

A Regular Meeting of the Newstead Town Board was called to order on Monday, July 10, 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  
Andrew Casolini – Engineer  
James B. Ebersole – Highway Superintendent  
Nathan S. Neill – Attorney for the Town  
Kathleen McLeod Lang- Deputy Clerk

Roll Call was taken with all board members present.

Pledge to the flag was led by Councilman Cummings..

Minutes from the previous meetings held on June 26, 2000 presented for approval. A motion was made by Councilwoman Glor, seconded by Councilman Cummings to approve with a correction.

Carried Unanimously

Communications-Deputy Clerk presented the following:

A letter from Mathias G. Aulback ,11507 Clarence Center Road with major concerns over removal of soil from his property by the Water line contractors Ontario Specialties.

A letter from Laurel and Jeffery Jones,11099 Crego Road, with strong objection to the exterior design of the new library.

A letter from Mary Jane Shonn, 13 Bloomingdale Ave. with concerns of the library design does not copy the lines of those buildings on Main Street and is too modern.

A letter from Karen and Art Scheitheir, 12 Buell Street, with architectural design concerns not being consistent with Akron’s historical Main Street preservation.

A packet from Peter J. Smith & Company, Inc. with an agenda for the July 12 Meeting of the Master Plan Committee, preliminary goals, demographic and land use chapters and the draft of a community survey was enclosed.

A notice of the Bids Opening at the Newstead Town Hall on June 29, 2000 at 2 PM for the project of Newstead Public Library – Building Demolition opened by Carole Borchert, Town Clerk and Chris Hogan, Paragon Corp. The low bid was received by Empire Building Diagnostics of Depew, NY.

A notice as of June 1, 2000 the Wendel Engineers P.C. and Duchscherer Oberst Design P.C. merged to become Wendel Duchscherer Architects & Engineers P.C.

A letter from Wendel Duchscherer with announcement that a letter was sent to John Routledge, KJR Construction Company awarding him the Contract 99-2 for Town of Newstead Water District No.7A Waterline Construction.

A letter from Wendel Duchscherer on the subject of Water District #5 Observation during Construction and based on OSC’s proposed schedule and performance they estimate approximately one month of part time observation for restoration and approximately three weeks of full time observation for installation of additional services.

A letter from Alessi & Neill to John Nixon, Director Electrical Dept., W.N.Y. Gas & Steam Engine Assoc. with approval from Newstead Town Board for removal of five utility poles presently located on the Bike Path.

A letter from the State Education Department with congratulations on our local government being awarded one or two 2000-2001 Local Government Records Management Improvement Fund Grant.

A permit from the NYS DEC was issued to Theodore Felber-Golden Pond Estates for construction phase 4B of Golden Pond Estates which includes road and utility crossings of the freshwater wetland and construction of a pond for mitigation.

The Network newsletter of the Town of Amherst Department of Senior Services for July/August 2000 was received.

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

Carried Unanimously

Supervisor Holmes announced there was no work session on July 3,2000 so there was nothing to report.

Privilege of the Floor – Sgt. Kowalski, Erie County Sheriffs Department had no report at this time.

Sylvia Ross, 117 Main Street, presented the Town Board with a Petition signed by 390 residents who feel the architecture of the proposed new Newstead Library does not enhance the historic streetscape of our Main street but detracts from it. We want a design that will compliment the existing structures and not look out of place for the next century.

Marybeth Whiting, 7086 Cedar Street, appreciates the Town Board working with the community's concerns with the exterior design ,listening to the work session just held, would like an explanation of what the board is exactly planning to do. Supervisor Holmes stated that a resolution will explain later in the meeting.

Joseph Capan ,10 Shephard Avenue, also appreciates the time and effort by the Library Board, committee's and Town Board. He is now asking the Town Board to listen to the public's concern for the exterior design to fit more into Main Street.

Kristine Sutton, Librarian for the Denio Memorial Library, expressed her disappointment in not having a list to present to the board with all the favorable comments on the exterior design. She sees all the people of this community using the library daily and believes they deserve a 21<sup>st</sup> century modern library.

Martha Risitano, 20 John Street, does not care what the outside looks like but feels what is inside is the most important. She questioned if the modifications were made, would this please everyone?

Richard Forrestel, 11 Madison Avenue, attended the public meeting presentation on the new library design. The architect's statement that if it looks old and is new, it is a lie. He bought that argument at first but no longer can accept it due to a large amount of buildings built today are designs from other centuries including those in Williamsburg, Va and the Netherlands which he just visited. Mr. Forrestel states: "We have one shot at building the library and we ought to build it so it satisfies the majority and fits into the village."

Louis Nanni, 55 East Avenue, likes the plan and feels it fits on Main Street with the roofline, curved ceilings. Inside is the most important aspect of this project. The Octagon House does not fit into Main Street nor does the Village Hall but the residents use both facilities. The board must be sensitive to the people who will be using the facility.

Philip Dumitru, 8108 Remsen Road, Chairman of the Library Building Committee stated that the Library Board members do not wish to jam the design down the throats of this community. He felt the committee had developed the best plan for a public library using comments from the public in focus groups and most comments were positive. Changes can be made but only if it makes for a better library. Mr. Dumitru has concerns whether many changes may result in a less effective library. Community support is essential and critical to complete this project. This community deserves the best services possible.

Julie Patterson, 7 Buell Street, states that many committee's and hours of work have been put into the restoration of Main Street. The community has come together to make our Main Street look historic and have character. The new Library modern design does not fit into the Main Street theme.

Kate Parzych., 48 Bloomingdale Avenue, states the Main Street painting and clean up has been an improvement but there is no single year of the buildings to make it historically correct. There are similar materials in all the buildings like wood and brick but they range from 1820 and later. It is a lovely Main Street but what the outside looks like may dictate what is on the inside.

Approval of Bills – Abstract #12 from the June 26, 2000 board meeting was just received so will be audited for next meeting. The following vouchers were approved for payment by Councilwoman Glor, seconded by Councilman George: General Fund “A” – \$5,429.98, General Fund “B” - \$642.68, Highway “DA” - \$0, Highway Outside Village “DB” - \$1,100.10, Capital Projects “HC” WD#5 – \$10,043.63, Capital Projects “HE” Library, \$5,103.60, Fire Protection “SF” \$1,399.02, Refuse “SR” \$0, Sewer “SS” \$0, and Water Districts “SW” - \$1,436.49 numbered #598 through #630 totaling \$25,155.50.

Carried Unanimously

## COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – No report

Assessor – Attending school in Albany

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

John Heinike – 13819 Knapp Rd. – Shed/pump house  
Leighton Snyder – 12031 Meahl Rd. – Garage & Breezeway  
Richard Knop – 12840 Stage Rd. – Addition & Greenhouse  
Beatrice Cummings & Floyd Clark – 7795 Fletcher Rd. – Garage replacement  
David Sescil – 12620 Buckwheat Rd. - Addition  
Samuel Torelli – 12509 Stage Rd. - Shed  
James Young, Jr. – 12303 Rapids Rd.- Rear Deck  
Kelly Smith – 11520 Main Rd. – sign  
John Smith – 11520 Main Rd. – sign  
Calvary Baptist Church – 12752 Lewis Rd. – sign – approved by Zoning Board 7/6/00

Councilman Cummings questioned 2 sign permits on same property at 11520 Main Rd. Code Enforcement Officer Folger indicated one was a temporary sign.

Town Clerk – Deputy Town Clerk Kathleen Lang announced that Town Clerk Carole Borchert was on vacation. She also read the Return of 2000 Town and County Tax Collections Report prepared by Tax Collector Carole Borchert. Total Tax Warrant is \$3,458,943.00 Total Collected from 2/15/2000-6/30/2000 was \$3,218,087.43. Paid to Town Supervisor per 2000 Budget \$1,355,839.89, Erie County Finance Commissioner \$1,691,724.02 Unpaid Returned to Finance Commissioner - 201 Parcels Totaling- \$240,855.57. Paid to Supervisor 7.5% Penalties Collected: \$9,239.23, Paid to

E.C. Finance Commissioner 1.5% Interest, \$1,364..45

Attorney for the Town –Nothing at this time.

#### COUNCILMAN

Summe – The holes for the playground equipment were dug on the Buell Street property and the Akron Lions will be installing the playground on July 22, 2000. This project was started with the Newstead Town Board purchasing the playground equipment and with the support of the Lions Club to provide a playground facility for the Akron-Newstead residents. The Master Plan Committee will be meeting on July 12, 2000 with review of packets prepared by Peter J. Smith & Co.

George - Nothing at this time.

Cummings - Nothing at this time.

Glor – Nothing at this time.

Supervisor – He reported that the Bookkeeper had attended a 3day seminar presented by the Controller’s Office on Accounting and Procedures.

The Revenue Report received as of 6/30/2000 included \$1,287.81 payment in lieu of taxes from Lauren Whiting, \$283.57 payment in lieu of taxes from Ford Gum, \$30,676.96 Sales Tax from Erie County and \$2,250.32 CHIPS aid from NYS.

#### UNFINISHED BUSINESS

Water District #5 –Andrew reported that they are in the Restoration Phase and are keeping track of restoration complaints from residents. A lengthy list will be compiled for the Supervisor and a lot of work is still ahead to complete restoration.

Water District # 7A – Andrew stated that the award letter was sent to KJR Construction Co. and Mr. Routledge is gathering proper paper work to begin breaking ground by the end of the month.

Library Project – Councilman George reported that bids were open on June 29,2000 for building demolition and the bid was awarded to Empire Building Diagnostics owned by the Young Family, a local family with a significant below bid for the Library Project. This was an effort by the Young Family to support this project. Councilman George acknowledged the importance of community reaction to the design and give broad enough appeal for community support. The response has been positive to the interior and efforts to maintain that design are important to the function of the library. The next step will be to have the architects revisit the plans and initiate a Front Façade /Roof Study to address identified aesthetic issues of the design. In three weeks, they will return with revised plans.

Following a brief discussion the attached resolution was moved by Councilman George, seconded by Councilman Cummings to direct HHL to initiate a Front Façade / Roof Study to address identified aesthetic issues at a not to exceed cost \$3,500.00.

(Resolution Attached)

Carried Unanimously

Rezoning for Scotland Drive – A motion from Councilman Summe, seconded by Councilwoman Glor to table this project.

Carried Unanimously

Salt Barn – Work session time slot is requested by the Highway Superintendent for discussion on this project.

Wastewater Update – Andrew stated that he has a meeting on Wednesday to review historic information for the past 2 years and will give the Supervisor a report before the scheduled July 17 Work session with Perry's.

Buffalo Drilling Site Plan – Code Enforcement Officer has a court date on Wednesday in this matter

#### NEW BUSINESS

Personnel matter- This will be discussed in Executive Session

Question Period – Doug Seaner, 115 Cedar Street, questioned if the work session is opened to the public on July 17, 2000 with Perry's attending.  
Supervisor stated that all work sessions are open to the public.  
Mr. Seaner also commented on the Library Project indicating he did not care what it looked like just build it and he will be satisfied.

There being no further business to come before the board a motion was made by Councilman Summe, seconded by Councilwoman Glor to adjourn at 9:00 PM and enter into an Executive Session, as stated above.

Carried Unanimously

No minutes received from the Executive Session held.

Kathleen McLeod Lang  
Deputy Town Clerk