

A Public Hearing was called to order by the Newstead Town Board on Monday, April 9, 2001 at the Newstead Town Hall at 7:30 PM.

Present: Donald Holmes – Supervisor  
Gerald Summe – Councilman  
Thomas George - Councilman  
David L. Cummings – Councilman  
Joan M. Glor – Councilwoman  
Fred Pask -Assessor  
Andrew Casolini – Town Engineer  
Carole D. Borchert – Town Clerk  
Kathleen McLeod Lang- Deputy Clerk

Roll Call was taken with all board members present.

Town Clerk read Proof of Publication as it appeared in the Akron Bugle on March 29, 2001.

Supervisor Holmes explained this is a time to discuss the proposed “Local Law No. 1 of the Year 2001” entitled “Rezoning of Real Property and Zoning Map Amendment.” The proposed Local Law will amend the zoning classifications of a parcel of land located at the intersection of Scotland Road and Indian Falls Road. Those persons wishing to speak for or against the proposed law shall state their name and address for the Town Clerk.

Nathan Withauhr, 380 Akron Road, would like to keep this area rural and agricultural instead of light industrial with more traffic.

Minutes from the previous meeting held on March 12, 2001 were presented for approval. Councilman Glor asked for corrections on page 2 public Master Plan presentation to be held at the Akron Fire Hall at 7 PM., and page 3 proposed Park Master Plan to be held on April 6, 2001 at the Newstead Fire Hall. A motion was made by Councilwoman Glor, seconded by Councilman Cummings to approve as corrected.

Carried Unanimously

Communications - Town Clerk presented the following:

A letter from the Clarence Unit of League of Women Voters is sponsoring the second in a series of presentations regarding urban sprawl and its impact on WNY communities to be held at the Clarence High School, April 5, 2001 at 7:30PM.

A letter from EC Controller Nancy Naples on the impact of 2000 Census on Countywide Sales Tax Distribution.

A letter from Wendel Duchscherer with a completed review of the Storm Drainage and Grading Plan in Conjunction with Master Plan at ADESA-Buffalo.

A letter from the NYS Department of Environmental Conservation in regards to SEQR Lead Agency Designation Northeast Caissons Rezoning.

A notice of a Public Information Meeting being held on Wednesday, March 28, 2001 at the Newstead Fire Company from 7pm-9pm with the NYS Thruway Authority to discuss progress on the Williamsville Toll Barrier Improvement Project.

A letter from the NYS Department of Agriculture and Markets receipt of Preliminary Notice of Intent – Erie County Agricultural District #1- Town of Newstead construction of Waterlines.

A letter from Jaeckle Fleischmann & Mugel, LLP with a voucher for legal services rendered through February 28, 2001 for Perry's Ice Cream Waste Treatment.

A letter from the Greater Buffalo Niagara Regional Transportation Council (GBNRTC) will be conducting a Public Meetings to seek comments on proposed 2002-2006 Transportation Improvement Program to be held on April 9,10, 11 at different locations.

A letter from Peter J. Smith & Company, Inc. with a meeting summary from March 8, 2001 and next Committee Meeting will be held on April 12, 2001 at Newstead Town Hall at 7pm.

The Town of Newstead Supervisor's report of cash received and disbursed for the months of January and February 2001.

A letter from the Town of Lancaster advising a Public Hearing on their Proposed Comprehensive Plan on Monday, April 9, 2001 at Lancaster Town Hall at 7:30PM.

A letter from the Town of Clarence advising of a public scoping session on a draft plan on the Town of Clarence Master Plan 2015 on Monday, April 9, 2001 at 7 PM in the Clarence Town Hall Auditorium.

The April 2001 issue of "The Network" from the Town of Amherst Department of Senior Services was received.

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

Carried Unanimously

Supervisor Holmes reported that the work session for last week was cancelled

Privilege of the Floor – Richard Kasperek, 12646 Hunts Corners Rd., questioned the sewer hookup at the Town Park property and St.Teresa's Church problem of waste water drainage and the possibility of working together cooperatively to resolve both problems.

Approval of Bills – Councilwoman Glor reviewed Abstract #5 and found it to be order. She presented the following vouchers numbered 193 through 229, holding on vouchers #208 & #229, for approval, General Fund "A" – \$8,928.04, Fund "B" \$775.95, Highway "DA" - \$0, Highway Outside Village "DB"\$3,325.73,Capital Projects-WD#5 "HC" 8,905.75, Library Projects "HE" \$0, Fire Protection "SF" \$113,896.00, Refuse "SR"\$12,770.64, Sewer Fund "SS" \$33.80, Water Districts "SW#1" - \$0, "SW#2" \$0,"SW#4" \$0, "SW#5" \$19.75, "SW#6" \$0, "SW#7" \$0, "SW#8" 0,"SW#9" \$0 totaling \$148,655.66. A motion was made by Councilwoman Glor, seconded by Councilman Summe to approve same, as presented.

Carried Unanimously

#### COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Not present. Councilman Cummings reported that the dates for the tire disposal and white good pickups have been posted in all the local papers.

Assessor – Still awaiting information from Special Counsel on assessment hearing date. Informal Hearings going smoothly. He will be in Syracuse for meetings starting Wednesday.

Code Enforcement Officer - The following building permits were presented for the record:

Thomas Land	13427 Stage	Metal Shed
Michael Bryk	13585 Stage	One Family home
Dennis Hudomint	11922 Buckwheat	Pole Barn
Shawn Fitzgerald	7910 Moore	One Family home

He would like work session time to discuss drainage problems on Stage Road with the Highway Superintendent and Sub-Division Laws.

Town Clerk – She read the February Dog Control Officers Report with all dog licenses being renewed through February. Today she attended a NYS Town Clerk Regional Meeting in Canandaigua, NY on indexing Town Board Minutes and the new DEC licensing procedure for 2001-02 conservation year.

Attorney for the Town – Nothing to report

## COUNCILPERSONS

Summe – Nothing to report

George – Nothing to report

Cummings – Nothing to Report

Glor- She reported that as required by NYS law, she has audited the Town Clerks Office for 2000 and found everything to be in order and well done by the Clerk. She will be auditing the Town Court next week

SUPERVISOR – He handed out a list of receipts received through March 16, 2001 totaling \$159,922.55 from various departments being County of Erie, New York State, Town Court, Town Clerk, Tax Collector, and Akron Central School. Also he will be renewing the BAN for Library, WD#9, WD#7A funding at 3.08% interest rate down from 4.5%

## UNFINISHED BUSINESS

Water District #5 – Andrew Casolini reported that his survey crews are out and letters will be sent to the residents. The Town Attorney has a letter for review for the Town of Alden residents, as well.

Library Project - Councilman George reported that revisions have been made to the plans and they are meeting with contractors to resolve some issues. In 2 weeks would like to initiate construction.

Rezoning for Scotland Road – The following resolution was moved by Councilwoman Glor, seconded by Councilman Summe to propose Local Law No.1 of the Year 2001 known as Rezoning of Real Property and Zoning Map Amendment and to schedule a public hearing to be held on April 9, 2001 at 7:30 PM

(Resolution Attached)

Carried Unanimously

Wastewater Update – Andrew Casolini requests work session time to discuss further.

Assessment Challenge – Postponed until June

Master Plan Update – Public Information Meetings to be held tomorrow night March 27, at the Akron Fire Hall at 7 PM.

Water/Sewer Hook up at Park – Authorize Supervisor to sign change order #1 with KJR to be in service April 30 and completed by May 1.

Park Master Plan – Meeting with Focus Group on survey April 26, 2001 at the Newstead Town Hall.

Rothland's Site Plan – Awaiting comments, April 1<sup>st</sup> deadline.

AOL/Time Warner franchise – On hold

McDonald's Site Plan – Waiting SEQR review in progress.

Other - Nothing

NEW BUSINESS

Christian Airman Re-Zoning – Discussing at work session after tonights meeting.

Other – Nothing

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 George to adjourn at 8:30 PM.  
Work session to continue after a short break.

Carried Unanimously

Carole D. Borchert RMC  
Town Clerk