

A Regular Meeting was called to order by the Newstead Town Board on Monday , February 12, 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 Highway Superintendent Ebersole

Minutes from the previous meeting held on January 22, 2001 were presented for approval. A motion was made by Councilman Summe , seconded by Councilman Cummings to approve, as presented.

Carried Unanimously

Communications - Clerk presented the following:

A letter from Town Historian John Eckerson with a request for an area in the proposed new Newstead Library for archives of the town, village, school and Historical Society.

A letter advising that Paul J. Liberto, as Agent for a Corporation to be formed, is applying to the New York State Liquor License for the premise located at 13278 Carney Road, Akron, NY 14001

A letter from County Executive Joel Giambra, informing the Town of Newstead, Clarence and Village of Akron that the project submitted for Community Development Block Grant Program has been approved for Rural Transit Service in an amount of \$64,150.

A letter from Wendel Duchscherer with a Water District No. 5 change order.

A letter from NYS Emergency Management Office with notice of payment of \$6,477.99 for the November 2000 Snow Emergency for the Town of Newstead.

The list of bid tabulation for the new library project which were opened at the Newstead Town Hall on February 7, 2001 was presented.

A letter from Wendel Duchscherer for engineering services of WD #5 and the proposal for DWSRF application and environmental proposal.

A letter from Peter J. Smith & Company, Inc. with the meeting summary of the Town of Newstead and Village of Akron Combined Comprehensive Plan held on January 25,2001.

A letter from ECIDA with a notice of a public hearing on March 13, 2001 at the Newstead Town Hall in the matter of project operator Modern Heat Treating & Forging, Inc.

A letter from Wendel Duchscherer with the agreement pages with John Routledge, JKR Construction for the Town Park Water Service contract.

A letter from the NYS Public Service Commission at a session of the Public Service

Commission held in Albany on January 24, 2001 in the matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR, Part 753- Protection of Underground Facilities, filed in C 95-M-01007.

A certificate of attendance to the International Conference of Building Officials from February 5-7,2001 by Don Folger was presented.

A letter from the Erie County Water Authority stating they will cooperate with all communities seeking consolidation or expansion of water districts but feels it is the responsibility of the communities seeking consolidation or expansion to resolve service issues to the satisfaction of the existing water districts, municipalities, as well as the Authority.

A letter from NYS Department of Health and Environmental Facilities Corp. in regards to the Drinking Water State Revolving Fund(DWSRF) application for funding to be submitted before March 1, 2001.

A notice of the WNY Regional Fair Housing Conference being held on Tuesday, April 24, 2001 at Erie Community College North Campus.

The Town of Newstead Supervisor's Report of Cash received for December 2000 was presented for review.

The January 2001 Erie County Sheriffs report with 58 complaints handled in the Village of Akron and 83 complaints handled in the Town of Newstead.

The Akron-Newstead Senior Citizens financial statement from 1/1/200 –12/31/2000 with a balance forwarded to 2001 of \$2,570.39.

The newsletter of the Town of Amherst Department of Senior Services entitled The Network for February 2001 was presented.

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A motion was made by Councilman Summe, seconded by Councilman Cummings to receive and file, as presented.

Carried Unanimously

Supervisor Holmes reported on the last work session held on January 29,2001 Where they met with the Highway employees and discussed Water District #5 funding. The work session held on February 5, 2001 starting at 6:00PM discussing the park design proposals, Master Plan update, training request from Becky Baker, highway employees insurance request, WD#5 build-out update, SEQRA issues, Wendel contract, preliminary discussion of where we want to go with extending WD#7A, preliminary discussion of how we are going to serve Districts #1 & #3, Bingo Inspector, Library Bids and trees.

Privilege of the Floor – No one spoke

Approval of Bills – Councilwoman Glor reviewed Abstract #25 & #2 and found them to be in order. She also reviewed Budget Transfers from 02/09/01 and found them to be in order. Vouchers on Abstract #3 numbered 39 through 104 were presented for approval by Councilwoman Glor, seconded by Councilman Summe
General Fund "A" – \$28,590.09, Fund"B" \$7,146.97, Highway "DA" - \$0, Highway Outside Village "DB"\$12,179.94,Capital Projects-WD#5 "HC" 88,520.26 Library Projects "HE" \$15,449.80, Fire Protection "SF" \$1,235.30 , Refuse "SR" \$512.35, Sewer Fund "S" \$0.00, and Water Districts "SW" - \$2,111.46 totaling \$155,746.17

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Highway Superintendent attended a Pesticide Training last week and will be taking a Category 8 exam on March 6 for his Technician License. He will be out of town from February 14 – 20.

Assessor – The impact notices will be mailed out next week. The informational meetings which he held were poorly attended. He is awaiting word on the Assessment Challenge. The meetings attended in Albany were on the Co-Star. He will be attending the Assessors of Towns Meeting in NYC this weekend.

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

Nextel	Near 11167 Main Rd.	Equipment bldg.
Leonard Schie	10995 Keller Rd.	One Family Home
Verizon	Near 11167 Main Rd.	Equipment bldg.

The Code Enforcement Officer announced 211 recycled bins were given away in the month of January.

The special permit application was referred to the Planning Board for a dog kennel to be built on Barnum Road. Copies of the Economic Development Zone for review by the Town Board and Planning Board joint meeting.

Town Clerk – She read the Dog Control Officer’s Report for January 2001. She also stated Valentines, e: 2001 Town County Tax Bills, will be mailed out tomorrow Due March 15th without penalty.

Attorney for the Town – The Town of Alden Councilman are interested in our plan for WD#5 on Crittenden Road water..

COUNCILPERSONS

Summe – In two weeks, the tree planning for the Pavilion and playground at the Buell Street property with donations from Akron-Newstead Lions club and NYS Nurseryman of 50 trees. The Lions Club will help with the planting.

George – Nothing to report

Cummings – He reported that the NFTA sent a letter requesting bus route to ADESA and the Town.

Glor – Nothing to report

SUPERVISOR – Nothing to report

UNFINISHED BUSINESS

Water District #5 –

The attached resolution was moved by Councilwoman Glor, seconded by Councilman Summe.

(Resolution Attached)

Carried Unanimously

The attached resolution was moved by Councilwoman Glor, seconded by Councilman Summe for Wendel Duchscherer to provide engineering services for NYS Water State Revolving Fund Application WD#5-Phase II-Waterline Construction.

(Resolution Attached)

Carried Unanimously

Library Project – The attached resolution was moved by Councilman George, seconded by Councilman Cummings Approving Agreements with Village for common driveway for the Newstead Library.

(Resolution Attached)

Carried Unanimously

Councilman George reported that the bid opening for the Library were opened on February 7, 2001 and were excess of budget. Manager is working with law bidder. Work Session time needed for next week.

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

Wastewater Update – Awaiting.

Assessment Challenge – Counsel on vacation per Fred Pask.

Master Plan Update – Public Information Meetings to be held March 27,2001 at the Akron Fire Hall with a Public Hearing to be schedule one month later. Scotland Road paperwork in Code Enforcement office, maps later this week.

NEW BUSINESS

Training for Becky Baker- A motion was made by Councilman Cummings, seconded by Councilman George to approve training for Becky Baker

Carried Unanimously

Wendel Contract – A motion was made by Councilman George, seconded by Councilman Cummings for Supervisor to sign contract with Wendel Duchscherer.

Carried Unanimously

Policy on SEQRA Issues- The attached resolution was moved by Councilman Summe, seconded by Councilman Cummings
(Resolution Attached)

Carried Unanimously

Bingo Inspector – A motion was made by Councilman Summe, seconded by Councilman Cummings to appoint Michael R. Middaugh as Newstead Bingo Inspector for 2001

Carried Unanimously

Sewer hook-up at park – Hold for Wendel's review.

Park Master Plan – The attached resolution was moved by Councilwoman Glor, seconded by Councilman Cummings for Mark V. Mistretta of Wendel Duchscherer for creation of a master plan for the town park.

(Resolution Attached)

Carried Unanimously

Street light Removal- A motion was made by Councilwoman Glor, seconded by Councilman Summe to remove street lighting at 5906 Crittenden Road.

Carried Unanimously

Banking Agreements- A motion was made by Councilman Summe, seconded by Councilwoman Glor to Authorize Supervisor for banking at Chase Bank and authorize Bookkeeper Cindy Schilling also to transfer funds.

Carried Unanimously

Rothland's site plan – The attached resolution was moved by Councilman Cummings, seconded by Councilman George for the Town of Newstead to be lead agency for SEQR process in expansion.

(Resolution Attached)

Carried Unanimously

STOP-DWI 2001 contract- A motion was made by Councilwoman Glor, seconded by Councilman Summe to authorize the supervisor to sign the 2001 STOP-DWI contract

Carried Unanimously

Other- Perry's Wastewater Pre-treatment Addition- The attached resolution was moved by Councilman George seconded by Councilman Cummings for Wastewater Pre-treatment addition SEQR.

Carried Unanimously

(Resolution Attached)

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 8:55 PM.

Carried Unanimously

Carole D. Borchert RMC
Town Clerk

