

Newstead Town Board Meeting- February 14, 2005

A Public Hearing was called to order by the Newstead Town Board on Monday, February 14, 2005 at the Newstead Town Hall at 7:30PM.

Present: Gerald F. Summe, Supervisor
Tom George- Councilman
Harold L. Finger- Councilman
Scott Chaffee- Councilman
Mark Decker- Councilman
Rebecca Baker- Assessor
Christine Falkowski- Building Administrator
Andrew Casolini- Town Engineer
Nathan Neill- Town Attorney
Dawn Izydorczak- Town Clerk
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present.

Marilyn Kasperek led the pledge to the flag.

The Supervisor called the Public Hearing to order on the proposed Phase 1B waterline extension to the Water District #10 project for Stage, Schutt and Scotland Roads.

The Clerk read the Proof of Publication from the Akron Bugle.

The Supervisor explained the changes this improvement would mean for the project.

Comments: Stan Tatara, 4911 Schutt Rd. stated he will be submitting a proposed sub-division on Stage Rd at the old Beeman Farm with a possible 20-50 parcels to be developed over time. He questioned the effect of this on the water district and how he should proceed for the future development. Town Engineer Andrew Casolini explained the lateral restriction policy and that the parcel would first have to be pulled out of the agricultural district. He suggested Mr. Tatara contact him about these issues.

With no further comments a motion was made by Councilman Finger, seconded by Councilman Chaffee to close the public hearing on the waterline extension at 7:40pm.

A Regular Meeting of the Newstead Town Board was called to order at 8:00 PM with the same Board members present as above.

Minutes from the previous regular board meeting held on January 24, 2005 and the special meeting held on January 31, 2005 were presented for approval. A motion was made by Councilman Finger, seconded by Councilman Decker to approve as presented.

Carried Unanimously

Communications – The Town Clerk presented the following:

A letter from the Erie County Department of Health announcing proposed amendments to the Erie County Sanitary Code which will be discussed at a public hearing on February 24, 2005 at 3:00pm in Room 904 at the Rath County Office Building in Buffalo.

A letter from Congressman Tom Reynolds announcing training seminars for local fire departments to receive assistance in obtaining grant monies from the FIRE Act thru the Department of Homeland Security. This information has been forwarded to our local fire companies.

A certified copy of a resolution passed by the Town Board of the Town of Concord supporting medicaid reform in Albany was received.

A fax transmission from Amherst Central Alarm Office was received reporting the January 2005 calls with Akron Fire Co. receiving 45 calls and Newstead Fire Co. receiving 30 calls.

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

Work Session: Supervisor Summe reported that at the work session held February 7, 2005 the following items were discussed: water district #10 issues, water tank issues, the new town hall progress, route 5 re-zoning, discussion on Local Law No. 2 for 2005, plumbers licensing, re-zoning of the old town hall property, annexation of vacant parcel at the Village sewer plant, and Superintendent of Highways interviews.

Privilege of the Floor –No one spoke

Approval of Bills -Councilman Decker reported that the Abstract from Batch #354 & 355 from the January 24, 2005 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #363. Vouchers on this abstract numbered 61-129, totaling \$106,646.94 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch 363:

General Fund (A) -\$25,735.86, Fund (B) \$1,813.34, Highway (DA) -\$0, Highway: Outside Village (DB) \$19,483.33, Capital Projects- CAP-Senior Center (HF)- \$0, CAP-WD#10 (HI)- \$28,510.00, Town Hall (HK)- \$0, Fire Protection (SF) \$3,747.68, Refuse (SR) \$20,576.73, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$0, and Water Districts (SW1) \$2,680.00, (SW2) \$88.44, (SW3) \$0, (SW4) \$112.56, (SW5) \$2,420.04, (SW6) \$305.52, (SW7) \$829.10, (SW7A) \$48.24, (SW8) \$32.16, (SW9) \$88.44, (SW10) \$175.50, Trust & Agency (TA) \$0, Totaling \$106,646.94

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway –Not Present. The new broom tractor is being purchased on state bid, with all other bids rejected.

Assessor –Assessor Baker announced 10% of exemption renewals are in at this time and May 1st is the deadline.

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

No Permits issued

A motion was made by Councilman Decker, seconded by Councilman Finger to accept and approve and the Zoning Report as presented. Carried Unanimously

Town Clerk- 2005 Tax Bills were mailed on time today. All offices are set up and running in the new facility. The January 2005 Dog Control Officers Report was presented.

Attorney for the Town – The response on water easements are coming back steadily with only one problem with a resident being worked on.

COUNCILPERSONS

Chaffee –Old Town Hall property at Church and John St. has for sale signs up. It was shown once last week and there have been several inquiries.

George –Nothing at this time

Finger-He has concerns over the use of Town Park fields for spring and is getting calls due to the closing of the County Parks. The Senior Center and Denio Community Building usage need to be discussed. The Town Historian may move his office to a new location at the community building.

Decker-He attended ACS school budget advisory meeting and will report more at next meeting.

SUPERVISOR –It has been a busy 2 weeks with the move of the Town Hall. The updating of the rear entrance for handicapped accessibility is 3-4 months.

UNFINISHED BUSINESS

Water District #10/ Water Tank-The pre-bid meeting was last Thursday with opening of bids scheduled for this Thursday on February 17th. The Water Tank pre-bid meeting is this week on Wednesday and the bid opening is scheduled for March 2nd.

Town Wide Drainage-As soon as appointment for Highway Superintendent is made tonight, a meeting will be scheduled with Drainage Committee.

Town Hall Project-nothing else

Route 5 Zoning- There were 11 town members that took a loop bus tour of Clarence, Williamsville, Derby, Hamburg, Evans, Orchard Park, Lancaster and Alden developments to study potential ideas for future planning in the town. Pictures were taken and will be put into a booklet for comments, seminars and training.

Plumber's License-They are putting together a meeting to discuss findings

Shared Department of Public Works and Highway Departments- A meeting was held with the village committee and they are looking at the Buell Street location. A meeting will be held on March 28th with Village and Town to discuss further and look at financial issues.

NEW BUSINESS:

Closing of Senior Center Capital Project:

A motion was made by Councilman Finger, seconded by Councilman Chaffee to approve the closing of the capital project for the senior center, with all remaining funds to go into the General Fund.

(Resolution Attached) Ayes-5 Nays-0 Carried Unanimously

Adoption of Local Law #1- Route 5 Overlay Zone:

A motion was made by Councilman Chaffee, seconded by Councilman George to approve the Local Law No. 1 of 2005 adopting the Route 5 Overlay Zone.

(Resolution Attached) Ayes-5 Nays- 0 Carried unanimously

Councilman George stated that the zoning on Rt. 5 stays the same at this time. This law only creates design standards that must be met for that area as its developed.

Approval- Increase & Improvements WD #10:

A motion was made by Councilman Decker, seconded by Councilman Finger to approve the proposed increase and improvements to Water District #10 by adding the Schutt, Stage and Scotland road extensions.

(Resolution Attached) Ayes-5 Nays-0 Carried unanimously

Bond Counsel: WD #10:

A motion was made by Councilman George, seconded by Councilman Decker approving the appointment of Hawkins, Delafield & Wood LLP to act as Bond Counsel for the loan transaction with the New York State EFC for the Water District #10 project. This approval rescinds the determination to use Hodgson Russ LLP.

(Resolution Attached) Ayes-5 Nays-0 Carried unanimously

Bond Issuance- WD #10 Increase & Improvement:

A motion was made by Councilman George, seconded by Councilman Chaffee approving the issuance of a Bond Resolution in the amount of \$554,400 for increase of WD#10 improvements.
(Resolution Attached) Ayes-5 Nays-0 Carried unanimously

ECWA Amendment No.5 approval:

A motion was made by Councilman George, seconded by Councilman Decker to approve the adoption of the Erie County Water Authority proposed amendment No. 5 as presented and authorizing the Supervisor to sign such agreement.
(Resolution Attached) Ayes-5 Nays- 0 Carried unanimously

Annexation of Village Sewer Plant Property:

A motion was made by Councilman Chaffee, seconded by Councilman George to authorize and approve the annexation of the Village sewer plant property on Lewis Road which resides within the town boundaries into the village.
(Resolution Attached) Ayes-5 Nays-0 Carried unanimously

Neg Dec & Site Plan Amendments- ADESA :

A motion was made by Councilman Chaffee, seconded by Councilman George issuing a negative SEQRA declaration on the ADESA car wash addition amendments and approving the site plan amendments as set forth in the resolution on the ADESA car wash addition amendments.
(Resolution Attached) Ayes-5 Nays-0 Carried unanimously

Neg Dec & Site Plan Amendments- Buffalo Drilling Co. :

A motion was made by Councilman Finger, seconded by Councilman Decker issuing a negative SEQRA declaration on the Buffalo Drilling Co.cold storage shed project amendments and approving the site plan amendments as set forth in the resolution on the Buffalo Drilling Co. cold storage shed project amendments.
(Resolution Attached) Ayes-5 Nays-0 Carried unanimously

Neg Dec & Site Plan Amendments- Whiting Door :

A motion was made by Councilman Decker, seconded by Councilman Finger issuing a negative SEQRA declaration on the Whiting Door factory addition amendments and approving the site plan amendments as set forth in the resolution on the Whiting Door factory addition amendments.
(Resolution Attached) Ayes-5 Nays-0 Carried unanimously

Planning Board Vacancy Appointment

A motion was made by Councilman George, seconded by Councilman Finger appointing John Olaf to the vacant position on the Planning Board to fill the remaining term left by Mark Decker effective March 1, 2005.
Ayes-5 Nays-0 Carried unanimously

Zoning Board Vacancy Advertisement

A motion was made by Councilman George, seconded by Councilman Chaffee to advertise in the newspaper for the now vacant Zoning Board position left by John Olaf.
Ayes-5 Nays-0 Carried unanimously

Deputy Prosecutor Appointment

A motion was made by Councilman Decker, seconded by Councilman Finger to appoint John Ballow Deputy Prosecutor for the Town of Newstead.
Ayes-5 Nays-0 Carried unanimously

Highway Superintendent Appointment

A motion was made by Councilman Chaffee, seconded by Councilman George to appoint Dale Krusche to the position of Highway Superintendent for the Town of Newstead to fill the remainder of the term left by Jim Ebersole and to be elected this November.

Ayes-4 Nays-1 Carried

Fireproof Files Bid Acceptance

A motion was made by Councilman Finger, seconded by Councilman Decker to accept a bid from Integrity Distribution in the amount of \$4,374.00 for the purchase of 4 fireproof file cabinets.

Ayes-5 Nays-0 Carried unanimously

Councilman George welcomed everyone to new Town Hall. He thanked the entire staff of town employee's for all their help in this move.

Supervisor Summe acknowledged Sheriff Flynn's presence and welcomed him to the meeting..

Question Period-

Robert Lichtenthal thanked the Town Board for all their effort on the purchase and re-construction of the new Town Hall facility and congratulated them on the outstanding results. It is not often that a town opens a new building and he is proud to have been present.

Supervisor Summe thanked everyone for coming and explained the new features of the building and announced the public announcement system will be ready for use by the next meeting.

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilman Chaffee to adjourn the meeting at 8:50 PM.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorcak, Town Clerk