

**TOWN OF NEWSTEAD DRAINAGE BOARD
MINUTES OF APRIL 17, 2007**

Members Present: Don Kreher
Dan Kowalik
Mike Rushok
Jim DeYoung
Robert Wideman

Others: Scott Rybarczyk – Wendel
Mike Bassanello – Highway Superintendent
Mark Decker – Town Board
Harold Finger – Town Board
Justin Rooney – Town Board
Jennifer Heberling – Recording Secretary

Meeting called to order at 7:00PM.

Doug Ceisner – 12739 Main Road – appeared to speak. He informed the board that the DEC and the DA have dropped the charges against him for the property at Main Road and South Newstead Road. The Army Corps. of Engineers wants nothing to do with the property. On November 17th, a letter from the DEC was sent to Mike Bassanello. Mr. Ceisner can submit an Article 24 Permit. (The board is not aware of what an Article 24 Permit is.) Mr. Ceisner brought in pictures of the culverts on his property at Main and South Newstead. He showed pictures and maps to Scott from Wendel. The culverts are full and the ditch is full. Mr. Ceisner claims the corn field across the street on South Newstead drains onto his property.

Mike stated to the board that an Article 24 Permit allows a ditch in the wetland to be cleaned.

Mr. Ceisner called Don Kreher in March and wanted to meet with him to show him the pictures that he had.

Scott stated that the pictures show the current conditions of the ditch, not the original condition of the ditch. The ditch can be cleaned out only to its original condition.

Mr. Ceisner started discussing various assessments because he wants to know if the Town wants property on the roll that is worth \$40,000 or \$400,000? He claims that if he can get this property drained, he will have a Tim Hortons at that location.

Chuck Rosenberg from the DEC stated to Mike that the paperwork Mr. Ceisner has submitted to them is incomplete and that they are still reviewing the situation.

Scott questioned why a State issue is being brought in front of a Town Committee. He also stated that even if the ditch is drained (there are ways to clean the ditch), Mr. Ceisner would still have to have the land removed from the wetlands.

Mr. Ceisner wants help from the Drainage Committee in getting the Article 24 Permit approved.

The State is the one that has to make the final decision on this piece of property.

Don Kreher would like Mr. Ceisner to provide information to this committee on what an Article 24 Permit actually is.

Mr. Ceisner claims that the highway department cleaned the ditch on Buell Street for Kreher's Farm. The board stated that it was cleaned due to the October Storm.

Don Kreher stated that the committee still needs clarification if we are allowed to clean a ditch in the wetlands.

Patrick Galla – 5475 Barnum Road – properties in his area drain behind his house into the wetlands. He wants to talk to the committee about building a pond. He claims that all the new homes on Barnum drain onto his property. He spoke to the Planning Board last year about putting in a pond. The property floods due to the new construction. The prior owner of the property came to the Drainage Committee 6 or 7 years ago. The property is at the bottom of a hill and the Town would

probably not allow someone to build a new home at this location. The prior owner wanted the Drainage Committee to dig a ditch for him and he was told that he should take care of digging the ditch himself.

Mark Decker explained to the committee that any new building now requires a drainage plan.

Mr. Galla wants to put in a pond to take care of the water. He would like to know where the overflow for pond would go. Since Barnum is a County road, Mike can call someone from the County and have them come out and take a look at the property.

Mr. Galla also asked about new culvert pipes that get put in and how is that water directed. He is basically asking if the Town would be willing to pay for putting in a pond for him.

Scott would like some time to do some research on this situation.

Mr. Galla's neighbor apparently has his sump pump drainage pipe 6 feet onto Mr. Galla's property. The board would like John Good to take a look into this problem.

The letter from Whiting's was discussed at the meeting. The draft of "Drainage Program Framework" was passed out to the board from Scott. Discussion on this by the board.

Mike stated to the board that cleaning of the Cedar Street ditch has begun. He started at Murder Creek and has gone as far as Barbookles house. He has gotten quite a few easements signed. Mike will bring the map in to the next meeting. The highway department is cleaning the ditch to get it to the point that they can mow it. They are not digging anything, just cleaning out the storm debris.

Mike wants to rent a second excavator so the Town can have 2 of them going at the same time. The County is going to be cleaning some of the ditches. Mike is going to go up through the DeYoung's farm to Whiting's and Perry's.

Scott wants to know if cleaning is going to be enough. If not, they would have to get permits to do dredging. At this time there is only 1 person working on this ditch.

Scott wants time and money tracked on this project, for future projects. He also wants pictures taken as the cleaning is progressing for future reference.

The easements will be obtained by Mike and Nathan. The property owners will be determined by the building department. There was discussion as to how and if the building department should track easements. Will discuss with John if and how he wants to handle this.

Discussion on updating maps and naming all the ditches. Scott will get a larger map for this purpose.

Dan Kowalik informed the board that there are 2 major and 1 minor subdivisions in the process in the village. These will be at Buell & Skyline (8 houses), Hake & Jackson (23 lots with a road and cul-de-sac) and 45 acres on Clarence Center Road (92 patio homes and 27 single family homes.) This encompasses 81 acres in the Village, in which their drainage is going to impact the Town. Dan wants both boards and Village and Town Boards to look at these together.

The minutes from the previous meeting were accepted as submitted.

Meeting adjourned at 9:00PM.

Respectfully submitted
Jennifer Heberling