

Newstead Town Board Meeting- August 11, 2003

A Regular Meeting was called to order by the Newstead Town Board on Monday, August 11, 2003 at the Newstead Town Hall at 8:00 PM.

Present: Gerald F. Summe- Supervisor
Joan M. Glor- Councilwoman
David Cummings- Councilman
Tom George- Councilman
Harold L. Finger- Councilman
Fred Pask- Assessor
Christine Falkowski- Building Administrator
James Ebersole- Highway Superintendent
Dan Seider- Wendel-Town Engineer
Dawn D. Izydorczak- Town Clerk

Roll Call was taken with all board members present.

Scott Chaffee led the pledge to the flag.

Minutes from the previous regular board meeting held on July 28, 2003 were presented for approval. A motion was made by Councilman Finger, seconded by Councilwoman Glor to approve with a change in the date of the Chamber Car Show to September 7th.

Carried Unanimously

Communications – The Town Clerk presented the following:

A memo from Wendel Duchscherer with their comments on the Akron Central School Athletic Field Construction and two letters; one regarding the water district 10 engineering report submission and the other on an time extension request on the sewer district 2 project.

A letter from the NYS Department of State acknowledging receipt and filing on July 23, 2003 of Local Law No. 3 of the Year 2003.

A letter from NYS Department of Transportation regarding the speed study on Siehl Road. The DOT has recommended a reduction of the speed limit to 45 mph. The town will be responsible for erecting the proper signage.

A petition to the Town Board from 20 residents on McNeeley Road requesting that speed limit signs be erected on the road and the speed limit be posted as 40 mph.

A fax from Amherst Central Alarm Office announcing the operations report for July 2003 with Akron Fire Co. receiving 49 calls and Newstead Fire Co. receiving 26 calls.

A letter and an e-mail was received from County Executive Joel Giambra with information regarding this years Wildlife Rabies Vaccination Program. In August thru early September, baits will be hand delivered and/or dropped from helicopters and aircraft all over the region in an effort to prevent the spread of the rabies disease. For more information contact the town hall or Erie County Health Department.

The United States Department of Fish & Wildlife Service announced its fish & wildlife festival to be held on Saturday, September 13, 2003 from 11:00am – 5:00pm at the Amherst Tops Plaza parking lot on Niagara Falls Blvd and E. Robinson Road. There will be many special attractions, games and the zoomobile.

A notice of public hearing was received from the Town Clerk from Lancaster announcing a public meeting on August 18, 2003 at 8:40pm to discuss a text change in their Zoning Ordinance on permitted uses in a general industrial district and permitted structures in an agricultural residential district.

A letter from Conservation Advisory Council member Carl Klingenschmitt, rendering his opinion on the proposed cellular tower on Rapids Rd.

A letter and survey packets from Sheriff Patrick Gallivan. The Sheriff's department is conducting a survey throughout target Western New York communities including the Town of Newstead. The survey is titled "Citizens Survey on Police Integrity". Any resident wishing to participate in this survey can pick up the appropriate booklet at the Town Clerk's office.

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

Work Session: Supervisor Summe reported that work session was held on July 21, 2003 and the following issues were discussed: the Senior Center project, WD#5- Phase 3 & 4, Water District #10, sewer district issues, updates on airport re-zoning, town park issues, bike path issues, the American Ref-fuel lawsuit, and Akron Central storm water management.

Privilege of the Floor – No one spoke

Approval of Bills -Councilwoman Glor reported that she had reviewed the Abstract from Batch #175 & 176 from the 7/28/03 meeting with the previously UN-audited vouchers and found everything in order. She presented Abstract Batch # 186 &187. Vouchers on Abstract Batch 186 &187 numbered 2223-2225, 2226-2295 totaling \$179,723.25 and were presented for payment approval by Councilwoman Glor, seconded by Councilman Finger to approve payment.

Abstract Batch 186 & 187:

General Fund (A) -\$30,345.28, Fund (B) \$339.48, Highway (DA) -\$0, Highway: Outside Village (DB) \$36,772.47, Capital Projects- WD#5-Phase II (HC) \$7,496.61, Capital Projects- Library Project (HE) \$0, WD#7 (HD)- \$0, Senior Center (HF)- \$71,905.12, Sewer Dist. #2 (HJ)- \$1,693.04, Fire Protection (SF) \$2,242.63, Refuse (SR) \$21,584.70, Sewer Fund (SS) \$3,253.77 and Water Districts (SW1) \$18.75, (SW2) \$80.45, (SW3) \$18.75, (SW4) \$102.40, (SW5) \$3,050.63, (SW6) \$277.93, (SW7) \$431.53, (SW7A) \$0, (SW8) \$29.26, (SW9) \$80.45, Trust & Agency (TA) \$0, Totaling \$179,723.25

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – working with village for the next three days, starting ditching next Monday- has rented equipment necessary for a one month period, bike path crossing signs request is currently being processed by the County, new Siehl Road speed limit signs are up and posted already. The new roof at the highway garage did not leak with all the rain today. The Highway Superintendent was very pleased with the work done by the contractors.

Assessor – will be attending the NYSAA conference in Lake Placid and is in Batavia next Monday and Tuesday for agricultural seminars.

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

Michael Maggio	5417 Barnum	Shed
Dwayne Sarow	4525 Ayers	Addition
Gary Bachowski	7920 Fletcher	One Family Home
David Gonsowski	V/I Draper	Pole barn
Sharon Zarnoch	5 Danita	Carport
Arlene Richardson	4490 S Newstead	AT&T co-location
Paul Hennessy	12666 Claire	Repair water damage
James Schultz	4473 S Ayers	Garage
Dwayne Grabenstatter	12447 Hunts Corners	Foundation
Robert Meyers	5872 Crittenden	Shed

Tim Knop	12850 Stage	Pole building
Walter Duft	11063 Clarence Ctr	Pole barn
Mark Wanamaker	11236 Clarence Ctr	Farm building
Kelly Schultz	11061 Main	Cold storage addn

Zoning Officer Rebecca Baker's zoning report was presented.

A motion was made by Councilwoman Glor, seconded by Councilman Finger to accept and approve the building & zoning reports as presented. Carried Unanimously

Town Clerk- Presented the July 2003 Dog Control Officers report. Reminder that hunting licenses go on sale August 18th.

Attorney for the Town- nothing at this time

COUNCILPERSONS

Cummings – met with Leisurewood regarding bike path and the DEC regarding town-wide drainage

George – nothing at this time

Glor – nothing at this time

Finger – nothing at this time

SUPERVISOR – received letter from Commissioner Lehman regarding the Siehl Road speed change and commended the Highway Department for already having the signs erected. The Supervisor's Reports for the months of May & June are on file with the Clerk.

UNFINISHED BUSINESS

Water District #5- Phase 3 & 4 – the leak in the service on Utley Rd. was fixed by Sergi Construction. Sergi will be in during the fall to finish punch list items. The board members requested copies of the punch list.

Water District #10 Survey- a letter has been sent to the state requesting an increase in the rate of the project ranking. Discussed outside district customer rates and Alabama customers for future of this project.

Town Wide Drainage- nothing new

Christian Airmen Re-Zoning- met on July 16th with Christian Airmen and received a response today to the issues discussed. Copies have been given to the board for discussion at next work session.

Senior Center- seniors have raised \$14,000 of their \$75,000 goal so far. Work is moving along, brick and shingles have been chosen. An interview must be done with Summit this week.

Sewer Project- work moving along quite well, roadside work is done, hook-up to the village system is complete and the man-hole is in.

AT & T Cell Tower- work session discussion

Other- nothing

NEW BUSINESS

AT&T Tower application- SEQRA:

A motion was made by Councilman Cummings, seconded by Councilman Finger declaring lead agency status on the AT&T cellular tower project at 12564 Rapids Road and approving the mailing of Lead Agency Notices to the appropriate involved and interested agencies on this project.
(Resolution Attached) Ayes-5 Nay-0 Carried Unanimously

Water District #10- Public Meeting:

A motion was made by Councilwoman Glor, seconded by Councilman George approving the publication for a public meeting to be held August 25, 2003 at 7:50pm at the Newstead Town Hall to hear comments on the proposed Water District #10 project regarding SEQRA environmental issues.
(Resolution Attached) Ayes-5 Nay-0 Carried Unanimously

Highway Department- Petty Cash account:

A motion was made by Councilman Cummings, seconded by Councilwoman Glor approving the establishment of a petty cash fund to be overseen by the Highway Superintendent, for the highway department in the amount of \$100.00.
(Resolution Attached) Ayes-5 Nay-0 Carried Unanimously

Other:

A motion was made by Councilman Finger, seconded by Councilwoman Glor approving the selection of Sergi Construction as contractors for the water service to the new Senior Center.
 Ayes-5 Nay-0 Carried Unanimously

A motion was made by Councilman Cummings, seconded by Councilman George requesting a speed study be completed on McNeeley Road and authorizing the Town Clerk to submit the appropriate applications along with a copy of the petition from McNeeley Rd. residents.
 Ayes-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 Councilwoman Glor, seconded by Councilman Finger to adjourn the meeting at 8:38 PM

Carried Unanimously

Respectfully Submitted,

Dawn D. Izydorcak, Town Clerk