

A Public Hearing was called to order by the Newstead Town Board on Monday ,
October 9, 2000 at the Newstead Town Hall at 7:50 PM.

Present: Donald 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 proposed Local Law No.2 of the Year 2000 entitled “ Increase in the Salary of the Town Clerk for the Year 2000”

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

Supervisor Holmes explained the purpose of this local law is to increase the salary of the Town Clerk, above the published year 2000 salary, to compensate for the additional work involved in taking over the responsibilities of collector of taxes for the Akron Central School District. The local law will increase the salary of the Town Clerk for the Year 2000 only.

Norma Bluhm, 142 Buell Street, questioned if the salary increase was just for this year and what happens next year? She also questioned if the position of school tax collector was posted by Akron Central District? Would she be doing this additional work on Town Clerk time?

Supervisor Holmes stated that there are no set hours for the Town Clerk. She could work 20 or 60 hours a week as long as the work is done. He stated that the School approached the Town and was willing to pay \$5500 for the service, if it could be done here. Being Town/County taxes are collected here it made sense for the taxpayer

Councilman Summe has concerns on how to write the Budget Salary for 2001. It was noted that a Local Law could be passed each year in this matter, if needed.

There being no one further to speak a motion was made by Councilman Summe, seconded by Councilman Cummings to close the public hearing at 8:10 PM.

Carried Unanimously

A Regular Meeting of the Newstead Town Board was called to order on Monday,
October 9, 2000 at the Newstead Town Hall at 8:10 PM.

Present: All of the above.

Pledge to the flag was led by Supervisor Holmes.

Minutes from the previous meeting held on September 25, 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 letter from Linda Capan, 10 Shepard Avenue, giving her resignation as a board member from the Denio Memorial Library Board.

A letter from Denio Library Board President Sally Stapleton advising that an amendment was passed changing the official name of the library to "The Newstead Public Library" and the date for trustees to take office to be December rather than June.

A letter from BFI listing an Annual Contract Price Adjustment effective January 1, 2001.

A memo from Peter J. Smith & Company, Inc., including Comprehensive Plan Materials for distribution including meeting summary of August 31, 2000 and September 19, 2000, Draft Recreation Chapter and Draft Agriculture Chapter.

A letter from the NYSDEC with a notice of complete application for Burdick Road Slide.

A letter from the State Environmental Quality Review with a negative declaration, notice of determination and non-significance with project #C617-00-612, Burdick Road Stabilization.

A certificate from the NYS Assessor's Association that Frederick J. Pask, IAO, attended the Training Sessions at the Seminar on Assessment Administration conducted at Rochester, NY from September 24 – 27, 2000.

A letter from Time Warner Communications with an update on the upgrade to the Batavia System with completion by the end of this year.

A letter from NYS Department of Health and EFC on Drinking Water State Revolving Fund with the Final Intended Use Plan starting October 1, 2000 to September 30, 2001.

A letter from NYS Governor George Pataki, DEC, and EFC with the intended Use Plan Project Priority List, Clean Water State Revolving Fund for Water Pollution Control.

Information from the Bridgestone/ Firestone Tire Sales Company with information that pertains to NHTSA's September 1, 2000 Consumer Advisory.

A letter from County Executive Joel A. Giambra with a Public Input Meeting to be held on October 10, 2000, 7:00 PM at the Council Chamber, Lancaster Town Hall for neighborhood improvement through the EC Dept. of Environment and Planning Community Development Block Grant Program.

Information from Catholic Health System with a notice of plans to end its managed care contract with Independent Health Association (IHA) effective January 1, 2001.

Clerk read the bids opened for excavation/shoring/foundations for the New Library Project on September 27, 2000. They were as follows: Summit Construction Group, Inc., \$563,000, Cold Spring Construction Co., \$649,000 and C. Nichter, Inc., \$872,000.

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

Carried Unanimously

Supervisor Holmes reviewed the work session held last week having met with Northern Erie Snow Seekers use of Bike Path, Paragon, library basement bids and retainage on demo job, WD#5, WD#7A, Library Board, Stop DWI Contract, CDBG application, GIS software, and 2001 Budget issues particularly raises and benefits.

Privilege of the Floor – No one spoke

Approval of Bills – Before the bills can be paid the attached budget transfers and amendments were presented and approved by Councilwoman Glor, seconded by Councilman Summe.

The following vouchers on Abstract #19 numbered 879 through 919 were presented for payment by Councilwoman Glor, seconded by Councilman Summe: General Fund “A” – \$10,200.20, General Fund “B” - \$94.84, Highway “DA” - \$0, Highway Outside Village “DB” - \$486.79, Capital Projects “HC” WD#5 – \$78,805.29, Capital Projects “HD” WD #7A - \$0.00, Capital Projects “HE” Library, \$0.00, Fire Protection “SF” \$1,235.30, Refuse “SR” \$238.07, Sewer “SS” \$0.00, and Water Districts “SW” - \$1900.66 totaling \$92,961.15.

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Highway Superintendent Ebersole reported that they have begun mixing sand and salt, Burdick Road is a FEMA project to be finished by 12-15-00, taken delivery of the new Sterling truck, finish mowing by 10/19, metal pickup was completed by Wednesday 10-4-00 and they will be resuming the 5 day work week on Monday, October 30th.

Assessor – He presented a media award for the year 2000 from the NYS Assessors Association to Marilyn Kasperek, Editor of the Akron Bugle, for keeping the public informed on the new assessment legislation.

He also thanked the board for attending his installation dinner in Rochester.

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

Frank Powell – 13100 Stage Road – Wood stove and chimney
Kelly Kuntz – 6197 Dye Road – Front porch
Daniel Kurdziel – 7435 Cedar Street – Two family home
Steven McNutt – 5663 Cummings Road – fence
Frances Gilbert – 11585 Hiller Road – fence
Danyette Schlabach – 6739 Dye Road – Pole Barn
Rayment Strickler – 7258 Cedar Street – Patio Enclosure
Gary Baker – 12603 Rapids Road – Pole Barn
Raymond Baker – 12625 McNeeley Road – Above ground pool and deck.

He is awaiting the Spring Marsh material. Even though the Burdick Road bridge is a FEMA project he is involved as a development permit is required because it is in the floodplain.

Town Clerk – She reported that 9 residents were registered at Voter Registration Day held here on Saturday for 8 hours. Hours will be here again on Wednesday from 5 PM until 9 PM. She also presented the Dog Control Officer’s Reports for August and September.

Attorney for the Town – Nothing to report.

COUNCILMAN

Summe – Nothing to report.

George – Nothing to report

Glor – Nothing to report

Cummings – Nothing to report.

SUPERVISOR – Nothing to report.

UNFINISHED BUSINESS

Water District #5 – Andrew reported that they are nearing the end of the contract and moving along on the complaint list.

A motion was made by Councilman Summe, seconded by Councilwoman Glor to authorize Wendel to prepare the paperwork on the built out portion at a cost not to exceed \$2000.

(Resolution Attached)

Carried Unanimously

The attached resolution was moved by Councilwoman Glor, seconded by Councilman Summe reducing Ontario Specialty Contracting Co. retainage in the amount of \$50,000.

(Resolution Attached)

Carried Unanimously

Water District # 7A – Andrew stated that it is moving along and he will keep the board posted.

Library Project – Councilman George reported that the bids came in higher than they hoped. They are working with items listed to reduce the cost. He will be reporting at the meeting on the 23rd. They are proceeding with the design and will have a package available on the 20th for the Town Board to review. Still awaiting the sign placement at the site.

Rezoning for Scotland Road – Will be discussed at work session next week.

Wastewater Update – Andrew has not received anything.

Buffalo Drilling Site Plan – Code Enforcement Officer Folger stated that the court date has been postponed as per letter received.

Weaver Sub-division SEQR – Code Enforcement Officer is awaiting information back. Attorney stated a public hearing needs to be scheduled.

Assessment Challenge – The Assessor is waiting to hear.

Local Law #2 of the Year 2000 – Attorney Neill stated that another public hearing must be scheduled being the wrong notice was publish. A motion was made by Councilman George, seconded by Councilman Cummings to hold the hearing on October 23, 2000 at 7:50 PM at the Newstead Town Hall.

Carried Unanimously

Other – Nothing

NEW BUSINESS

John Smith Site Plan – The attached resolution was moved by Councilman Summe, seconded by Councilman George adopting determination of Non-Significance of John Smith Storage Building:

(Resolution Attached)

Carried Unanimously

Library Board resignation – A motion was made by Councilman George, seconded by Councilwoman Glor to accept the resignation of Linda Capan from the Library Board, with regrets.

Carried Unanimously

Library Board Terms – The attached resolution was moved by Councilman Cummings, seconded by Councilwoman Glor to accept the new terms of offices:

(Resolution Attached)

Carried Unanimously

Stop DWI Contracts – A motion was made by Councilman Summe, seconded by Councilman George to authorize the Supervisor to sign said contracts.

Carried Unanimously

Other – Nothing

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 Cummings to adjourn at 8:50 PM.

Carried Unanimously

Work Session to continue

Carole D. Borchert, RMC
Town Clerk