

A Regular Meeting of the Newstead Town Board was called to order on Monday, September 13, 1999 at 8:00 PM at the Newstead Town Hall.

Present: Donald C. Holmes - Supervisor  
Thomas L. Cowan - Councilman  
Thomas George - Councilman  
David L. Cummings – Councilman  
Nathan S. Neill – Attorney for the Town  
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 Summe who was out of town on business.

Pledge to the flag was led by Supervisor Holmes.

Minutes from the previous meeting held August 23, 1999 and Special Meeting held August 31, 1999 were presented for approval. A motion was made by Councilman Cummings, seconded by Councilman Cowan to approve as presented.

Carried Unanimously

Communications - Clerk presented the following:

A petition with 21 signatures was presented for a speed limit reduction on Bloomingdale Road, east of Scotland Road to Genesee County line from 55 MPH reduced to 35 MPH.

A letter from Erie County Department of Public Works, Division of Highways with the forms to the State requesting a speed reduction study for Barnum Road and Hiller Road.

A letter from Golden Pond Estates with objection to cost for monthly and semiannual inspections from Erie County Health Department for water testing. The Town now wants the same inspections and charge them with overlapping services.

A letter from Akron Central School Board of Education requesting a member of the Newstead Town Board be part of the committee to assist in the search for a new Superintendent.

A letter from Bernadine A Lipczynski, a leaseholder in Leisurewood Campground at 5720 Cummings Road, Akron, NY, with concerns on the closing of the campgrounds for four months instead of the normal two months and questioning the permanent resident classification on the Chalet.

A letter and packet from the US Census Monitoring Board informing the importance of the 2000 census, especially in the political representation at the local, state and federal levels as well as a share of billions of dollars in federal funds depends on a fair and accurate census for our community.

A letter from Time Warner Communications on information from the NYS Public Service Commission relating to our Social Contract with the Federal Communications Commission .

A letter from Erie County Soil & Water Conservation on the log jam on Tonawanda Creek in the Town of Newstead with NYSDEC bringing it to their attention. They are intending to get this log jam out before it gets worse or breaks loose and takes out the Cedar Street bridge. They will be asking the Town for equipment or money to accomplish this.

A summary of bids submitted to the Niagara Solid Waste Management Consortium on August 19, 1999 for collection and or market & sale of recyclable materials and collection of refuse and garbage.

A letter from the Empire State Development with a copy of the General Project Plan and findings for the proposed Strippit, Inc.- Empire State Economic Development Fund – General Development Financing Capital Grant Project in the Town of Newstead, A public hearing for the Project will be held in the Newstead Court Room, Newstead Town Hall, on September 27,1999 from 1:00 p.m. to 2:00 p.m.

A Monthly Report on the complaints handled by the Erie County Sheriff deputies, in the Village of Akron, 72, and in the Town of Newstead, 104, during the month of August, 1999.

A certificate of completion for advanced judicial education course attended by Justice Dennis R. Freeman and conducted by NYS Unified Court System.

The Treasurers Report for the month of August,1999 from the Akron-Newstead Senior Citizens was received with a balance of \$2,187.41.

A copy of the September Elderberry Press, a newsletter of the Town of Amherst Department of Senior Services.

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

Carried Unanimously

Privilege of the Floor – Bonnie Rice, 111 Cedar Street, questioned the status on the odor problem at Whiting Roll-Up Door. Mr. Folger reported DEC had inspected the facility and recommended placing the smoke stack up an additional 30 feet and looking into an odor control.

Approval of Bills – The following Budget Transfers were approved by Councilman Cowan, seconded by Councilman Cummings: From: Parks, Contractual, \$144.99 to Parks, Bike, Contractual, From: Transmission, Contractual, \$671.31, to Water Administration, \$347.54 ,Personal Services, Source of Supply, \$301.25 Contractual, Employee Benefits, Social Security,\$22.49 From: Source of Supply, Contractual,\$367.23 to Water Administration, Personal Services,\$67.23, Transmission Contractual, \$300.00, From: Water Administration, Contractual,\$766.89 to Transmission, Contractual. The following Budget Amendments were approved by Councilman Cowan, seconded by Councilman Cummings From: Fund Balance, \$3,986.61 to Appropriated Fund Balance/Library Study, From: Fund Balance, \$1,369.70 to Appropriated Fund Balance/Source of Supply.

Carried Unanimously

The following vouchers were approved for payment by Councilman Cowan, seconded by Councilman George: General Fund A - \$9,890.58, General Fund B - \$61.55, Highway Outside Village DB- \$1,761.24, Capital Projects HC - \$105.80, Fire Protection SF - \$63.86, Refuse SR - \$19,140.00, Sewer Fund SS - \$1,451.87. Water SW - \$30,758.51, numbered 795 through 853, totaling \$63,233.41.

Carried Unanimously

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

Carried Unanimously

## COMMITTEE /DEPARTMENT HEAD REPORTS

Highway - Councilman Cummings reported that the White Metal Pick-Up will tentatively be scheduled for September 27 & 28, but concerns from Councilman Cowan on whether this will be enough time for advertising which is usually two weeks. They decided early October would be more appropriate. Councilman Cummings and Councilman George met with the Highway employees on the 2000 year budget. Also broken glass has become a problem at the soccer field with a suggestion of posting NO GLASS CONTAINERS. This will be discussed in the work session.

Assessor – Not present.

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

Christopher Alterio – 7346 Cedar St. – Rear deck  
Thomas Blair – 11720 Main Rd. – Pole Barn  
David DiRienzo – 7421 Cedar St. – Shed  
David Hofmeier – 12400 Buckwheat Rd – 1 family home  
Edward Hutter – 12109 Buckwheat Rd. – Pole Barn  
Chris Jones – 11507 Miland Rd. – 1 family home  
Leroy Martin – 5645 Davison Rd. – Shed  
Ronald Kobrin – 11495 Stage Rd. – Carport  
Carol Sauer – 11825 Main Rd. - Sign

A motion made by Councilman Cummings, seconded by Councilman George to grant a Pond Permit for Andrew and John Blasko on Hunts Corners Road.

Carried Unanimously

Code Enforcement Officer Folger reported on site plan and master plan for ADESA, information was received for a possible solar cover placed on Perry's lagoons from the Health Department, 5 minor subdivision hearings have been set and he has a concern on fees, he also questioned the proper wearing of hard hats for waterline construction. Andrew Casoloni will address the problem.

Town Clerk – The Dog Control Officers Report for August was presented. A reminder of Primary Day tomorrow, September 14, 1999 with polls open from 6 AM – 9 PM. Contests for Republican, Conservatives and Independents.

Attorney for the Town – Nothing at this time

## COUNCILMAN

Cowan – He questioned the letter received from Golden Pond Estates on overlapping of services for water inspections but would like to discuss at a later time.

George – Nothing at this time

Cummings – Nothing at this time..

SUPERVISOR - He presented a check received for Newsteads portion of the Erie County Sales Tax in the amount of \$28,806.45.

## UNFINISHED BUSINESS

Water District #5 – There has been 20,000 feet of new water line put in the ground, with construction continuing on Main Road and on to South Newstead Road per Andrew Casolini, Engineer. He will continue to receive complaint calls through his office.

Water District # 7A- The design is complete, with DEC letter, and Health Department review in 30 days.

Library Project - The attached resolution was moved by Councilman George, seconded by Councilman Cowan to ratify and affirm the proposed purchase contracts for properties located at 27 –29 Main Street and 31 – 33 Main Street.

(Resolution Attached)

Carried Unanimously

Councilman George reported the schedule is to close on this as soon as possible with demolition by winter. The Akron Fire Company is interested in using these properties for training. He also met with the Village Board with regard to the parking lots, traffic study and shared cost for these items. The Buffalo and Erie County Library and Building Committee are reporting project is moving smoothly and designs should be available in 4-6 weeks.

Councilman George also wanted a correction to be made in the time schedule for the completion of the Library Project that was printed in the Buffalo News. The goal for completion is Spring 2001 not 2000.

Rezoning for Scotland Road – The Attorney for the Town is awaiting zoning maps from the county.

Pine Hill Site application – Awaiting DEC review.

Park Pavilion – Councilman Summe not available to report.

Salt Barn – nothing at this time.

Fire Contract – Letter has been sent awaiting a reply.

Bike Bath – Councilman George reports contractors working this fall east of Barnum Road on prep work.

Nextel Application- Awaiting Code Enforcement Officer.

Bloomingtondale rezone – Awaiting Planning Board

## NEW BUSINESS

Retained Services contract with Wendel – The attached resolution was offered by Councilman Cummings, seconded by Councilman Cowan to approve the proposed annual agreement with Wendel for Engineering Services for 1999.

(Resolution Attached)

Carried Unanimously

Bloomingtondale speed request - A motion was made by Councilman Cummings, seconded by Councilman Cowan to request a speed study on Bloomingtondale Road through the County.

Carried Unanimously

Superintendent Selection Committee – Work session discussion for a board representative.

Revision of Authorization on Lewis Road Light – The attached resolution was moved by Councilman Cowan, seconded by Councilman George authorizing installation of a street light, additional pole, at 12752 Lewis Road.

(Resolution Attached)

Carried Unanimously

Revision of conditions recommended of Spring Marsh - The attached resolution was moved by Councilman Cummings , seconded by Councilman George:

(Resolution Attached)

Carried Unanimously

Other – Reminder of the joint meeting with the Village Board scheduled for September 22, 1999 at 7:30 PM at the Village Hall.

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 Cummings to adjourn at 8:45 PM.

Carried Unanimously

Carole D. Borchert  
Town Clerk