

A Regular Meeting of the Newstead Town Board was called to order on Monday, August 23, 1999 at 8:00 PM at the Newstead Town Hall.

Present: Donald C. Holmes - Supervisor
Gerald F. Summe – Councilman
Thomas L. Cowan - Councilman
David L. Cummings – Councilman
Nathan S. Neill – Attorney for the Town
Fred Pask – Assessor
Donnal D. Folger – Code Enforcement Officer
Andrew Casolini – Engineer
Carole D. Borchert – Town Clerk
Kathleen M. Lang – Deputy Clerk

Roll Call was taken with all board members present, with the exception of Councilman George.

Pledge to the flag was led by Supervisor Holmes.

Minutes from the previous meeting held August 9, 1999 were presented for approval. A motion was made by Councilman Summe, seconded by Councilman Cummings to approve as presented.

Carried Unanimously

Communications - Clerk presented the following:

A letter from Letitia and Mark Karczewski, 6611 Hake Road, including a petition with 70 signatures requesting a speed reduction, posted speed limit signs and police enforcement.

An additional petition with 35 signatures to support the request for Hake Road to be evaluated for speed reduction, posted speed limit signs and police enforcement.

A letter from EC Division of Highways with results of traffic study completed on Crego Road stating that based on the available data the existing speed limit is appropriate for present conditions and should be maintained.

A SEQR Referral response for Water District #7A Construction.

A copy of a resolution passed by the Town of Amherst and the Town of Cheektowaga that they join the EC Legislature in rejecting the City Comptroller's proposal to shift 200 city firefighters to the suburbs and charge suburban taxpayers \$15 million for services now provided by dedicated volunteers.

A letter from Constable Daryl Haberneck requesting a leave of absence as he will be reporting for active duty with the US Marine Corps on August 16, 1999.

A letter from Highway Superintendent Fogal offering a large portable generator to be used at the Newstead Town Hall, if needed.

A letter from NYS Department of Transportation having accepted the asphalt concrete resurfacing on Route 93 as being finished.

A copy of a letter from Wendel Engineers sent to Erie County Water Authority regarding Water District #5 construction.

Combined notices to the public, notice of intent to request release of funds and notice of finding to locate in floodplain and wetland.

Certificate of instructor training to Frederick Pask from NYS Assessors Association.

The Newsletter of the NYS Office for the Aging.

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

Carried Unanimously

Supervisor Holmes reviewed the work session having discussed the following: Drainage ponds on McNeeley Road, Salt barn site, Scotland Road rezoning, excavation permits, Water District #5, and waste pre-treatment law. They also met with the Village Board and discussed various issues.

Privilege of the Floor – Gary Rosenberg, 12087 McNeeley Road, appeared before the board with a request from the Northern Sno-Seekers to use the gravel portion of the bike path ,the same as last year. Town will be named on the insurance and route will be marked. Board will look into a resolution for same at the next board meeting.

Approval of Bills – The following vouchers were approved for payment by Councilman Cowan, seconded by Councilman Cummings: General Fund A - \$10,007.98, General Fund B - \$1,046.30, Highway DA - \$0, Highway Outside Village DB - \$4,471.53, Capital Projects HC - \$10,540.63, Fire Protection SF - \$0, Refuse SR - \$ 20,944.98, Sewer Fund SS- \$3,866.25 , Water SW - \$9,207.12, numbered 714 through 794, totaling \$60,084.79.

Carried Unanimously

Supervisor's Report for July – A motion was made by Councilman Cowan, seconded by Councilman Summe to approve same as presented.

Carried Unanimously

COMMITTEE /DEPARTMENT HEAD REPORTS

Highway - Nothing

Assessor – He attended the NYS Assessor's Association meeting and tax mapping meeting.

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

Joseph Lasker – 12297 Meahl Road – Addition and attached garage
Thomas Grimm – 13248 Martin Road – In-ground pool and fence
Mike Rushok – 5144 Crittenden Road – Tool shed
Stanley Jankowski – 5926 Crittenden Road – Storage shed
Mark Catalano – 6967 Draper Road – In-ground pool
Richard Maybach – 13570 Stage Road – Storage shed.

Town Clerk – Nothing at this time.

Attorney for the Town – Nothing at this time.

COUNCILMAN

Summe – Later in meeting.

Cowan – He made a list of emergency phone numbers for Water District #5 contacts after a problem over the weekend.

Cummings – Later in the meeting.

SUPERVISOR - He presented checks received from NYS Comptrollers Office with court fees in the amount of \$20,757.08 and from Erie County Comptrollers Office with sales tax in the amount of \$42,722.19.

UNFINISHED BUSINESS

Water District #5 – The attached resolution was offered by Councilman Cowan, seconded by Councilman Summe authorizing the Supervisor to sign the agreement with Wendel

(Resolution Attached)

Carried Unanimously

The attached resolution was moved by Councilman Cummings, seconded by Councilman Summe to extend the hours of operation for the contractor on the installation of the waterline .

(Resolution Attached)

Carried Unanimously

The attached resolution was moved by Councilman Summe, seconded by Councilman Cowan awarding bond counsel on said district.

(Resolution Attached)

Carried Unanimously

Contractor is moving along on Crittenden Road near Dorsch Road. An Informational Meeting is scheduled for August 31, at 7:30 PM at the Newstead Fire Hall for all concerned residents with questions to attend.

Water District # 7A- The attached resolution was offered by Councilman Cummings, seconded by Councilman Cowan authorizing the Supervisor to sign the agreement with Wendel for design services.

(Resolution Attached)

Carried Unanimously

Library Project – Councilman George not present for an update.

Rezoning for Scotland Road – Planning Board is reviewing. The attached resolution was moved by Councilman Cowan, seconded by Councilman Summe on lead agency status.

(Resolution Attached)

Carried Unanimously

Pine Hill Site application – Awaiting DEC review.

Park Pavilion – Councilman Summe reported on the status of Niagara Mohawk electric. They would like a prepaid check in the amount of \$3,070.47 to supply electric to the building and the area by erecting two poles. The easement is in hand and he will be working with the Town Attorney on same. Should be installed in 4 – 6 weeks. A motion was made by Councilman Cowan, seconded by Councilman Cummings to prepay the amount.

Carried Unanimously

Salt Barn – Councilman Cummings has sent a letter to a property owner and is awaiting a reply.

Fire Contract – Letter has been sent awaiting a reply.

Bike Bath – Councilman George not present to report.

Nextel Application – Awaiting Planning Board

Bloomingtondale rezone – Awaiting Planning Board

NEW BUSINESS

L,V,L assessment case – No action.

Other – Hake Road requests – A motion was made by Councilman Cummings, seconded by Councilman Cowan to send to the DOT for a traffic study. Also a copy to be sent to the Village of Akron.

Carried Unanimously

Resignation – A motion was made by Councilman Summe, seconded by Councilman Cowan to accept the resignation of Darryl Haberneck as Town Constable, with regrets.

Carried Unanimously

Nelson Becker water bill – A motion was made by Councilman Summe, seconded by Councilman Cowan to credit his account for two quarters, 1 quarter charge against the bill and 1 quarter charge of \$36.80 to be returned to him on a voucher.

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 Summe to adjourn at 8:55 PM.

Carried Unanimously

Carole D. Borchert
Town Clerk