

A Public Hearing was called to order by the Newstead Town Board on Monday, May 8, 2000, at the Newstead Town Hall at 7:40PM.

Present: Donald C. 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 – Engineer
James B. Ebersole – Highway Superintendent
Nathan S. Neill – Attorney for the Town
Carole D. Borchert – Town Clerk
Kathleen McLeod Lang- Deputy Clerk

Roll Call was taken with all board members present.

Clerk read the Proof of Publication as it appeared in the Akron Bugle.

Supervisor Holmes stated this hearing was called to hear anyone speak for or against the application for an expansion of Golden Ponds Estates Manufactured Home Park as required under & 100-23.1 G.(4) of the Code of the Town of Newstead.

Hearing was opened to those in attendance. No one spoke .

There being no one to speak, a motion was made by Councilman Summe, seconded by Councilman Cummings to close the hearing at 7:51 PM.

Carried Unanimously

A second Public Hearing was called to order by the Newstead Town Board at 7:55 PM.

Present: Same as above.

Clerk read Proof of Publication as it appeared in the Akron Bugle.

Supervisor Holmes stated that this hearing was called for anyone to speak for or against a proposed Local Law to be known as “Local Law No. 1 of the Year 2000” entitled ECIDA Exceptions to the Code of the Town of Newstead. The proposed Local Law will allow parcels to be divided for financing purposes, to create parcels that may not meet the requirements of the Zoning Law and which division may without compliance with the normal procedures required by the Subdivision Law, provided the parcel being divided together with the adjoining parcel or parcel controlled by the same entity would as a whole be consistent with the Zoning Law. The new parcel would contain a notation in the Town’s record, subdivided for financing purposes, only, and could not be sold separately from the adjoining parcel controlled by the same entity, and must be recombined once the reason for the division no longer exists.

The hearing was opened to those in attendance. No one spoke.

There being no one to speak, a motion was made by Councilman Summe, seconded by Councilwoman Glor to close the hearing at 8:00 PM.

Carried Unanimously

A Regular Meeting of Newstead Town Board was called to order on Monday, May 8, 2000, at the Newstead Town Hall at 8:00 PM.

Present: Same as above.

Pledge to the flag was led by Supervisor Holmes.

Minutes from the previous meeting held on April 24, 2000 was presented for approval. A motion was made by Councilman Cummings, seconded by Councilman Summe to approve as presented.

Carried Unanimously

Communications – Clerk presented the following:

A petition with 138 signatures for the Newstead Town Board to request NYS Department of Transportation to put a stop light, with sign prohibiting right turns on red, at the corner of Main Road (Route 5) and Buell Street (Route 93).

The 1999 Annual Report of activity for the Denio Memorial Library from Kristine Sutton, Library Director.

A letter to NYS Dept. of Environmental Conservation from Wendel regarding Golden Pond Estates.

A Notice of Complete Application was received from the NYSDEC for applicant Golden Pond Estates MHP.

A letter from Alessi & Neill in regards to the Ontario Specialty Contracting Newstead Waterline construction and the proposed time schedule for completion..

A letter to NYS Environmental Facilities Corp. with the Town of Newstead CWSRF project listing form for the rock salt storage facility at Buell Street, Akron, NY.

A copy of the RPS News article (NYS Office of Real Property Services) in which the Town Assessor, Fred Pask, and Clerk to the Assessor, Becky Baker discussed the ORPS's Version 4 success in the Town of Newstead's Assessors office, entitled RPS Version 4, Up and Running Live.

A certificate of completion for Assessor Fred Pask from WNY-IAAO seminar on valuation of Historic Homes dated May 4, 2000.

A letter from The New Rothland's Inc. d.b.a. Rothland Golf Course seeking to renew their Liquor License in accordance with format set forth by NYS Liquor Authority.

A letter from the Erie County Sheriffs Department with computer data sheets on complaints handled by the Sheriffs in the month of April, 2000 which numbered 54 in the Village of Akron and 69 in the Town of Newstead, outside of the Village.

A letter from the NYS Department of State in regards to the process of revising the current building, fire, and energy codes to make them more comprehensive and consistent with other state codes. Transitional training will be provided by the state.

A brochure on the recent developments and interpretations from the Supreme Court in decisions under the American Disabilities Act.

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

Carried Unanimously

Supervisor Holmes reviewed the work session held on May 1, having discussed salt barn, bike path benches and snow contracts with Highway Superintendent Jim Ebersole, Sub-Division revision and other issues with Don Folger, Water District #5 build out proposal with Wendel, Park sewer system at parkland shelter, finalizing Golden Pond Site Plan, Wastewater Treatment Law and Perry's.

Privilege of the Floor – No one spoke.

Approval of Bills – The following vouchers were approved for payment by Councilwoman Glor, seconded by Councilman Summe: General Fund "A" – \$11,859.65, General Fund "B" - \$1,519.59, Highway "DA" - \$0, Highway Outside Village "DB" - \$1,436.54, Capital Projects "HC" WD#5 – \$50,739.75, Capital Projects "HE" Library, \$-0-, Fire Protection "SF" \$110,295.02, Refuse "SR" \$-0-, Sewer "SS" \$1,310.90, and Water Districts "SW" - \$1,436.49 numbered #377 through #411 totaling \$178,597.94. Voucher #373 was voided and replaced by #407 per change order received.

Carried Unanimously

Highway - Superintendent Ebersole reported that 25.22 tons of tires were recycled during the drop off date at a cost of \$17,065.40 or \$70/ton.

Assessor – Out of Town.

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

Bruce Truax – 8149 Greenbush Road – Above ground pool
Mark Nowakowski – 7065 Draper Road – Above ground pool
Steven Payne – 11152 Miland Road – Garage
Malcolm White – 12061 Rapids Road – Above ground pool
T. Schoenwetter – 7310 Scotland Road – Deck
Robert Bojanowski – 11601 Rapids Road – One family home
Brian Doman – 5271 Crittenden Road – Dormer addition, shed roof.
Ed Berghorn – 11347 Rapids Road – Rear & East Side Deck
NOCO Energy – 13613 Main Road – Above Ground Fuel Tank
NOCO Energy – 13613 Main Road – Above Ground Fuel Tank

Town Clerk – She presented the Dog Control Officer's report for April. He also reported that he is ready to start the enumeration whenever the board agrees.

Attorney for the Town - Nothing at the time.

COUNCILMAN

Summe – Nothing at this time.

George – Nothing at this time.

Cummings – After researching the past dog enumeration fees he suggested a new fee of \$1.50 per dog be established. He commented that the cars have been put back at the Main and Barnum Road site and would like Mr. Folger to keep on him. He also reported on the white metal pickup totaling 34.86 tons and having received a check for \$697.10, which is down from other years.

Glor – She has been working on the BFI recycling concerns and researching numbers with other towns.

Supervisor – He reported having received the following revenues: \$26,676.73 Sales Tax, \$11697.38 Time Warner, \$89,098.20 EC snow removal contracts, and \$49,307.87 Sales Tax. He stated he met with Town Attorney, Supervisor, DEC, Health Dept., ECWA and Naturesway on various water options.

UNFINISHED BUSINESS

Water District #5 –Andrew stated that he is waiting the revised schedule on reconditioning per the meeting scheduled for tomorrow .

Water District # 7A – It is out to bid for opening on May 24th at 11 AM or 3 PM.

Library Project – Next week work session will be meeting with Hamilton, Houston, Lownie , Architects, with photos and renderings, per comments made. Construction Manager should have some cost estimates and update on program budget, per Councilman George. He has met with the Architect, Site engineer and Village Planning Board. The attached resolution was moved by Councilman George, seconded by Councilman Cummings naming the new library, “Newstead Public Library”:

(Resolution Attached) Carried Unanimously

Rezoning for Scotland Road – Awaiting .

Salt Barn – Studying.

Wastewater Update – No report, Wendel is working on.

Policy concerning subdivision non-compliance – The attached policy was moved by Councilman George, seconded by Councilman Cummings:

(Policy Attached) Carried Unanimously

Golden Pond Estates Site Plan – The attached SEQR resolution was moved by Councilman Summe, seconded by Councilman Cummings:

(Resolution Attached) Carried Unanimously

The attached Golden Pond Expansion Approval was moved by Councilwoman Glor, seconded by Councilman Cummings:

(Resolution Attached) Carried Unanimously

Local Law #1 for 2000 – The attached SEQR resolution was moved by Councilman Cummings, seconded by Councilwoman Glor:

(Resolution Attached) Carried Unanimously

The attached resolution was moved by Councilman Cummings, seconded by Councilman George adopted Local Law #1 for the year 2000:

(Resolution Attached) Carried Unanimously

NEW BUSINESS

Bike Path Bench – A motion was made by Councilman Summe, seconded by Councilman Cummings to authorize payment of the Peter Greatbatch plaque for the Bike Path bench given in his memory.

Carried Unanimously

Buffalo Drilling Site Plan – Recommendations from the Planning Board to be in next week.

Other – American Cancer Relay for Life - The attached resolution was moved by Councilman George, seconded by Councilwoman Glor proclaiming May 20, 2000 as American Cancer Society Day in the Town of Newstead:

(Resolution Attached)

Carried Unanimously

Dog Enumeration – A motion was made Councilman Cummings, seconded by Councilman Summe to authorize Dave DeYoung to start the census in the Village of Akron and all Mobile Home Parks as a Phase I for this year. He will do 1/3 of the Town each year. Fee established at \$1.50 per dog counted.

Carried Unanimously

EC Association of Towns snow removal contracts – The attached resolution was moved by Councilman Cummings, seconded by Councilwoman Glor:

(Resolution Attached)

Carried Unanimously

Question Period – No one spoke

There being no further business to come before the board a motion was made by Councilman Cummings, seconded by Councilman George to adjourn at 8:50 PM. Work session to continue at the request of Councilman Summe.

Carried Unanimously

Carole D. Borchert, RMC
Town Clerk