

A Public Hearing was called to order by Newstead Town Board on Monday, June 25, 2001 at the Newstead Town Hall at 7:55 PM.

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

Roll Call was taken with all board members present.

Supervisor Holmes stated that this hearing was called to hear anyone speaking for or against a request to consider a special permit, in an R-A District, for an expansion of an additional 9 holes to the Rothland's Golf Course located at 12089 Clarence Center Road.

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

There being no one to speak, a motion was made by Councilman Summe , seconded by Councilwoman Glor to close the hearing at 7:59 PM.

Carried Unanimously

A Regular Town Board Meeting of the Newstead Town Board was called to order at 8:00 P.M.

Present: Same as above plus Fred Pask – Assessor
Jim Ebersole – Highway Superintendent

Pledge to the Flag was led by Attorney Nathan Neill.

Minutes from the previous meeting held on June 11, 2001 were presented for approval. A motion was made by Councilman Cummings, seconded by Councilwoman Glor to approve as presented

Carried Unanimously

Communications – Town Clerk presented the following:

A letter from Paul H. Zuppinger, ABC Consulting Service, advising the Town of Newstead that James C. Thompson & Paul C. Dolce, DBA-Time Out Too are in the process of renewing their on-premise liquor license at 11986 Main Rd., for another 2 year period with the State Liquor Authority.

A letter from David Dunn, Publisher of The News of Akron and Newstead, with a proposal that the legal notices be published in his paper as well as the Akron Bugle.

A letter from the Town of Clarence Town Clerk Nancy Metzger with an attached copy of a resolution in regard to a proposed solution of the ever-growing deer problem facing the residents of the Towns.

A letter from the State of New York, Department of the State in regards to the 2000 population total in the Town of Newstead being 8,404, an increase of 964, or 13%. Towns with population of more than 5000, but less than 10,000 may opt to become a Town of the first class. If the number is 10,000 it is mandatory.

A Erie County STOP-DWI briefing notice to be held on Friday, June 22, 2001 at the Navy & Marine Corp. Reserve Center, Porter Avenue, Buffalo on Boating while Intoxicated.

A copy of a letter from Wendel Duchscherer to KJR Construction Company in regards to completion of Town Park Water and Sewer Service, stating work must be completed by June 25, 2001 and if not they will be in violation of the contract.

A letter and brochure from Niagara Mohawk with basics for underground utilities and listing their new web site address.

A letter from Erie County Water Authority in conjunction with the NYS Environmental Facilities Corporation (EFC) sponsoring a workshop for municipalities to learn more about the financial incentive programs available for financing water system needs, drinking water and wastewater.

A letter from the NYS Department of Agriculture and Markets with information on Request for Proposals for Agricultural and Farmland Protection Projects.

A faxed copy of the Town of Amherst Central Fire Alarm May 2001 Operations Report. Akron had 44 calls and Newstead 28 calls.

A letter from the Erie County Sheriff's Office with the total complaints handled by the EC Deputies in the Village of Akron, 84, and the Town of Newstead, outside the Village, 80, during the month of May, 2001.

A memo from the EC Department of Environment and Planning enclosing the Public Review of Draft 2000 Erie County Consolidated Annual Performance Report.

A copy of the spring 2001 Aging News Publication from the NYS Office for the Aging.

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

Carried Unanimously

Supervisor Holmes reported on work session items discussed on June 18, 2001 as follows: Discussed GIS Needs Assessment Report, Wastewater permit for Perry's, WD# 5, hydrants for Crittenden Rd. at Thruway crossing & Main Rd. line, Punch list for OSC & report on walk through, Design services contract, Sprint Tower Permit, Library update, Airport Site Plan, I Squared R penalty per Fred's memo, Web Site Proposal, Town Park Little League Football use, and Facility Study.

Privilege of the Floor – Gretchen Doctor, 4185 South Newstead Road, is requesting help for the problem of reconstructing the ditches, since the construction of new water line. Water now stands on her property rather than flowing down the ditches. She stated it has been 2 years and would like to know when and how it will be done. The Supervisor stated he believes the problem lies with the contractors. A meeting of the Town Engineer, Highway Superintendent and Erie County Highway personnel will be scheduled to get this problem addressed and completed.

Approval of Bills – Councilwoman Glor reviewed Abstract # 10 of the audited vouchers and found them to be in order. She has researched vouchers numbered 468 through 520, Abstract #11, and moves for payment as follows: General Fund "A" – \$21,327.83, Fund "B" \$2,567.74, Highway "DB" - \$11,500.97, Capital Projects WD#5 – "HC" 0, WD#7A "HD" \$ 0, Library Projects "HE" \$19.18, Fire Protection "SF" \$0, Refuse "SR" \$20,912.94, Sewer Fund "SS" \$18.29, Water Districts "SW#1" - \$0, "SW#2" \$0, "SW#3" \$0, "SW#4" \$0, "SW#5" \$21.54, "SW#6" -0, "SW#7" - \$19,550.81, "SW#8" \$0, "SW#9" \$0, totaling \$75,919.30. Motion was seconded by Councilman Summe to approve, as presented.

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Highway Superintendent Ebersole stated that the oiling and chipping is complete at an approximate cost of \$32,856.35, second mowing of the town roads will be complete by July 3, 2001. He is looking to dispose of his old copy machine. Don Folger will check to see if anyone is interested.

Assessor- He is awaiting information from the attorney on the Assessment Challenge. He attended an Equalization Meeting today and will be giving a review to the Town Board. Preliminary rate is 100%.

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

Alan Dipaolo	12218 Dorsch	IG Pool
Andy Kelkenberg	12607 Stage	AG Pool
Bruce Blenker	6031 Crittenden	AG Pool
Mark Nickle	13385 Stage	One Family Home
Mark Nowakowski	7065 Draper	Storage Shed
Tobias Schrock	8249 Greenbush	One Family Home

Code Enforcement Officer Folger reported that he was in contact with Northeast Caissons regarding rezoning on Bloomingdale Road. He is waiting for the full owner application.

Town Clerk – She reported on information received at the last EC Town Clerks meeting. A copy of a letter written to EC Legislators, from a homeowner, in regard to licensing cats in NYS, and a notice from the Association of Erie County Governments of a Boat Cruise and Dinner to be held on July 26, 2001.

Attorney for the Town – He met with the Code Enforcement Officer and staff on the new code update process..

COUNCILPERSONS

Summe – He met with Recreation Director Ron Eulenberg, and Jim Ebersole on the use of the Town property for Little League Football and sharing the fields with the soccer teams. The petitions for the Town Park bathrooms have been order at a cost of \$2400 and will be installed by Kelkenbergs.

George – Nothing at this time.

Cummings – He has talked to the Recreation Board in regards to the soccer and Little League Football sharing Town fields. He would like work session time to discuss Web site and Paul Casillo's request regarding the Toll Barrier.

Glor- Nothing at this time

SUPERVISOR –Reported that he would meet with Fred Pask and representatives from the Alden Town Board to share services. The work session on July 2nd will begin at Perry's Ice Cream Co. at 6:30 PM touring their wastewater treatment facility and returning to the Town Hall for work session items. Carole Borchert reported that she has had no odors at her home this summer. It has been wonderful.

Councilman George will be out of town on vacation next week.

UNFINISHED BUSINESS

Water District #5 – Andrew Casolini reported that he is still tracking down the punch list from last Friday. He will be meeting with OSC & ECWA this week.

Library Project – The concrete for foundation was poured today and everything is on schedule at this time. Utility poles need to be moved by the Village..

Rezoning for Scotland Road – Remove from agenda

Wastewater Update – The attached resolution was moved by Councilman Summe, seconded by Councilman Cummings approving the issuance of a wastewater facility permit to Perry's Ice Cream Co. Inc.

(Resolution Attached)

Carried Unanimously

Assessment Challenge – Assessor is contacting Special Council this week for update.

Comprehensive Master Plan Update – Councilman Summe reported the next committee meeting is scheduled for July 17, 2001 with SEQR information and public meeting and hearing to be scheduled.

Water/Sewer Hook up at Park – Andrew Casolini will be working with contractors on status of project.

Park Master Plan – Councilman Summe reported he would like to set work session time for a focus meeting.

Rothland's Site Plan – Jeff was present stating they are doing agriculture plowing now. Awaiting further plans.

AOL/Time Warner franchises – The Town Attorney sent another letter and is awaiting a response.

Christian Airmen Re-Zoning – Town Attorney received additional information from Dick Forrestel, but similar to what he already had. Still awaiting comment period. Councilman George is looking for professional information on small airports.

Senior Exemption Income limits – Completed last meeting.

Airport Site Plan – Still in comment period.

Facility Study RFP – Councilman George has 3 proposals from consultants for the Selection Committee to review.

Kitchen Konference re: Agricultural Assessments – for discussion after the meeting.

NEW BUSINESS

Speed limit request - Crittenden Rd.- The following motion was moved by Councilman Summe, seconded by Councilman George to forward petition to the county and request a traffic

Carried Unanimously

Tax Penalty for I squared R – The following motion was moved by Councilwoman Glor, seconded by Councilman Cummings to waive penalty on 2001 Town/County tax bill, as discussed.

Carried Unanimously

Sprint Tower Permit – The following resolution was moved by Councilman George, seconded by Councilman Cummings to declare a negative declaration.

(Resolution Attached)

Carried Unanimously

The following resolution was moved by Councilman Summe, seconded by Councilwoman Glor, to grant the permit to construct a cellular tower on the Arlene Richardson property, 4678 South Newstead Road.

(Resolution Attached)

Carried Unanimously

Question Period –Superintendent Ebersole received a call from a resident who had some morning doves die in her yard and was concerned out the West Nile Virus. He checked with EC Health Dept. and there is no West Nile Virus in the area at this time.

Also Carl Klingenschmitt needs comments back from the board on the Draft GIS Report.

There being no further business to come before the board a motion was made by Councilwoman Glor, seconded by Councilman George to adjourn at 8:40 PM

Carried Unanimously

Carole D. Borchert,RMC
Town Clerk