

A Public Hearing was called to order by the Newstead Town Board on Monday, September 24, 2001 at the Newstead Town Hall at 7:50 PM.

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

Roll Call was taken with all board members present.

Supervisor Holmes stated this hearing was called to hear anyone speak for or against proposed Local Law No. 4 of the Year 2001 entitled “2001 Amendments to the Code of the Town of Newstead”

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

Councilman Summe stated that having just received the memo from Wendel with some strong comments, he would like time to review before any action.

Supervisor Holmes stated that no action would be taken tonight anyway.

No one appeared from the audience to speak on the proposed law.

A motion was made by Councilwoman Glor, seconded by Councilman Summe to adjourn said hearing at 7:59 PM.

Carried Unanimously

Regular meeting was called to order at 8:00 PM.

Present: Same as Above

Pledge to the flag was led by Supervisor Holmes.

Minutes from the previous meetings held on September 10, 2001 was presented for approval. Supervisor Holmes ask for a correction on page 4, Facility Study RFP – stating that he was authorized to sign agreements, not agreed. A motion was made by Councilman Summe, seconded by Councilman George that they be approved, as corrected.

Carried Unanimously

Communications – Town Clerk presented the following:

A letter from Thomas Hanft, 6772, 6774 and 6820 Maple Road, requesting water service to his properties.

A letter from Village of Akron stating that the Mayor has declared a drought warning on September 23, 2001 for the Akron Water System and customers, remaining in effect until further notice.

A copy of a letter from Klauk, Lloyd & Wilhelm, Inc. thanking Becky for information sent, as per Assessor Fred Pask.

Information from Time Warner Communications allowing customers to have a choice of cable broadband internet service providers.

A letter from NYS Department of Transportation regarding realignment of areas of responsibility for State Highways in Erie County.

Information from Wendel Duchscherer on Water District #5 with engineer's certification of project completion.

A letter and resolution from Town of Clarence opposing the relocation of the Williamsville Toll Barrier.

A copy of a resolution from the Town of Pembroke opposing the relocation of the Williamsville Toll Barrier.

A memo from the Association of Erie County Governments with a Precautionary Alert suggesting that all highway buildings be secured and locked when not occupied and equipment be in a lock down mode.

Information from Buffalo Niagara Partnership on an EXPO to be held at Adam's Mark Hotel on November 1, 2001.

A monthly report from the Erie County Sheriffs Office on calls handled for the month of August, being 71 in the Village of Akron and 96 in the Town of Newstead outside of the Village.

A copy of "The Network" newsletter from the Town of Amherst Senior Services.

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

Carried Unanimously

Supervisor Holmes reported on the work session held last week, September 17th. Items discussed were: Senior's budget request, Water District #5 update on design progress, resident meeting, archeological study and no cost extensions, Highway Concerns regarding employee benefits, Celebration Committee request, Airport Zone, Town Board 2002 budget requests, Waterline to Community Building, Emergency Services Contract for Amherst, Clarence, Newstead, paramedics services revised, Towers and radios for the highway department.

Privilege of the Floor – Doug Ceisner, 100 East Avenue, asked about several issues. Leisurewood water tax, Engineering grant monies for others, Dog Control Officer and Code Enforcement Officer, no need for town trucks as they are using them for personal use. His taxes are up 20%, water tax 4.9%. Should be cutting budget not adding. Why are the minutes not printed in the Akron Bugle in full? Councilman Cummings asked him where he thought the budget could be cut. He responded "Get rid of personal trucks".

Mike Cheman, 12383 Stage Road, stated that they are still racing on the cycle track with 2 and 4 wheelers. The noise and dust aggravate allergy sufferers. Has there been any action? Code Enforcement Officer Folger reported that the DEC is doing an investigation on the wetlands, insurance and helmet use. He has not heard back from them. This will be put on the work session agenda.

Mary Antorilli, Stage Road, complained of the dust and noise as well .

Supervisor stated that the Town Board has no regulations adopted to control, however they will explore options.

Tony Tobolski, 12033 Tonawanda Creek Road, asked if the Town had any type of disaster preparedness or terrorist plan in the Town

Councilman Summe responded stating as part of the EMS Board of Newstead, Clarence and Amherst the Fire Companies would respond and are always in training for such emergencies. There would also be help from other areas of the State as well as the National Guard.

Dan Marek, 4289 Billo Road, would like to see Water District #5 extended down Utley Road, north of Keller Road, for 4 new houses being built. Supervisor stated this is not an easy thing to do, but the Board will discuss. Engineer Casolini suggested that they do a petition for all those in need of the water and submit to the Town Board.

Approval of Bills – Councilwoman Glor reviewed Abstract #16 of the audited vouchers and found them to be in order.

Before the bills were presented she moved the attached Budget Transfer and Amendments, as per memo from the Bookkeeper dated 9-21-01.

She presented the following vouchers numbered 771 through 808, on Abstract #17, Vouchers #782 and #788 being deleted, General Fund “A” – \$19,652.77, Fund “B” - \$573.98, Highway Outside Village “DB”\$56,969.24, Capital Projects – WD# 5“HC” \$68,857.35, Library “HE” \$88,990.22, Fire Protection “SF” \$-0-, Refuse “SR”\$20,058.05, Sewer Fund “SS” \$1,784.42, Water Districts “SW#1” \$-0-, “SW#2”, \$-0-,“SW#3” \$-0- ”SW#4 “\$-0-, “SW#5” \$10,745.15, “SW#6” \$-0-, “SW#7” \$-0-, “SW8”\$-0-,”SW#9” \$-0- totaling \$267,922.71. A motion was made by Councilwoman Glor, seconded by Councilman Summe to approve, as presented.

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – His crew started the metal pickup today and it is very light, should be done by Wednesday. They have placed the stop bars on the bike path.

Assessor – He stated that his presidency term is up on October 2nd. He will be attending the annual conference from 9-29 –to 10-4-01. He has had several errors in the school tax roll and they are being corrected.

Code Enforcement Officer – The following building permit report was presented for the record:

Dale Siminski – 11150 Main Road – Garage and Addition
Mark Cianfrini – 13273 Martin Road – Inground pool
Rodney Szczrpaniak – 4301 Billo Road – Garage addition
Niagara Specialty – 12600 Clarence Center Road – Sand blasting addition
William Kotansky – 11253 Crego Road – Garage
Don Wingard – 6653 Dye Road – Carport
Daniel Andrusz – 12067 Nice Road – One Family Home
Earl Dennis – 7727 Moore Road – Addition
Dennis Hudomint – 11922 Buckwheat Road – Mobile Home
Michael Knop – 13189 Stage Road – Garage
Mike Allen – 7606 Cedar Street – Storage Building
Stainless Steel Brake – 11450 & 11470 Main Road – Addition
Charles McConnaughey – 13008 Main Road – 3 – Fuel Tanks

He reported that he has received from the Pilot Association an airport zoning book. Councilman George would like to review it.

He has had several calls on Route 5 drainage studies.

Town Clerk – She reported that Primary Day has been re-scheduled for tomorrow. Polls will be opened from 6AM – 9 PM. All votes that were cast on September are null and void.

She presented the Dog Control Officers reports for July and August as presented by David DeYoung.

She reported that Kathy Lang has returned to work, part time, working mornings.

Attorney for the Town – Nothing at this time.

COUNCILPERSONS

Summe – Nothing at this time.

George – Nothing at this time.

Cummings – He is still awaiting July part time Town employee hours. He reported on the Web site agenda looking at e-mail security list.

Glor – Nothing at this time.

SUPERVISOR – He stated that the Village Water Alert affects the Town of Newstead Water District #1 – Cedar Street and #3 – Bloomingdale Road.

He read his 2002 Budget message as the Clerk passed out the Tentative Budget for 2002.

UNFINISHED BUSINESS

Water District #5 – Andrew reported that draft plans are out awaiting feedback. Public Information meeting to be scheduled. Town costs to expand service moving along. Grant money for the project is \$860,000.

Library Project – Ongoing retaining wall. October 1st steel is to be delivered.

Assessment Challenge – Assessor Pask has talked with Counsel on a possible settlement.

Comprehensive Plan Update – Finding statement with a complete document. Work session discussion.

Water/Sewer Hook up at Park – Andrew reported that KJR has not responded.

Park Master Plan – Awaiting renderings.

AOL/Time Warner franchise – Town Attorney is awaiting response back.

Christian Airmen Re-Zoning – Nothing

Facility Study – Councilwoman Glor and Councilman George met and discussed questions to be given all departments with regards to space and facilities.

Toll Barrier – Awaiting draft.

Bright Meadows Site Plan – Drainage report just arrived. Wendel is reviewing.

Local Law #4 – Work session discussion.

Requested park use – To be discussed at work session next week. Celebration Committee to be present.

Other – Nothing to report.

NEW BUSINESS

Alden Assessment Contract – Talk with Assessor regarding office hours.

CDBG Hearing – A motion was made by Councilman Cummings, seconded by Councilwoman Glor to schedule a public hearing for Monday October 8th at 7:50 PM.

Carried Unanimously

Other – Councilman Cummings would like to discuss next week at work session the Van Driver requests and Joint Village Meeting.

Question Period – Doug Ceisner asked the cost of Water District #5 Project. He was told \$3.4 million at no interest for 20 years.

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

Carried Unanimously

Work session to continue.

Carole D. Borchert, RMC
Town Clerk