

A Public Hearing was called to order by the Newstead Town Board on Monday, October 8, 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 Ask- Assessor
Donnal D. Folger – Code Enforcement Officer
James Ebersole – Highway Superintendent
Nathan Neill – Town Attorney
Andrew Casolini- Town Engineer
Carole D. Borchert – Town Clerk
Kathleen McLeod Lang

Roll Call was taken with all board members present.

Supervisor Holmes stated this hearing was called to hear anyone speak for or against the use of Federal Community Development funds in the Town of Newstead. Citizens can express community development and housing needs and discuss possible projects which would benefit low and moderate income persons in the Town of Newstead

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

Supervisor explained about group funding, as Newstead is not big enough and can do better in a consortium to receive up to \$90,000. Past funding was used for Water District #9 and 7A, and expansion of the Rural Transit Service in the northern part of the county with the Town of Clarence. It is operational now, as a trial program.

No one spoke from the audience with suggestions.

A motion was made by Councilman Summe, seconded by Councilwoman Glor to adjourn the hearing at 8:05 PM.

Carried Unanimously

Regular meeting was called to order at 8:05 PM.

Present: Same as Above

Pledge to the flag was led by Supervisor Holmes.

Minutes from the previous meeting held on September 24, 2001 was presented for approval. A motion was made by Councilman Summe, seconded by Councilman Cummings that they be approved, as presented.

Carried Unanimously

Communications – Town Clerk presented the following:

A petition was presented with 10 signatures from residents on Utley Road, north of Keller Road asking the Town of Newstead to extend the waterline, Water District # 5, seven hundred and fifty five (755 ft) to reach their properties.

A letter from Brian Higgins, 145th District NYS Assemblyman to Regional Traffic Engineer James J. Barnock NYS Department of Transportation with the need of a three-color stop light at the intersection of Route 93 and Route 5 in the Town of Newstead. This intersection handles large amounts of trucks turning for Thruway access. The Supervisor and residents of the Town of Newstead have continuously requested a 3-color stoplight and have been informed that when Route 5 was rebuilt the light would be changed.

A letter from Christian Airmen, Inc. inviting the Town Board, Town Planning Board and Town Zoning Board to join them on November 3, 2001 at 12:00 Noon for a ribbon cutting ceremony to celebrate and dedicate the opening of the new main runway.

A letter from Erie County Executive Joel Giambra, Department of Environment & Planning with the purpose of lowering municipal costs. Erie County has incorporated solid waste management into its regional initiatives and developed several alternatives for waste disposal.

A letter from NYSDOT on the request for lower maximum speed on Dye Road, Town of Newstead. A traffic engineering study has been initiated to review the request and will advise the findings.

A letter from Amherst Fire Chief's Association Inc. informing the board that they are working to establish one common EMS contract for all of the municipalities and fire districts. The current contract expires on December 31, 2001. They enclosed a current draft of the proposed contract.

A letter from the NYS Department of Health with the certification from Andrew Reilly, P.E., Wendel Duchscherer with approval of completed works in Town of Newstead Water District #5 Water Main Installation.

A letter from NYSDEC with the department concurring that the Town of Newstead should act as SEQR Lead Agency for Bright Meadows Golf Course expansion of 151 acres.

A letter from Erie County Department of Senior Services with a report from Julia Renford, contract Manager regarding an on site assessment of Town of Newstead Going Places transportation program. It is reported that the transportation provides a quality and courteous serviced to the elderly of the Town of Newstead.

A letter from a concerned mother, Shelly Collora Schratz, Amherst, NY with the events of September 11, 2001 and challenge all elected officials and Americans to put prayer back into school.

A letter from State Assembly District 145th member Brian Higgins with copies of letters sent NYS Thruway Authority regarding his support of the Town of Newstead resolution regarding the Williamsville Toll Barrier issue.

A letter from, State Senator Mary Lou Rath in regards to the Town of Newstead Resolution on the Williamsville Toll Barrier issue. She is confident that an alternative will be chosen that will benefit all residents affected by the Thruway and its traffic.

A schedule of Congressman Tom Reynolds Town Meetings for Saturday September 29, 2001 was received.

A letter from Rural Transit Service, Inc with the paper work needed from the Town of Newstead for 2002-2003 continued service for this program.

A letter from Wendel Duchscherer with final notice of intent Water District #5 Phase II.

A conference notice for Creating Walkable Communities one step at a time to be held November 8 and 9th, 2001 at Glens Falls, New York.

A faxed copy of the September 2001 Operations Report, Town of Amherst Central Fire Alarm office with Akron having a total of 51 calls and Newstead having 19.

The New York State Office for the Aging Fall 2001 newsletter was received.

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

Carried Unanimously

Supervisor Holmes reported on the work session held last week, October 1, 2001 having discussed the request from the Celebration Committee, Budget review, facility study, discussion of use of library fund raising campaign, Stage Road complaints, WD#5 hook up fees & possible expansions, Local Law #4- amendment #2, Report of responses to SEQRA mailing on Bright Meadows and Retirement , health insurance benefit & other highway concerns.

Privilege of the Floor – Peter Anaka, 6656 Utley Road, has bad water and is requesting the 755ft extension to include his property for water.

The Supervisor explained that the Town Board is committed to WD#5 as it exists but if there is left over funds can pursue extension..

Mary Ann Anaka, 6656 Utley Road, stated she has been paying taxes for WD#5 and assumed she was would be getting water. Supervisor stated she should not have been paying taxes and could ask for a refund.

An extension is only possible if there are funds left and a lot is involved if an extension is granted. The town engineer stated that there are many permits, environmental check points and it takes a long period of time.

Councilman George indicated a new water district could be made but takes time and money. Councilman Summe stated a new water district takes 3-5 years from start to finish.

Approval of Bills – Councilwoman Glor reviewed Abstract #17 of the audited vouchers and found them in order.

She presented the following vouchers numbered 809 though 859, General Fund “A” – \$13748.65 Fund “B” - \$54.32, Highway Outside Village “DB”\$2026.76, Capital Projects – WD# 5“HC” \$2100.00, Library “HE” \$0., Fire Protection “SF” \$-1263.17., Sewer Fund “SS” \$0, Water Districts “SW#1” \$-0-, “SW#2”, \$76.63 , “SW#3” \$-0- ”SW#4 “\$-97.52, W5” \$1090.41, “SW#6” \$-0264.71#7” \$410.99”SW#8 27.86 SW#9 , \$76.63, for a total of \$21,237.65.

A motion was made by Councilwoman Glor, seconded by Councilman Summe to approve, as presented.

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – They have started the mix of sand and salt, mowed Bike Path and completed stop bars, mounted snowplows, Wednesday taking 83 plow to auto auction. The radio communication-sprint towers awaiting written approval to start system and in partners with Akron School Bus Garage

Assessor – He attended Conference and now past President, will be attending 2-day conference at Cornell on new technology. Becky will be attending class for 2 days.

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

Charles Tripi	5251 Crittenden	enclosed porch
Kelly Schultz	11077 Main	Remodel
Kelly Schultz	11067 Main	Covered Walkway
Kelly Schultz	11205 Main	Gazebo
Don Caple	6860 Maple	Rear Addition
Clayton Albrecht	124020 Clarence Ctr	Gazebo
Lawrence Dellinger	12532 Hunts Corners	IG Pool
Paul Meerboth	5639 Cummings	Rear Addition
Lawrence Bunch	8078 Maple	Storage Shed
ADESA	12200Main	Re-con Bldg Addition
Christa Siska	12609 Brucker	Wood Stove insert
Brian Tobin	11758 Rapid	Fill

He reports that the Conservation Officer is now in NYC on duty. There are DEC wetland violations and Councilman Summe asked him to contact other town to see what they would do. Supervisor is still awaiting information requested and suggested he check the in archive storage.

Town Clerk – She welcomed Deputy Clerk Kathy Lang back to the board meeting.

Attorney for the Town – Nothing at this time.

COUNCILPERSONS

Summe – Nothing at this time.

George – Nothing at this time.

Cummings – He requested executive session for information passed out on parttime clerk status- follow –up before Friday.

Glor – Nothing at this time.

SUPERVISOR – He stated the information asked for on the Rural Van Service application was confidential and is nothing more than other Federal programs request. Also if assistance on or off this van is needed one must ask. This project has been received well.

UNFINISHED BUSINESS

Water District #5 – Andrew reported that closing out schedule, 60% Review meeting this week.

Library Project – Steel is here and being erected, 5 week completion and roof on in 4 weeks.

Assessment Challenge – Assessor Pask has talked with Counsel on a possible settlement. Still awaiting to here.

Comprehensive Plan Update – Define statement and have Supervisor sign statement on environmental impact on SEQR review.

Water/Sewer Hook up at Park – Andrew reported that KJR has started today and will call on final inspection.

Park Master Plan – Renderings are here states Councilman Summe and will be reviewed . Public Information meeting on the rendering.

AOL/Time Warner franchise – Town Attorney is awaiting response back. Village is also awaiting, will follow up.

Christian Airmen Re-Zoning – Nothing

Facility Study – Questionnaire sent out and due back on Thursday

Toll Barrier – Draft Environmental Impact Statement sent out to NYS Thruway Authority. Statement will not be released until approved by the Authority and Federal Highway.

Bright Meadows Site Plan – A motion was made by Councilman George, seconded by Councilwoman Glor to schedule a Public Hearing on Monday, October 22, at 7:40 PM

Carried Unanimously

Local Law #4 – A motion was made by Councilman Cummings, seconded by Councilwoman Glor, to re-schedule a Public Hearing on Monday, October 22, at 7:35 PM

Carried Unanimously

The work session on Monday, October 22, 2001 will begin at 7 PM

Requested park use – A motion was made by Councilman Cummings, seconded by Councilman Summe to permit the Celebration Committee use of the park with proper insurance.

Councilman George opposed

CARRIED

CDBG Funding – No suggestions from public hearing, some suggestions may be new sidewalks which the Village used funds from Parks and Recreations.

Alden Assessment Contract- No word from Alden's Town Attorney.

NEW BUSINESS

Northeast Caissons/Rattles to Reading Site Plan- awaiting county comments.

Preliminary Budget for 2002- The attached resoluition was moved by Councilman Summe, seconded by Councilwoman Glor to schedule a public hearing on Monday, October 22, at 7:50 PM and to approve said Preliminary Budget for 2002 with the attached alterations:

(Resolution Attached)

Carried Unanimously

Question Period – No one spoke

There being no further business to come before the board a motion was made by Councilwoman Glor, seconded by Councilman Summe to adjourn at 9:10 PM.

Carried Unanimously

Carole D. Borchert, RMC
Town Clerk

