

A Regular Meeting of the Newstead Town Board was called to order on Monday, June 12, 2000 at the Newstead Town Hall at 8:00 PM.

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
Fred Pask - Assessor
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.

Pledge to the flag was led by Supervisor Holmes.

Minutes from the previous meeting held on May 22, 2000 were presented for approval. Supervisor Holmes asked for a correction under work session items. Buffalo Drilling site plan is now before the Town Board, not Planning Board. A motion was made by Councilman Summe, seconded by Councilman Cummings to approve as corrected.

Carried Unanimously

Communications- Clerk presented the following:

A letter and report from Deloitte & Touche, independent auditor, on the general purpose financial statements of the Town of Newstead for the year ended December 31, 1999.

A letter from NYS Dept. of Transportation on the Route 5 reconstruction, from Hillcrest Drive to Genesee County line, Towns of Clarence & Newstead, approving the relocation/adjustment of water facilities which is being incorporated in the State's contract.

A letter from Wendel on the subject of Water District No. 7 A water construction bidding. The low bid submitted by KJR Construction Co. was recorded as \$92,873.00 and recommend acceptance.

A letter from Wendel on the subject of Services during Construction Proposal Water District No. 7A Extensions within the District.

A copy of a letter from Wendel to Ontario Specialty on the subject of Water Service in Water District #5 giving a final list of property owners requesting water service connection who did not meet the April 1, 2000, deadline but have installed their service from the home to the right-of-way.

A letter from Wendel on the subject of Water Service in Water District # 5 and the minimum depth of cover for the water service being revised to 4'-0". The contract documents required the minimum depth of cover for a water service to be 4'-6".

A letter from Wendel on the subject of Town of Newstead Wastewater Ordinance Perry's Ice Cream Submittal on the meeting held on Friday, May 19, 2000.

A letter from the NYSDEC with a completed Draft of NYS Solid Waste Management Plan, 1999/2000 Update.

A permit from NYSDEC for Freshwater Wetlands :Water Quality Certification issued to Mr. Richard C. Reinhold for construction of a single family residence, a pole barn and pond on the east side of Crittenden Road.

A letter from Time Warner Communications with a copy of the Consumer Guide to Cable and Home Entertainment Equipment which was mailed to all customers in the Newstead.

A notice of Public Meeting to be held on June 2, 2000 at 10:00 AM at the Buffalo and Erie County Public Library for a Policy Council meeting of the Greater Buffalo Niagara Regional Transportation Council.

A notice of Public Hearing at the Town of Alabama Town Hall on Monday, June 12, 2000 at 7:30 PM to allow all interested parties an opportunity to comment on the adopting of a Proposed Local Law Amending the Zoning Law of the Town of Alabama.

A Report from the EC Dept. of Environment and Planning on the Public Review of Draft 1999 Erie County Consolidated Annual Performance – Addendum #1.

An Operations Report from the Town of Amherst Central Fire Alarm Office for the month of May was received.

A letter from the Dept. of State, stating that the Town of Newstead, Local Law # 1, 2000 was received and filed on 05/25/2000 in the Bureau of State Records office.

A card from Code Publishers that Local Law #1-2000 has been added to the code and distributed as supplemental pages.

A memo from EC Planning on public review of draft 1999 EC Consolidated Annual Performance Report Addendum #1 for Community Development , Home Investment Partnership and Emergency Shelter Programs.

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

Carried Unanimously

Supervisor Holmes reviewed the work session held on June 3 having discussed the report from Deloitte and Touche reviewing the year end Financial Statement, Water District # 5 report being contractors progress, Fire Co. request for Storks fittings, progress on build-out estimates, ad, report on services regarding depth and Carroll easement report, Water District #7A bid opening and requirements before moving to construction, Library Project, Master Plan Committee, and Fire Companies.

Privilege of the Floor – Douglas Seaner, 6715 Cedar Street, reported the odor from Perry's was still in the air from 5:30 PM today and wanted Mr. Folger to be aware to record complaint.

Doreen Park, 6794 Cedar Street, also reported to Mr.Folger a continuous odor from 2 PM from Perry's.

Approval of Bills – Abstract #10 from the May 23, 2000 board meeting was audited by Councilwoman Glor and found to be in order. The following vouchers were approved for payment by Councilwoman Glor, seconded by Councilman George: General Fund "A" – \$32,489.22 General Fund "B" - \$1,556.07 Highway "DA" - \$0, Highway Outside Village "DB" - \$16,295.66, Capital Projects "HC" WD#5 – \$8,836.72, Capital Projects "HE" Library, \$0.00, Fire Protection "SF" \$16,640.02, Refuse "SR" \$173.09, Sewer "SS" \$588.75, and Water Districts "SW" - \$2,486.84 numbered #477 through #544 totaling \$79,066.37.

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway - Superintendent Ebersole reported that he attended Highway School in Ithaca, NY June 4 - 7 and it was very informative.. The Gradell is fixed and being tested. They will be paving Howe Rd. starting June 26, 2000. Mowing roadside is complete. Erie County Highway is borrowing the grader for work being done on Davison Rd.

Assessor - He stated that the tax status date of June 1, 2000 has come and gone. The 2000 tentative assessment roll is being finalized. Change notices will be sent out this week and informational letters on challenges are available in the Assessor's Office. Grievance Day will be held on Wednesday, July 5, 2000 from 2:00-4:00 PM, 8:00-10:00PM.

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

Mark Decker – 12795 Brucker Rd.- Mud Room
Robert Hoste- 7939 Burdick Rd.- Front Deck
Dale Siminski – 11150 Main Rd. – AG Pool
Art Beitz- 13012 Dorsch Rd.- Pool,convert garage
Tom Kowalewski- 4500 Ayers- AG Pool and Deck
Randy Schaefer- 6557 Utley- AG Pool
David Lally – 11760 Clarence Ctr.Rd.- Pole Bldg.
Joseph Burkett- 12561 Clarence Ctr. Rd.- Rear Deck
Kelli Kelkenberg – 7830 Mill – IG Pool and Fence
Robert Hensel- 11399 Hunts Corners Rd.- 2 Front Decks
Lois Eldred – 12527 Clarence Ctr.Rd.- Replace Porch
Norman Frey- 7636 Greenbush- Shed
Charles Strait- 11202 Crego Rd.- Pole Barn
Deborah Mesavage- 8032 Kathryn Dr.- AG Pool and Deck
Carolyn Bicheler – 11672 Nice Rd. – Shed
Roger Miller – 6930 Cedar St. – Shed
ADESA – 12200 Main – Office Addition
Jeffery Ford – 7426 Maple – AG Pool

Town Clerk –She presented the Dog Control Officer's report for May and stated that she sent out 201 delinquent tax notices totaling \$304,999.44 due June 30th.

Attorney for the Town – He stated he has been trying to reach Nancy Carroll at 5053 S.Newstead Rd. on the culvert being placed on her property.

COUNCILMAN

Summe – He announced the playground equipment was delivered, but erection will not take place until July. Master Plan Committee Meeting will again meet with Town Board and Village Board on September 7, 2000. The rezoning of Scotland Road will be discussed at a mid- July meeting and the surveys are out. He is awaiting a quote on a water service. He also wanted to register his complaint of the strong odor from Perry's over the weekend.

George - Nothing at this time.

Cummings - Nothing at this time.

Glor – She received word that the project for the \$7500 grant for trees was not selected this year, but will try again in 2001. She will be doing follow-up on same. The recycling guide for the Town of Newstead received from BFI was distributed to grades pre-K thru 8th at Akron Central with the help of Ms Sandy Keppel, 6th grade teacher. She also stated that she audited the office of the Town Clerk and Justice Court for the year 1999 and stated all was in order by law. She commends Town Clerk Carole Borchert and Court Clerk Diane Graziano for their efficient record keeping in their respective offices.

Supervisor – Nothing at this time

UNFINISHED BUSINESS

Water District #5 – Andrew Casolini reported that the restoration is continuing within the district for completion by mid-July.

Water District # 7A – He has scheduled a pre-award meeting with KJR and recommends awarding bid to them. The attached resolution was moved by Councilman Summe, seconded by Councilwoman Glor to award bid to KJR Construction:

(Resolution Attached)

Carried Unanimously

A motion was made by Councilwoman Glor, seconded by Councilman Cummings to accept Wendel Engineers proposal for services during construction.

Carried Unanimously

Library Project – Councilman George attended a meeting on June 9, 2000 with the Buffalo and Erie County Library and Building Committee, they are pleased with the plans for the new library. Bid Package #1 Asbestos Abatement and Building Demolition for the project will be opened at the Town Hall on June 29, 2000 at 2 PM. for work to be done in July.

A Public Informational Meeting for the project will be held on Wednesday, June 21, 2000 at 7 PM at the Newstead Fire Company. There will be a brief presentation from the architects, fund raising committee and Library Board.

He requested work session time for Library discussions with the architect, Fund Raising Committee and Library Board. A time of 8 PM on June 19th was given.

A meeting with the Akron Fire Company and Akron House as a phase 2 project, for a municipal parking lot with alternative site plans to be created as a follow up. June is a very exciting month for this Project

Rezoning for Scotland Road –On hold

Salt Barn – Highway Superintendent is working on plan to be discussed at work session.

Wastewater Update – Andrew Casolini reported he was just given a report from Perry's tonight and will be reviewing this week.

Buffalo Drilling Site Plan – Tanks have been removed, but not much else.

NEW BUSINESS

Other –A copy of a letter from Erie County Personnel was put in board members boxes for review. A motion was made by Councilman Summe, seconded by Councilwoman Glor to authorize the Supervisor to sign all certifications of payrolls as requested.

Carried Unanimously

Councilman Summe gave a signed and completed copy of the Master Plan Proposal to the Town Clerk for filing. A copy to be made for the Attorney.

Question Period – Doreen Park, 6794 Cedar Street, asked what the procedure was for requesting a double solid line from Lewis Road to horse farm on Cedar Street for safety reasons. She was informed that a petition should be obtained, signed and presented to the Town Board. They in turn would order a traffic study to be done by the County, as this is a County road.

Douglas Seaner , 6715 Cedar Street, questioned the late arrival of Perry's information , 6 months overdue, when is the Town Board going to enforce the Wastewater Treatment Law and fine them.

There being no further business to come before the board a motion was made by Councilman George, seconded by Councilman Cummings to adjourn at 8:50 PM. Work Session to continue after a short recess.

Carried Unanimously

Carole D. Borchert, RMC
Town Clerk