith Hawes and Dan Kowalik for all their time and energy during the State of Emergency. He thanked Town Clerk Dawn Izydorczak and Bookkeeper Kathy Strobele for all their time and effort over several days spent on meetings and the paperwork involved for FEMA. The last major concern is the town and village waterways and the trees and debris in the creeks that will cause flooding. There will be a tremendous cost to the town and village to clear out the debris from the creeks. We need to address this issue for the future. The Supervisor thanked everyone again for a great job done by all.

Forestry Grant Approval:

A motion was made by Councilman Finger, seconded by Councilman George approving the application for a forestry grant and authorizing the Supervisor to sign the grant application. (Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Decker-Aye, Murray-Aye
Carried Unanimously

The Supervisor stated this grant will provide 40-60 trees for the town park and town hall properties.

Disaster Coordinator Appointment:

A motion was made by Councilman Murray, seconded by Councilman George to appoint Glenn Joachimiak, Disaster Coordinator for the remainder of 2006.
Aye-5 Nay-0 Carried Unanimously

Excavation Permit- 10522 Stage Road:

A motion was made by Councilman Decker, seconded by Councilman George to approve the excavation permit application for Kelly Schultz at 10522 Stage Road for removal of fill.
Aye-5 Nay-0 Carried Unanimously

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 8:30 PM.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorczak, Town Clerk