

Newstead Town Board Meeting- March 27, 2006

A Public Hearing was called to order by the Newstead Town Board on Monday, March 27, 2006 at the Newstead Town Hall at 7:50PM.

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

Roll Call was taken with all board members present except Councilman George who is on vacation.

The Supervisor called the public hearing on Local Law No. 2 of 2006 titled "Amendments to the Code of the Town of Newstead Town Hall Placing a Six Month Moratorium on Windmills within the Town" to order at 7:50pm. The Supervisor explained the reasons for the proposed moratorium as the towns attempt to be pro-active with legislation before this topic becomes a real issue.

The Clerk read the proof of publication.

Comments: No one spoke

With no other comments being offered, a motion was made by Councilman Decker, seconded by Councilman Finger to close the public hearing on Local Law No. 1 of 2006 at 7:58pm.

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

Carl Klingenschmitt led the pledge to the flag.

Minutes from the previous regular board meeting held on March 13, 2006 were presented for approval. A motion was made by Councilman Decker, seconded by Councilman Finger to accept as presented with addition of Councilman Finger not present at meeting.

Carried

Communications – The Town Clerk presented the following:

The 13th Annual Southern Tier West Local Government Conference will be held May 18, 2006 at Houghton College. There are many interesting classes being offered. Those interested see the Clerk.

Special offers from Sprint were received and distributed to employees.

The Summit 2006: Creating the Cross Border Capital group has announced a regional meeting on May 11, 2006 in Niagara Falls Ontario and May 12th, 2006 in Niagara Falls, NY to discuss cross-border issues between the USA and Canada in the Niagara region.

A letter from Buffalo United Soccer Club requesting use of the Town Park playing fields for the month of April in conjunction with Akron Soccer League.

A letter from Erie County Dept. of Senior Services announcing 6 dates that their Health Insurance Information Counseling Assistance Program will be offering free meetings to discuss the new Medicare Part D requirements. The closest location to Akron will be at the Clarence Senior Center, 4600 Thompson Rd in Clarence on Friday, April 21, 2006 from 1:15pm – 3:15pm. For other locations, dates and times see the Clerk.

A letter from the Erie County Department of Health with an enclosed new fee schedule for Dept. of Health services.

A letter from Carol Wagner of Dande Farms Country Club informing the board of their intent to apply for a seasonal beer & wine license at the 13278 Carney Rd location.

A letter of resignation was received from Building Inspector Martin Dugan effective April 6, 2006. He has thanked the town for the experience he received over the past 27 months.

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

Work Session: Supervisor Cummings reported that at the work session held on March 20th the following issues were discussed: Water District #10-all phases, district #1 & #3 switch over to ECWA, water service at the Rapids Rd substation, shared facilities project, re-zoning of Rt. 5, Local Law #1 & #2, NYS Police garage, personnel matters- job descriptions, Planning/Zoning change questions, residency requirements, Town Park path to County Park, Terms & Conditions for employees, Archives/library basement issues, Akron Village police services issues

Privilege of the Floor –No one spoke

Approval of Bills -Councilman Decker reported that the Abstracts from Batches #490 from the March 13, 2006 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #497 & #498. Vouchers on these abstracts numbered #227- 281, totaling \$320,976.71 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch #497 & #498:

General Fund (A) -\$119,920.36, Fund (B) \$36.51, Highway (DA) -\$0, Highway: Outside Village (DB) \$1,639.98, Capital Projects: CAP-WD#10 (HI)- \$37,475.52, CAP-Town Hall (HK)- \$0, Highway Garage (HG)- \$0, Drainage (SD)- \$62.00, Fire Protection (SF) \$140,897.22, Refuse (SR) \$0, Sewer Fund (SS) \$2,545.19, Sewer District #2 (SS02)- \$243.57, and Water Districts (SW1) \$10.00, (SW2) \$0, (SW3) \$10.00, (SW4) \$118.08, (SW5) \$322.50, (SW6) \$306.52, (SW7) \$941.17, (SW7A) \$2,649.12, (SW8) \$0, (SW9) \$6,814.63, (SW10) \$6,984.34, Trust & Agency(TA)- \$0
Totaling \$320,976.71. Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Superintendent Bassanello announced they have received the Erie County snowplowing contract monies, the new trucks have been ordered, the zero-turn mower has been ordered and the bike path has been cleaned and benches are in place along the path.

Assessor – Assessor Baker announced that 80% of exemptions have been received, a monthly newsletter is now available in the Town Hall and a Sales Board has been put up in the Building and Assessors Office which displays current home sales within the Town of Newstead. She has received positive feedback from residents already on the sales display board. She will be doing road work for May's tentative tax roll for the next several weeks.

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

James Kidder	13115 Dorsch	Pipe permit
Steven Schleef	12781 Swift Mills	Shed
St. Theresa's Church	5771 Buell	Temp sign permit renewal
Timothy Knop	12850 Stage	Garage

The Town Board accepted and approved the Building Report and Zoning Report as presented. The Unsafe Buildings report is being finalized and will be presented at next meeting.

Town Clerk- 100% of taxes and ECIDA funds has been paid to the town and 88% of taxes at present have been paid to the County. The town will continue to collect locally through June 30th. Dawn will be on vacation April 5th -10th and will not be back in time for the board meeting.

Attorney for the Town –He attended a meeting hosted by Sheriff Howard last Tuesday regarding the issue of charging towns in Erie County for sheriff services. The County is proposing charging 15 towns in Erie County that do not have their own police services, for the benefit of the Sheriff’s road patrols. A percentage of the costs involved for the Erie County Holding Center is currently spread proportionally over the towns within the County. The Sheriff opposes charging back to the towns any more than is already done by the County and he would like to find a different way to address this issue.

COUNCILPERSONS

George- Not present

Finger- He has had meetings with the Senior Coordinator on Senior Center issues, the Town Clerk and Supervisor on Terms and Conditions for town employees, and Newstead Librarian Christine Sutton on library issues.

Decker- The Drainage Committee Meeting was held last Tuesday and was very interesting. The minutes should be ready by tomorrow for distribution to the board.

Murray-He attended the Recreation Board meeting earlier tonight. The new director showed a program agenda for this year which should bring a new and interesting program for this summer.

SUPERVISOR- He met with Superintendent Ron DeCarli and Akron Central has requested an annual report from the Recreation Board. The February Supervisor’s Report has been filed in the Town Clerks office. He attended the Association of Towns meeting where the topic discussed was NIMS and training for disaster preparedness. Training sessions to meet requirements will be coordinated by the Towns Disaster Coordinator Dean Hyder for the town employees. The web page is updated with the most current history of the town. The 2006 Organizational Contracts have been received back and all 11 organizations will receive their allotted funds this week.

UNFINISHED BUSINESS

Water District #10- Phase 1A & Phase 1B – The Town Engineer stated that almost all services were to be installed by today. The restoration phase will be mapped out next and will take several months to complete. The Supervisor requested a hydrant list to be sent to the fire company’s.

Phase 2- Representatives from the DEC will be flagging the wetlands this week.

Water Tank- They are waiting for weather to stabilize for painting of the exterior.

Route 5 Zoning-The updates have been received and will be on the agenda for next work session.

Shared Public Works Facility Committee-They are looking at how shared areas could piece together and work. The proposal drawings are being sent out to Councilman George and cost sharing concepts are being set forth.

Other:

The Supervisor thanked Town Clerk Dawn Izydorczak and Councilman Finger for their work on the Terms and Conditions for the employee’s and also thanked all the employees for their input on the job descriptions.

NEW BUSINESS:

Local Law No. 1 of 2006- Adoption:

Tabled. Waiting for 30-day response period for SEQR. Schedule for 4/24/06 meeting.

Local Law No. 2 of 2006- Adoption:

Tabled. Waiting for 30-day response period for SEQR. Schedule for 4/24/06 meeting.

Niagara Specialty Metals- Public Hearing:

A motion was made by Councilman Murray , seconded by Councilman Decker approving the calling a public hearing to hear comments on a proposed amendment to the site plan for Niagara Specialty Metals allowing construction of two insulated metal frame structures around the new dust collecting units in the Town of Newstead. The Public Hearing shall be held April 10th, 2006 at 7:55 PM at the Newstead Town Hall.

(Resolution Attached) Ayes-4 Nays-0 Absent-1 Carried

Town Engineer Casolini stated that Air Permits are in place with the DEC for this project.

*The Supervisor stated that the Fire Contracts need to be renewed and negotiated.

*The Supervisor is meeting with the Akron Chief of Police next week to discuss service issues.

*The April 17th Joint Meeting with the Village Board will be held at the Town Hall after the regular Village Board Meeting. The Supervisor can not attend so the meeting will be run by the Mayor.

Question Period-

Marie Frost, 4833 N.Millgrove Road, questioned if there are currently any proposals to erect windmills in the Town of Newstead. The Supervisor stated that a couple inquires have been made and the town wants to be pro-active and get a law in place.

Tony Gabalski, 12068 Tonawanda Creek Road, questioned WD#10 Phase 2 and what are the future plans for Tonawanda Creek Road? He stated for the record that he has no desire for water at his property and his house is last in the final sequence to be serviced on that road.

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilman Murray to adjourn the meeting at 8:34 PM.

Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorcak, Town Clerk