

-A Regular Meeting of the Newstead Town Board was called to order on Monday, September 27, 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  
Fred Pask - Assessor  
Andrew Casolini - Engineer  
Carole D. Borchert – Town Clerk  
Kathleen M. Lang – Deputy Clerk

Roll Call was taken with all board members present.

Pledge to the flag was led by Supervisor Holmes.

Minutes from the previous meeting held September 13, 1999 were presented for approval. A motion was made by Councilman Cummings, seconded by Councilman Summe to approve as presented.

Carried Unanimously

Communications - Clerk presented the following:

A letter from Leisurewood Campgrounds Administrator Lee Folger asking to meet with the Board seeking clarity on several issues pertaining to Local Law #1, Wastewater Treatment.

A letter from Subsea Oil & Gas Inc. advising that an exploratory gas/oil well drilling permit has been applied for known as Kumpf 1.

A notice of a Statewide Satellite Teleconference entitled “Here Comes the Year 2000” to be held on October 13, 1999 at the Erie Co. Farm & Home Center in East Aurora.

A letter from NYS Department of State stating they have started the process to revise the NYS Building, Fire and Energy Code.

A notice from EC Division of Highways notifying the Department of Transportation to do a traffic study on Hake Road, as requested.

A copy of the Supervisor’s Tentative Budget, Special Districts, for the year 2000 as presented to the Town Clerk on 9-15-99.

A letter from EC Department of Senior Services preparing for its Annual Plan for Services to the Elderly in Erie County. A public hearing will be held on October 26, at the Schiller Park Senior Center.

A certificate from the NYS Assessor’s Association for training sessions attended by Frederick J. Pask, Assessor.

Copies of the 1999 STOP-DWI Contracts between the Town of Newstead and Erie County awaiting signatures.

Copies of Monthly Operation Reports from January through August from Central Fire Alarm Office, Amherst Control. Monthly reports will be sent each month.

A copy of a resolution passed by the Village of East Aurora Board regarding Smart Growth.

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

Carried Unanimously

Supervisor Holmes reported on the last work session having discussed Water District #5, Local Law #1, Scotland Road rezoning, joint meeting with the Village, glass containers in park and bike path, fringe benefits for employees and drainage plans.

Privilege of the Floor – Jim Murphy, 5575 Barnum Road, asked questions regarding the lateness of a letter received from Erie County Water Authority and why those in district #4 on Crittenden Road were not notified. They are concerned about getting Lake Erie water. Supervisor stated that the residents were notified when the Town was notified. District #2 and 4 will be notified when District #5 is complete. This had been discussed for one year before any action was taken. Engineer Andrew Casolini stated that the water is good, they have to meet standard regulations the same as any other source.

Mr. Murphy also asked about the cause of the fire at Kelly's Antique World. He suggested that he not be allowed to build such long buildings and that sprinklers should be installed. This has been discussed and will be pursued.

Approval of Bills – The following vouchers were approved for payment by Councilman Cowan, seconded by Councilman Summe: General Fund A - \$16,352.66, General Fund B - \$447.56, Highway Outside Village DB- \$2,722.34, Capital Projects HC - \$88.56, Fire Protection SF - \$0, Refuse SR - \$0, Sewer Fund SS - \$8.47, Water SW - \$8,804.29, numbered 854 through 893, totaling \$28,423.88.

Carried Unanimously

An additional voucher was presented this evening payable to Ontario Specialty, Water District #5 contractor, in the amount of \$463,451.62. After review of same a motion was moved by Councilman Cowan, seconded by Councilman Summe to approve for payment.

Carried Unanimously

#### COMMITTEE /DEPARTMENT HEAD REPORTS

Highway - Nothing.

Assessor – He stated that he has been elected President of the NYS Assessor's Association for the year 2000.

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

- Kelly Kuntz – 6197 Dye Road – Barn conversion
- Paul Willard – 5583 Barnum Road – Side Porch
- Ed Berghorn – 11347 Rapids Road – Pole Barn
- Michael Lizauckas – 11470 Stage Road – Barn (workshop & storage)
- Leisurewoods – 5720 Cummings Road – Shelter
- Paul Casillo – 11223 Hiller Road – One Family Home
- Michael Maciejawski – 12014 Buckwheat Road – One Family Home
- Douglas Navik – 4573 N. Millgrove Road – Wooden Sign
- Steve Baldo Chevrolet – 11234 Main Road – Sign Removal
- Jack Hayes Olds – 13090 Main Road – Fill brought in drainage plan approved.

He stated that he has been attending a class for the last 2 days, but has been involved in the new NYS International Code process. It will take up to 2 years to get enacted.

Town Clerk – She reported on the Primary Election noting that only 433 residents voted. There were several write-ins and some of the Election Inspectors were asked if they attended Election School. They are required to attend school every year.

Attorney for the Town – Nothing at this time

## COUNCILMAN

Summe – He reported that he has been meeting with Ray Braun of Amherst Control regarding the 5 year contract with Newstead. The Town pays 10% of their budget. He also reported that the Post Office has donated their 12' X 16' wooden building to the Soccer league to be placed on the Town Park property for equipment storage. Pavilion is awaiting Niagara Mohawk hook up, plumbing is in and water will be on a seasonal basis.

Cowan – He is awaiting information on the Akron Airport.

George – He gave a brief airport report awaiting a meeting.

Cummings – He stated that the White Goods, Metal Pickup has been advertised for Monday and Tuesday, October 4 and 5.

SUPERVISOR - He reported that he received a check from Erie County for sales tax in the amount of \$28,869.45 and NYS Chips in the amount of \$24,071.82. He also attended a Y2K meeting in Tonawanda this week, noting that the State is Y2K ready.

## UNFINISHED BUSINESS

Water District #5 – They are working north and south of the thruway. October 1 is the deadline to qualify for service.

Water District # 7A- Plans are done, work to be scheduled this year or first on the next construction season. Lease agreement for 7A needs to be completed.

Library Project - Councilman George reported that the Buffalo and Erie County Library Advisory Committee recommends approval of the project to the Building Advisory Committee. SEQR awaiting completion. Design Team is working on a design which should be available in the next 4 to 6 weeks.

Rezoning for Scotland Road – Mailings have been sent out, 30 days will expire on October 14<sup>th</sup>. Legal description is needed before a public hearing can be set.

Pine Hill Site application – Still awaiting DEC report.

Park Pavilion – Can be taken off the agenda.

Salt Barn – Potential sites to be discussed at work session per Councilman Cummings.

Fire Contract – Awaiting fire companies response regarding confined space.

Bike Bath – Councilman George reported that the Peanut extension to the Bike Path running to Clarence has begun. They hope to have it paved this year. Surveys on property lines have been done.

Nextel Application- No response, Code Enforcement Officer to follow-up.

Bloomingdale rezone – Nothing to report, will follow-up.

Superintendent Selection Committee – Councilman Summe will serve on that committee.

Other – Councilman Cummings was concerned why the Village joint Town meeting was cancelled. Supervisor to send a letter of concerns.

NEW BUSINESS

Waste Treatment Law requirements – The attached resolution was moved by Councilman Cowan, seconded by Councilman Summe:

(Resolution Attached)

Carried Unanimously

Glass container restriction at Town Park – Awaiting further information.

Other – Public Hearing on Community Development Funds – The attached resolution was moved by Councilman Summe, seconded by Councilman Cowan:

(Resolution Attached)

Carried Unanimously

Supervisor Holmes stated that the yearly Town Board Meeting Schedule stated that a Town Board meeting would be held on Tuesday, October 11<sup>th</sup>, but should have stated Monday, October 11<sup>th</sup> at which time a regular meeting will be held, even though it is a holiday. He also scheduled a Special Meeting next Monday, October 4, 1999 at 7:30 PM for presenting the budget and to give his budget message. There will be a work session tomorrow evening for Department Heads to meet with the Board on budget requests.

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 8:55 PM.

Carried Unanimously

Carole D. Borchert  
Town Clerk