

A Regular Meeting of the Newstead Town Board was called to order on Monday, August 9, 1999 at 8:00 PM at the Newstead Town Hall.

Present: Donald C. Holmes - Supervisor
Gerald F. Summe – Councilman
Thomas L. Cowan - Councilman
Thomas George - Councilman
David L. Cummings – Councilman
Fred Pask – Assessor
Donnal D. Folger – Code Enforcement Officer
Carole D. Borchert – Town 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 July 26, 1999 were presented for approval. Corrections needed as follows: add Donnal Folger's name as being present at the meeting and changing Water District #7A motion approving Wendel Engineers to do a Field Photography Survey, not Study, as printed. A motion was made by Councilman George, seconded by Councilman Summe that they be approved as corrected.

Carried Unanimously

Communications - Clerk presented the following:

A letter from NYS Association of Towns stating that 1999-2000 State Budget finally enacted and CHIPS Aid Restored.

A letter from Time Warner Communications enclosing a copy of the Subscriber Privacy Notice sent to all cable customers.

A letter from Erie County Water Authority amending tariffs effective 9-1-99.

A copy of a letter from Wendel to Ontario Specialty Contracting Co. with a notice to proceed on Water District #5 waterline construction.

Copy of a list of emergency phone numbers for the contractor on Water District #5.

A copy of the Annual Report with the 1998 equalization rates and 1999 tax rates from EC Division of Budget, Management and Finance.

A certificate of final special franchise assessments from NYS Real Property Services for 1999.

Information from Hancock Estabrook, LLP for review of real property tax assessments sought by utilities, if needed.

A thank you letter from Akron-Newstead Youth Center, Inc. for the \$2,000 check received from the Town of Newstead toward the new youth center.

Information from American Ref-Fuel on the Solid Waste Disposal Agreement.

A letter from EC Department of Environment and Planning reducing funds available under the CDBG Program by 8.5% due to the loss of City of Tonawanda backing out of the Consortium.

A copy of a letter from NYS Department of Environmental Conservation renewing mining permits for Pine Hill Materials Stage Road pit and Billo Road pit.

A copy of the Erie County Sheriff's Report for July, calls handled in the Village of Akron and Town of Newstead.

A copy of the Treasurers report for July from Akron-Newstead Senior Citizens.

A copy of "The Elderberry Press" Amherst Senior Newsletter for August.

A motion was made by Councilman George, seconded by Councilman Summe that they be received and filed.

Carried Unanimously

Supervisor Holmes reviewed the work session having discussed the following: Water District #5, Design for Water District #7A, Krehers waterline under the Bike Path, Am-Ref-fuel, and electric services to new pavilion.

Privilege of the Floor – Richard Brzuszkiewicz, 13480 Dorsch Road appeared and asked for specifications for installation of his waterline. He was told that they should be mailed to each property owner in the new district this week.

Approval of Bills – The following vouchers were approved for payment by Councilman Cowan, seconded by Councilman Summe: General Fund A - \$6,053.95, General Fund B - \$149.50, Highway DA - \$0, Highway Outside Village DB - \$61,039.72, Capital Projects HC - \$264.24, Fire Protection SF - \$63.86, Refuse SR - \$ 0, Sewer Fund SS- \$ 0, Water SW - \$4,430.68, numbered 678 through 713, totaling \$72,001.95.

Carried Unanimously

COMMITTEE /DEPARTMENT HEAD REPORTS

Highway - Councilman Cummings stated that the 2 pickup trucks have been sold at Adesa Auto Auction.

Assessor – Called out to the barn fire in progress.

Code Enforcement Officer- Called out to the barn fire in progress. The following building permits were presented for the record:

Michael Long – 11590 Howe Road – Family room and Garage
Thomas D'Avanzato – 11720 Stage Road – Above ground pool
Gary Kumro – 13639 Dorsch Road – Above ground pool
Rich Campbell – 8228 Cedar Street- One family home
Andrea Braun – 11414 Clarence Center Road – Gazebo
Sandra Petit – 7444 Sandhill Road – Deck
Kelly Schultz - 11205 Main Road – Commercial addition
Mike Rushok – 5144 Crittenden Road – One family home
Clark Killian – 11661 Clarence Center Road – Shed

Pond Permit - Needs board approval . A motion was made by Councilman Summe, seconded by Councilman Cowan to approve the permit for Richard Campbell, Jr. at 8228 Cedar Street.

Carried Unanimously

Town Clerk – She presented the July Dog Control Officer's Report.

Attorney for the Town – Nothing at this time.

COUNCILMAN

Summe – He has had a few minor Town Hall repairs completed. Park Pavilion has been grated and awaiting action from Niagara Mohawk for power.

Cowan – Nothing to report.

George – Nothing to report.

Cummings – He attended a Library Fund Meeting last week and it is moving along.

SUPERVISOR - Nothing to report at this time.

UNFINISHED BUSINESS

Water District #5 – Awaiting arrival of Engineer Drew Reilly. When he arrived he stated he has brought the application cards for new water service from EC Water Authority to be included in the mailing to be sent to each customer in the district, approximately 350. An Information Meeting has been scheduled for Tuesday, August 31, 1999 at 7:30 PM at the Newstead Fire Hall. Town Clerk's Office to prepare and mail the packet.

Water District # 7A- Design engineering agreement for review.

Library Project – Councilman George stated he attended a kick off meeting Wednesday downtown Buffalo and would like to call an Executive Session to discuss property acquisition later tonight.

Rezoning for Scotland Road – Town Attorney stated a SEQR determination and a public hearing needs to be set. Will prepare a time table at the work session with action at the next board meeting.

Golden Pond – SEQR process – Should have been removed from agenda.

Pine Hill Site application – Nothing new. Package from DEC to be reviewed.

Park Pavilion - Nothing new at this time.

Salt Barn – Councilman Summe and Cummings to discuss at work session.

Fire Contract - Supervisor Holmes version is in board members boxes for review.

Bike Bath – The attached resolution was moved by Councilman Summe, seconded by Councilman Cummings approving an agreement with Town of Clarence on Bike Path markings on Davison Road.

(Resolution Attached)

Carried Unanimously

Nextel Application – Planning Board

Bloomingtondale rezone – Planning Board

Other – Reminder of Joint Meeting with the Village Board next Monday, August 16th at the Newstead Town Hall at 7 PM.

NEW BUSINESS

Kreher request to run waterline under bike path - A motion was made by Councilman Summe, seconded by Councilman Cummings to allow Krehers to run their waterline under the bike path.

Carried Unanimously

Head Start use of Town Hall for evacuation site – A motion was made by Councilman Cumming, seconded by Councilman George to authorize the Supervisor to sign said agreement.

Carried Unanimously

Other – Town Attorney presented revised engineering agreements for Water District #5 and Water District #7A for review and action.

The attached resolution was moved by Councilman Cowan, seconded by Councilman Cummings to approve said contract for Water District #7A in the amount of \$7000.

Carried Unanimously

The revised resolution for Water District #5 was presented, but due to a lack of time for review no motion was given. Action will be at the next meeting.

A motion was made by Councilman Summe, seconded by Councilman George to go into Executive Session to discuss the Library property acquisition at 8:35 PM .

Carried Unanimously

A motion was made by Councilman Summe, seconded by Councilman Cummings to go out of Executive Session and back to the regular meeting at 8:55 PM.

Carried Unanimously

Question Period – No one spoke.

There being no further business to come before the board a motion was made by Councilman Cowan, seconded by Councilman George to adjourn at 9:05 PM.

Carried Unanimously

Carole D. Borchert
Town Clerk