

A Regular Meeting was called to order by the Newstead Town Board on Monday ,  
January 22, 2001 at the Newstead Town Hall at 8:00 PM.

Present: Donald Holmes – Supervisor  
Gerald F. Summe – Councilman  
Thomas George - Councilman  
David L. Cummings – Councilman  
Joan M. Glor – Councilwoman  
Donnal D. Folger – Code Enforcement Officer  
Andrew Casolini – Town Engineer  
Nathan Neill – Attorney for the Town  
Carole D. Borchert – Town Clerk  
Kathleen McLeod Lang – Deputy Clerk

Roll Call was taken with all board members present .

Pledge to the flag was led by Councilwoman Glor.

Minutes from the previous meeting held on January 8, 2001 were presented for approval.  
A motion was made by Councilwoman Glor, seconded by Councilman Cummings to  
approve, as presented.

Carried Unanimously

Communications - Clerk presented the following:

A letter of resignation from Marlene DeLelys as Bingo Inspector effective immediately.

Letters from Highway Superintendent Jim Ebersole for the purchase of 3 pickup trucks  
and 2 tractors with specified equipment as per State Bids.

An agreement to spend Town Highway Funds in the amount of \$229,113.00 for general  
repairs of 29.92 miles of town highways on Havens Road, South Ayers Road and County  
Line Roads.

A letter from the Office of the State Comptroller with average estimated costs for County  
and Town Special Improvement Districts for 2001.

An agenda for a meeting on January 15<sup>th</sup> from NYS Thruway Authority, Williamsville  
Toll Barrier Improvement Project.

A letter from Time Warner Communications noting that the merger of TWC and AOL  
has been closed.

Annual Water Quality Report for Town of Newstead Water Districts from NYS Health  
Department.

A Smart Growth Report for review. Carl Klingenschmitt is reviewing same.

A fax transmission of the Town of Amherst Central Fire Alarm Annual Report for the  
year 2000.

A letter from NYS Comptroller Office on a legal decision on special assessment for  
failure to provide actual notice to property owners.

A copy of a signed agreement from the Town of Alden on the sharing of Building  
Inspector duties.

Information packet from Peter J. Smith & Company on the Comprehensive Plan.

Data sheets on complaints handled by the Erie County Sheriff in Akron and Newstead for  
the month of December.

Information from TrueNorth Company on GIS Data and Implementation.

Memo and transmittal of hard copy of the Draft Consolidated Action Plan from EC Department of Environment and Planning.

A copy of the newspaper from ESRI entitled "ARC NEWS" relating to GIS.

A motion was made by Councilman George, seconded by Councilwoman Glor to receive and file, as presented.

Carried Unanimously

Supervisor Holmes reported on the last work session held on January 15<sup>th</sup> having started at 6:00 PM. Met with HHL/Paragon regarding the new library, Jeff Peters, regarding insurance, Peter Henley, regarding Scotland Road site, TVGA Engineering Firm regarding NYS Thruway toll barrier, Jim Ebersole regarding trucks, tractors, highway fund agreement, Mike Courneen regarding GIS Needs Assessment, discussed response to Senior Citizens, Water District #5 (Town Park) and District #7A updates, Wendel proposal regarding Park, agreement with Alden on Building Inspector exchange, and Executive Session on a personnel matter.

Privilege of the Floor – No one spoke

Approval of Bills – Councilwoman Glor presented Abstracts #24, #25, #1 and #2. #24 was approved at the meeting of January 8<sup>th</sup>, but has now been separated listing the unpaids on #24 numbered 1175 – 1251 totaling \$131,701.07 and #1 listing the prepaids numbered 1 – 13 totaling \$104,915.92.

Carried Unanimously

Vouchers on Abstract #25 numbered 1252 through 1277 were presented for approval by Councilwoman Glor, seconded by Councilman Summe:  
General Fund "A" – \$11825.28, Fund "B" \$0, Highway "DA" - \$0, Highway Outside Village "DB" \$22,617.83, Library Projects "HE" \$340.00, Fire Protection "SF" \$1,235.30, Refuse "SR" \$18,667.02, Sewer Fund "S" \$889.95, and Water Districts "SW" - \$8,954.72 totaling \$64,530.10. Abstract #2 numbered 14 through 38 General Fund "A" - \$5,978.02, Fund "B" - \$40.00 and Highway Fund Outside Village "DB" \$736.19 totaling \$6754.21.

Carried Unanimously

#### COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Highway employees will be meeting with the board at work session on the 29<sup>th</sup> at 7:30 PM. He has applied to FEMA for the 2 day November 20<sup>th</sup> storm and the Town will be recovering \$6500.

Assessor – Not present, in Albany. Lawsuit has been postponed again.

Code Enforcement Officer - The following building permit was presented for the record:

Jack Hayes – 13090 Main Road – Sign Renewal

Special permit renewals as follows:

Rattles to Reading Day Care – Bloomingdale Road  
Countrycare Day Care – Rapids Road  
Robert George Small Engine Repair – Buckwheat Road

A motion was made by Councilman Summe, seconded Councilman George to renew the Special Permits as presented.

Carried Unanimously

He stated that he will be attending his annual Building Inspectors School on February 4<sup>th</sup> through the 7<sup>th</sup>. And he has given out 173 red recycling bins so far this month.

Town Clerk – She read the Dog Control Officer’s Report for December and gave the annual totals for the year in all categories.

She stated that HEAP would be taking applications here on Monday, February 5<sup>th</sup> from 9 AM to 4 PM

Attorney for the Town – He has met with the Village Attorney and the easement agreement should be ready for the February meeting.

#### COUNCILPERSONS

Summe – He attended the Clarence-Newstead Chiefs Meeting where they discussed the fire service incentive being offered at ECC for volunteer firemen. A master plan meeting is scheduled for Thursday at the Town Hall at 7:30 PM.

George – Nothing to report

Cummings – He reported that the Dog Control Officer would like to streamline the dog renewal process. Rather than making two phone calls and sending a letter he suggests only sending the letter and calling once, then issuing the ticket, as it appears to be the same ones year after year. Notice to be placed in the paper.

Glor – She attended the Assessment Meeting held by Fred on Saturday. She also attended the Senior Citizens Pot Luck luncheon with Councilman Summe on Wednesday and they met with President Paul Herman awaiting answers on questions of concern.

SUPERVISOR – He stated that the work session next week will be with the Highway employees and part of the Village Board among other items.

#### UNFINISHED BUSINESS

Water District #5 – Andrew reported that a letter and application for additional funds for Phase 2 has been prepared for the board to review.

The attached resolution was moved by Councilman George, seconded by Councilman Cummings on SEQR lead agency by the Newstead Town Board.

(Resolution Attached) Carried Unanimously

The attached resolution was moved by Councilwoman Glor, seconded by Councilman Summe approving a partial settlement agreement between the Town and OSC.

(Resolution Attached) Carried Unanimously

Water District # 7A – Working on close out items. A motion was made by Councilman Summe, seconded by Councilwoman Glor to table until May 1<sup>st</sup>.

Carried Unanimously

Library Project – Councilman George reported the board will be meeting with the architects at the work session on the final design. Bids are due January 31<sup>st</sup>. Plans are here. A redesign of the front of the Village Hall area, per their desire, in the next 10 days to be included into the bid documents. Anticipate a recommendation for award at the February 12<sup>th</sup> meeting.

Rezoning for Scotland Road – Awaiting for the Town Attorney to be contacted. He has heard nothing.

Wastewater Update – Awaiting.

Assessment Challenge – Postponed.

Master Plan Update – Meeting scheduled for Thursday. He has signed a pay request for the next meeting.

Spring Marsh Expansion – Should have been deleted from agenda.

#### NEW BUSINESS

Park Plans – A motion was made by Councilman Summe, seconded by Councilwoman Glor to approve the low bid of KJR Construction in the amount of \$73,080.

Carried Unanimously

Utility Bill Audit – Supervisor Holmes stated that a firm is willing to look into the utility bills being paid by the Town. There is no charge, but they would take half of any refund recovered. A motion was made by Councilman Summe, seconded by Councilman Cummings to have the Supervisor pursue.

Carried Unanimously

Truck Purchases – A motion was made by Councilman George, seconded by Councilman Cummings authorizing the Highway Superintendent to purchase 2 trucks per NYS Bid with options specified @ \$19,651.50 each, 1 per NYS Bid Group #PC57130 @ \$20,610.60 and 1 – Plow equipment for above truck @ \$2,957.00.

Carried Unanimously

Tractor Purchase – A motion was made by Councilman Cummings, seconded by Councilman George to authorize the Highway Superintendent to purchase 3 tractors per NYS Bid, 1 John Deere 4600 with specified equipment @ \$22,824.50, 1 John Deere 425 with specified equipment @ \$7,553.92 and 1 New Holland TS90 Series with specified equipment @ \$53,906.00.

Carried Unanimously

Insurance Proposal – A motion was made by Councilman Summe, seconded by Councilwoman Glor to accept the proposal from Jeff Peters of the Fred Thomas Agency in the amount of \$38,811.00 and changing the theft insurance from the Organizational Meeting to \$100,000 each.

Carried Unanimously

Agreement to Expend Highway Funds – A motion was made by Councilman Cummings, seconded by Councilman George to expend Town Highway monies in the amount of \$229,113.00 for 29.92 miles, Havens Road, South Ayers Road and County Line Road.

Carried Unanimously

Phase 2 GIS Grant – A motion was made by Councilman Cummings, seconded by Councilman George to table this item.

Carried Unanimously

Planning Board resignation – A motion was made by Councilman Cummings, seconded by Councilman George to accept the resignation of David Wakeman, Planning Board Chairman effective 01-30-2001, as per his retirement plans.

Carried Unanimously

A motion was made by Councilman Cummings, seconded by Councilman George to re-appoint David Wakeman as Planning Board Chairman effective 02-01-2001.

Carried Unanimously

Nextel Co-location – The attached resolution was moved by Councilman Summe, seconded by Councilman George to allow Sprint to be co-located on the Sprint tower. Tower is now full with five.

(Resolution Attached)

Carried Unanimously

Other – Agreement with the Town of Alden for Building Inspector duties. A motion was made by Councilman Summe, seconded by Councilman George to authorize the Supervisor to sign said agreement.

Carried Unanimously

ACS Budget Process – A motion was made by Councilman Cummings, seconded by Councilwoman Glor to name Jerry Summe to serve on the ACS Budget Committee as Town Board liaison.

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 Summe to adjourn at 8:50 PM.

Carried Unanimously

Carole D. Borchert RMC  
Town Clerk