

A Public Hearing was called to order by the Newstead Town Board on Monday, September 11, 2000 at the Newstead Town Hall at 7:45 PM.

Present: Donald C. Holmes – Supervisor  
Gerald F. Summe - Councilman  
Thomas George- Councilman  
David L. Cummings - Councilman  
Joan M. Glor – Councilwoman  
James B. Ebersole – Highway Superintendent  
Donnal D. Folger – Code Enforcement Officer  
Fred Pask – Assessor  
Andrew Casolini – Town Engineer  
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.

Supervisor Holmes stated that this hearing was called to hear anyone speak for or against the use of Community Development Funds, as required by law.

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

Supervisor explained that the Town of Newstead was eligible for Federal Community Development grant funds under Title I of the Housing and Community Development Act of 1974, as amended, to be used for community development and housing needs that would benefit low to moderate persons in the Town. Funds are competitive with other communities. Past funds were used for water studies and to help build two districts, Water District #9 - \$90,000 and Water District #7A - \$90,000. Federal guidelines must be followed with use for low to moderate income, senior citizens or handicapped areas. Determination can be by using a census tract or doing an income survey.

Kathy and Jim Baker, 8530 Burdick Road, appeared and asked if any funding could be used for siding of their home and other repairs. She called the numbers given to her by the Supervisor, but was told funding is available only as a loan, there are no grants. Supervisor stated that he was sorry.

Delores Bauer, 8044 Maple Road, does not understand why there are no grants and only loans for housing improvements. She was told that this is a federally funded program and they do have guidelines.

There being no one further to speak a motion was made by Councilman Summe, seconded by Councilman Cummings to close the public hearing at 7:58 PM.

Carried Unanimously

A Regular Newstead Town Board meeting was called to order at 8:00 PM.

Present: All of Above.

Pledge to the flag was led by Highway Superintendent Jim Ebersole.

Minutes from the previous meeting held on August 28, 2000 were presented for approval. A motion was made by Councilman Cummings, seconded by Councilwoman Glor to approve, as presented.

Carried Unanimously

Communications - Clerk presented the following:

A petition with 462 signatures was presented requesting the Town Board give consideration to the Akron/Newstead Senior Citizens request that they be granted use of the lower floor of the new library for use as their senior activity center.

A letter from Newstead Historical Society with objections to the facade of the new proposed Library.

A letter from Robert Scheib, 51 Brooklyn Street, listing comments on criteria for the next round of proposals for the Newstead Library.

A letter from Village of Akron Mayor, Mike Charles, asking for a clear separation of Village and Town master plans noting that a plan rather than two would not be useful to their community in implementation.

A letter from Wendel-Duchscherer on water service connection at St. Teresa's Church and Newstead Park.

A letter from Wendel-Duchscherer on Water District #5 review of restoration work.

A letter from Wendel-Duchscherer on Water District #5 bush replacement at 12860 Main Road.

A letter from Wendel-Duchscherer to KJR Construction with a notice to proceed on August 25, 2000 with construction of water district #7A with all work to be completed by November 10, 2000.

A notice from Federal Energy Regulatory Commission of application accepted for filing for a project in the City of Lockport.

A meeting summary from Peter J. Smith and Company, Senior Planner on the August 29<sup>th</sup> focus group on business and industry as part of the comprehensive plan process.

A certified letter from Subsea Oil & Gas Inc. on Kumpf #2 exploratory gas/oil well drilling permit.

A letter from WSA Engineers on Downstream Drainage Study for ADESA-Buffalo.

A letter from ECIDA with notice of hearing on October 10, 2000, at the Newstead Town Hall for Whiting Roll-Up Door Mfg. Corp. project.

A letter from EC Division of Budget, Management and Finance with a change in taxable status date in Erie County towns from June 1<sup>st</sup> to May 1<sup>st</sup>.

A letter from the Town of Lancaster with a hearing scheduled on a text change in their zoning ordinance.

A monthly report for August from Erie County Sheriff's with activities in the Village of Akron and Town of Newstead.

A faxed transmission with August Operations from Central Fire Alarm Office.

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

Carried Unanimously

Supervisor Holmes stated that there was no work session last week due to the holiday.

Privilege of the Floor –Dan Bellis, 6347 Dye Road, asked the board about the Dye Road Subdivision proposed. He was referred to the Code Enforcement Officer and Planning Board for information.

Becky Grant, 6354 Dye Road, would like to review the file for the subdivision. She was told that it is before the Planning Board and a public hearing will be scheduled down the road. All Planning Board meetings are open to the public, but comments cannot be made.

Ann Janicz, 11594 Rapids Road, thanked the Newstead Town Board for moving forward with the library and the fine demolition job that was done on the buildings.

Teresa Asbeck, 12 Sheperd, spoke about the new modern technical design and is awaiting the choice.

Mark Pierce, John Street, is not pleased with the exterior design and interior shelving of the building.

Becky Grant, 6354 Dye Road, asked for a timetable for the building of the balance of water district #5. Engineer reported that 18 miles has been built with 14 miles left. No timetable is available at this time..

Approval of Bills – She approved Abstract #15 totaling \$131,496.30 noting changes in the Fire Protection, Refuse and Water District Funds, as audited. She also approved Abstract #16 dated 8-29-00, as audited. The following vouchers on Abstract #17 numbered 790 through 817 were presented for payment by Councilwoman Glor, seconded by Councilman Summe: General Fund “A” – \$3,267.19, General Fund “B” - \$121.99, Highway “DA” - \$0, Highway Outside Village “DB” - \$2366.32, Capital Projects “HC” WD#5 – \$0.00, Capital Projects “HE” Library, \$0, Fire Protection “SF” \$1235.30, Refuse “SR” \$0.00, Sewer “SS” \$457.50, and Water Districts “SW” - \$1,890.46, totaling \$9,338.76.

Carried Unanimously

#### COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Highway Superintendent Ebersole stated that the snow removal contracts will receive a 5% increase for the next 5 years. He expects to meet this week on taking over more county roads to plow and mow. He announced the dates for the metal/white good pickup to be October 2, 3, and 4<sup>th</sup>. He will be out of town from 9/14 to 9/20. Shoulders to be done on Utley and Howe Roads soon. Tomorrow his crew will be helping the Village remove trees from the back of the Library site.

Assessor - He will be doing field review next week. He will be at the annual assessors conference 9/25 – 9/28 in Rochester. He will be installed as President of the Association at a dinner on 9/26, all town officials are invited to attend.

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

Gary Mulrain – 13164 Dorsch Road – Garage  
James DiRienzo – 13047 Martin Road – Shed  
Ethel Cebulski – 4664 S. Ayers Road – Rear deck w/roof  
Donald Gillette – 4277 Billo Road – Shed  
Jim Borczynski – 8009 Fletcher Road – Detached garage  
Ronald Gabbey – 4085 S. Newstead Road – Above ground pool & deck  
Anthony Cinotti – 12296 Nice Road – Wood stove (basement)  
Tobias Schrock – 8016 Greenbush Road – Pole barn  
Troy Ludtka – 11267 Crego Road – Pole barn  
Timothy Cannon – 6580 Draper Road – Above ground pool.  
Gerald Grabenstatter – 11536 Hunts Corners Road – Change roof line.  
Ken Frey – 8619 Maple Road – Storage building.  
Gloria Kolb – 6752 Scotland Road – Shed addition  
Thomas Clark – 12365 McNeeley – One family home.

He stated that the ECIDA Whiting Roll Up Door Project was a Village site, not a Town.

Town Clerk – She stated that tomorrow is Primary Day with the 7 districts being consolidated into 3. Contests for the Democrats, Independence, Right to Life and Green Parties. She will be returning the results and supplies downtown following the close of the polls. School tax bills are ready to be picked up, but the Rath building has been closed for 2 days due to a fire. She hopes to work over the weekend to get them out by Monday.

Attorney for the Town – Nothing to report.

#### COUNCILMAN

Summe – He wanted to publicly thank Tom Cowan and Jim Ebersole for their help in cleaning up the Park Pavilion due to the vandalism last week. He has received word that the Bank of Akron would like to donate a swing for the Town property.

George – Nothing to report

Glor – Nothing to report

Cummings – Nothing to report.

SUPERVISOR – He reported receiving the following revenue: Reimbursement from NYS for Fred Pask schooling in the amount of \$941.43. He complimented David DeYoung, Dog Control Officer, in Court on a dog case, seeing the need to replace light bulbs in this building, and did so.

#### UNFINISHED BUSINESS

Water District #5 – Andrew reported contractor is still working throughout the district and he is following up on continued calls. Golden Pond connection was started today. A voucher was presented tonight from Ontario Specialty for work through the end of July as a prepay on the next abstract. A motion was made by Councilwoman Glor, seconded by Councilman Summe to prepay this voucher in the amount of \$108,845.25 and add to the next abstract.

Carried Unanimously

Water District # 7A – Will be starting on Wednesday of this week. Updates at the next board meeting.

Library Project – Councilman George stated that the demolition is complete. Town and Village highway crews to work together tomorrow in removing the trees in the back. Foundations are out to bid with opening scheduled for September 27<sup>th</sup>. Project is on schedule and to keep it moving along a design must be decided on before September 15<sup>th</sup>. Many different changes on the front facade have been presented to the board. The latest being Alternate 2B presented to the board by architects Hamilton, Houston and Lownie, which the board feels has addressed many of the community concerns. He presented the rendering for all to see. Therefore the attached resolution was moved by Councilman George, seconded by Councilwoman Glor to accept the Alternate 2B schematic design for the new Newstead Public Library.

(Resolution Attached)

Carried Unanimously

Rezoning for Scotland Road – Councilman Summe would like work session time for discussion.

Wastewater Update – Perry's has submitted reports, but the Engineer has several comments and is awaiting more information to be sent.

Buffalo Drilling Site Plan – Code Enforcement Officer Folger has left the meeting, no further information available.

Weaver Sub-division SEQR – Paperwork has been mailed awaiting lead agency status.

Other – ADESA – Andrew stated that a plan is underway with a walk through scheduled.

#### NEW BUSINESS

Assessment challenge – A motion was made by Councilwoman Glor, seconded by Councilman Summe to hire Ron Bennett, Attorney to act as special counsel for this challenge at a rate of \$125/hr. office time and \$150/hr. court time.

Carried Unanimously

Other – Nothing

Question Period – June Bramley, 80 Cedar Street, asked about the Scotland Road rezoning location. She was told it is at the corner of Scotland and Indian Falls Road for Northeast Caissons.

Theresa Asbeck, 12 Sheperd, stated they should stay on Bloomingdale where it is zoned Industrial.

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

Carried Unanimously

Carole D. Borchert, RMC  
Town Clerk