

A Regular Meeting of the Newstead Town Board was called to order on Monday, August 14, 2000 at the Newstead Town Hall at 8:00 PM.

Present: Donald C. Holmes – Supervisor
Gerald F. Summe - Councilman
Thomas George- Councilman
Joan M. Glor – Councilwoman
James B. Ebersole – Highway Superintendent
Donnal D. Folger – Code Enforcement Officer
Andrew Reilly – Engineer
Fred Pask - Assessor
Nathan Neill – Attorney for the Town
Carole D. Borchert – Town Clerk
Kathleen McLeod Lang- Deputy Clerk

Roll Call was taken with all board members present, except for Councilman Cummings.

Pledge to the flag was led by Supervisor Holmes

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

Carried Unanimously

Communications - Clerk presented the following:

A letter from Theresa Asbeck, 12 Shepard Avenue, expressing her continued objection to the revised library building designs, although the façade with the curved roof is the most compatible to the architecture of the village buildings.

A letter from Cheryl Kennedy, 141 Main Street, expressing her positive opinion with the proposed library design and feels it fits into Main Street architecture which has a variety of types of architecture.

A petition from E.L. Hoover, 7557 Greenbush Road, with 81 signatures from residents from Rapids Rd., Swift Mills Rd., Brackett Rd., Roll Rd., and Greenbush Rd. requesting municipal water.

A letter from Dan Blachaniec, 5028 South Newstead Road, with a list of unresolved items dealing with the water line restoration on his property.

A copy of the 2000 Annual Report of the Division of Real Property Tax was received along with a compilation of the County of Erie's 20 largest taxpayers.

A letter from Wendel Duchscherer with a list of ECWA Service Connection forms for properties connected to the waterlines installed within Water District 5 and a list of properties that have not yet been connected, but will be completed and funded through the Town's contract.

A letter from DOH and Environmental Facilities Corp. with regards to the Drinking Water State Revolving Fund, draft intended use plan and funding period October 1, 2000 to September 30, 2001.

A letter from Time Warner Communications with a copy of the Customer Information Notice being sent to all their cablevision customers.

A letter from Peter J Smith & Company, Inc. with a meeting summary of the July 25th Comprehensive Plan Committee.

A copy of a letter from the Town of Aurora Supervisor Thomas Cotton to County Executive Joel Giambra with ways to spent the Tobacco Settlement money.

A letter from American Ref-Fuel in regards to the Solid Waste Disposal Agreement with the Town of Newstead and Occidental dated September 14, 1992 which was assigned to American Ref-Fuel Company of Niagara, L.P. on May 5, 1993.

A letter from the State Environmental Quality Review Solicitation for Lead Agency Status Unlisted Action for Burdick Road bank stabilization.

A notice from Erie County Department of Environment and Planning co-sponsoring a Household Hazardous Waste Drop-Off Day on September 9, 2000 at the Modern Corporation Facility, 266 Hopkins St. at Tift in Buffalo.

A notice of a Public Hearing of the Darien Town Board to Review a Draft Adult Business Study and Hear public comments on this issue on August 14, 2000 at 7:00 PM

A letter from NYS Thruway Authority in regards to the Williamsville Toll Barrier Improvement Project with a final scoping document and Environmental Impact Statement for NYS Thruway, Interstate 90 between Interchanges 48A and 50.

A monthly report for July from Erie County Sheriffs Office having answered 71 calls in the Village of Akron and 92 in the Town of Newstead outside the Village. The numbers appear to be the same as in June.

A faxed copy of the July monthly fire alarm calls was received with Akron having 36 total alarms and Newstead having 27.

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

Carried Unanimously

Supervisor Holmes reviewed the last two work sessions having discussed the following: July 31st: the Deputy Town Clerk part time position, Library Architects revised front facade presentation, Attorney discussion on the Wastewater Treatment Law and at the August 7th: Dick Forrestel, Catholic Church representative, on Buell Street land, GIS Data sharing agreement with State, HHL and Paragon for Library Plans, dedication of playground on Buell Street, Water District #5 necessity build out and other items, asset and buying fire radios, GIS Needs Assessment contract, master plan, Akron/Newstead Senior Citizen request and naming reading room of the new Library.

Privilege of the Floor – Doreen Park, 6794 Cedar Street, submitted a petition with 41 signatures to the Town Board requesting a double solid line on Cedar Street from Lewis Road north to Carney Road. She also has a copy of the letter sent to Legislator Ranzenhofer and County Highway Commissioner Dan Rider on same.

A resident from 138 Golden Pond Estates, questioned the petition that was presented earlier this year on the proposed signal light at Rt.5 & 93. The Board will check into the matter. He also is concerned with Water District 5 and the lack of service for Golden Pond Estates. A memo was received by the Town with a 2 week notice before service will be started in that area.

Robert Gallo, 12691 Main Road, questioned his service of low water pressure after repairs were made on his water line. Engineer Reilly will look into the matter.

Pat Pearce, 37 John Street, still not satisfied with the Library design and would like the board to give it more time.

Karen Thomas, 5450 Crittenden Road, agrees and would also like more consideration given to the outside design.

Approval of Bills – Abstract #14 dated July 24, 2000 was audited by Councilwoman Glor and found to be in order. The following vouchers on Abstract #15 were approved for payment by Councilwoman Glor, seconded by Councilman Summe: General Fund “A” – \$14,767.61, General Fund “B” - \$5,022.17, Highway “DA” - \$0, Highway Outside Village “DB” - \$43,237.79, Capital Projects “HC” WD#5 – \$28,572.31, Capital Projects “HE” Library, \$5,086.62, Fire Protection “SF” \$-0- Refuse “SR” \$31,524.53, Sewer “SS” \$607.95, and Water Districts “SW” - \$5,074.41 numbered #684 through #749 totaling \$128,806.77.

Carried Unanimously

Attorney to check into additional charges for BFI on fuel costs.

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Superintendent Ebersole had nothing to report. Councilwoman Glor remarked that Howe Road looks great.

Assessor – Final roll has been delivered and notices have been sent out. Board of Assessment Review report was received. Councilman Summe asked about the percentage this year.

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

- Tammy Mages – 6910 Cedar Street – Tool Shed
- Faisal Hussain – 5887 Davison Road – One family home.
- Robert Roddie – 12727 Koepsel Road – Tool Shed
- John Buechi – 12290 Tonawanda Creek Road – Storage addition
- Richard Schie – 6554 Draper Road – Above ground pool and deck.

He reported that his clerk, Dawn Izydorczak has compiled a list of fees received from other communities.

Town Clerk – She presented her final settlement sheet from the County of Erie for the 2000 Town County tax roll being in balance in the amount of \$3,469,542.69.

Attorney for the Town – Nothing to report.

COUNCILMAN

Summe – He reported that there will be a Joint Comprehensive Master Plan meeting on August 31, 2000 at 7.30 PM at the Newstead Town Hall. He also stated that the Custodian for the Limerick Hall has returned to work after being on sick leave.

George – Nothing to report

Glor –Nothing to report

SUPERVISOR – Nothing to report.

UNFINISHED BUSINESS

Water District #5 – Engineer Drew Reilly apologized for all the delays encountered by the Contractor, several due to weather. A motion was made by Councilman Summe, seconded by Councilwoman Glor to give another extension to Ontario Specialty Contracting Inc. for one week until August 22, 2000 due to bad weather.

Carried Unanimously

Water District # 7A – The Engineer stated that KJR is about ready to start the project with just a few minor issues to settle.

Library Project – Councilman George stated that they have met with the Architect’s twice and must continue with a plan to proceed ahead. After the demolition of the existing structures, within the next two weeks, the foundation must be built to be in place before winter. Plans should be in order by the first or second week in September for Spring 2001 construction . The Town has already spent \$ 80,000.00 on this project and must move forward to keep on schedule for Spring construction. No final decision on the front facade of the building will be made tonight, but need to try and balance all concerns.

A motion was made by Councilman George, seconded by Councilman Summe to authorize the Design Team to complete foundation work for bidding process.

Carried Unanimously

Councilman George showed to those in attendance the new design showing most merit, design is using the smaller windows and decorative brick pillars. Work will continue on the design, but he knows you can not please all persons. He feels that this direction is a positive one and it must continue for a Main Street Library. The board has been elected to serve all residents, but not always popular.

The attached resolution was moved by Councilman George, seconded by Councilwoman Glor to waive the Performance, Labor and Material Bond and authorize the Supervisor to sign the demolition contract in connection with the Newstead Public Library to the low bidder Empire Building Diagnostics at a low net price of \$34,159.00.

(Resolution Attached)

Carried Unanimously

The attached resolution was moved by Councilman Summe, seconded by Councilwoman Glor to name the reading room of the new Newstead Public Library in memory of Ruby J. Paxon, former Librarian.

(Resolution Attached)

Carried Unanimously

Rezoning for Scotland Road – On hold until early September.

Wastewater Update – Nothing new to report.

Buffalo Drilling Site Plan – Code Enforcement Officer Folger stated it is moving ahead, but not ready for Site Plan.

Other – Nothing to report.

NEW BUSINESS

GIS Data Sharing Agreement – The attached resolution was moved by Councilwoman Glor, seconded by Councilman Summe:

(Resolution Attached)

Carried Unanimously

GIS Needs Assessment Study – A motion was made by Councilman George, seconded by Councilman Summe to authorize the Supervisor to execute the contract with True North for services as per the GIS Grant received in the amount of \$11,800.

Carried Unanimously

Money for Fire Co. Radios – A motion was made by Councilwoman Glor, seconded by Councilman Summe to authorize the expenditure from Fund Balance of \$10,000 to be equally shared with both fire companies for radios.

Carried Unanimously

MGA Site Plan – A motion was made by Councilwoman Glor, seconded by Councilman George to conditionally approve the plan on Wendel's letter due Wednesday.

Other – Head Start Evacuation Site – A motion was made by Councilman Summe, seconded by Councilwoman Glor to authorize the Supervisor to sign the agreement with Head Start to use the Town Hall as an evacuation site when necessary.

Carried Unanimously

Question Period – No one spoke.

There being no further business to come before the board a motion was made by Councilwoman Glor, seconded by Councilman Summe to adjourn at 8:50 PM.

Carried Unanimously

Carole D. Borchert, RMC
Town Clerk