

A Public Hearing was called to order by the Newstead Town Board on Monday ,
October 23, 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
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 Publication as it appeared in the Akron Bugle on October 12, 2000.

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. This is the second hearing held on the matter due to a missed publication.

Supervisor opened the hearing to the floor.

No one spoke

There being no one to speak a motion was made by Councilman Summe, seconded by
Councilman George to close the public hearing at 8:00 PM.

Carried Unanimously

A Regular Meeting of the Newstead Town Board was called to order on Monday,
October 23, 2000 at the Newstead Town Hall at 8:03 PM.

Present: All of the above.

Pledge to the flag was led by Supervisor Holmes.

Minutes from the previous meeting held on October 9, 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 notice of claim for Lani Jendrowski by Attorney E. Thomas Jones, regarding an
accident at 83 John Street on August 5, 2000.

A response to the claim from Nathan Neill, Attorney for the Town, noting that John
Street is not a Town road, thus the Town of Newstead should be withdrawn from the
claim.

A letter from NYS Thruway Authority thanking the Town for submitting the petitions that were signed by residents opposing the relocation of the Williamsville Toll Barrier.

A letter from Wendel regarding the engineering proposal to prepare the DWSRF hardship application for the buildout of water district #5.

A copy of a letter to St. Teresa's Church from Wendel for the large diameter water service.

A copy of a letter to Supervisor Holmes from Wendel for an additional cost of corrugated metal pipe at his home.

A letter from NYS Real Property Services with a final state equalization rate of 100.00.

A letter from ECIDA regarding 2000 Kreher's Poultry Farms Project.

A certificate from NYS Division of Code Enforcement awarded to Donnal D. Folger for completion of 73-0002 International Code Transitional Training.

A monthly report on complaints handled by the Erie County Sheriff for the month of September in the Village of Akron, 59 and Town of Newstead, outside the Village 95.

A copy of "The Network" Town of Amherst senior newsletter.

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

Carried Unanimously

Supervisor Holmes reviewed the work session held last week having met with OSC, Ontario Specialty Contractors, Tony DiFilippo, re: Baumler, etal. lawsuit, Scotland Road rezoning, Weaver Sub-division SEQR, ADESA Downstream Drainage Report, Safe Driving course, Benefits; any changes in 2001 Preliminary Budget – Final decision, Church/Park service bid, Community Development Block Grant, Perry's – Where next? and Village and Town issues for the joint meeting scheduled at the Village Hall next Monday 10/30.

Privilege of the Floor – Dean Hyder, Chief of the Akron Fire Co., presented to the board copies of the annual department operations summary report, annual anticipated income statement, annual department and company budget report and fire department contract request for 2000-2001 for review and future reference.

Approval of Bills – Councilwoman Glor reported that Abstract #18 has been corrected and found to be in order. Abstract #19 dated 10-9-2000 has been audited and found to be in agreement.

The following vouchers on Abstract #20 numbered 920 through 982 were presented for payment by Councilwoman Glor, seconded by Councilman Summe: General Fund "A" – \$16,060.28, General Fund "B" - \$6,281.87, Highway "DA" - \$0, Highway Outside Village "DB" - \$79,906.96, Capital Projects "HC" WD#5 – \$9,281.04, Capital Projects "HD" WD #7A - \$0.00, Capital Projects "HE" Library, \$34,094.91, Fire Protection "SF" \$123.20, Refuse "SR" \$19,817.61, Sewer "SS" \$401.25, and Water Districts "SW" - \$8,601.25 totaling \$174,568.37..

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Highway Superintendent not present. Supervisor Holmes reported that he is working on a new highway radio system. Councilman Summe asked if the Highway Dept. could survey all the street lights in the Town of Newstead, while doing their respective runs, and report any outages, by giving pole numbers of each.

Assessor – He will be scheduling public informational meetings on updates soon. He stated that the Assessment challenge has been adjourned until 12-20-00.

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

Tom Weeks – 6846 Sandhill Road – Inground pool
Robert Kasper – 1355 Stage Road – Wood Stove & Chimney
Dale Berghorn – 11090 Miland Road – Pole Barn
Charles Decker – 8122 Fletcher Road – Storage building
Robert Lichtenthal – 12234 Hunts Corners Road – One family home
Robert Bratty – 11117 Crego Road – Pole barn
Noel Tucciarone – 13041 Kirby Road – Deck
Earl Schultz – 11330 Crego Road – One family home
Dorothy Buoanno – 13035 Main Road – Sign
Douglas Matusek – 12663 McNeeley Road – Fill w/drainage plan

He will be scheduling a meeting with Earth Dimensions.

He has observed many road projects where they are placing fill on properties. He is contacting them to get a permit for same.

Town Clerk – She reported that an additional 18 registered on Wednesday evening during personal voter registration day making a total of 27 this year.

She gave a School Tax report noting that 3467 school tax bills crossed her desk for payment totaling \$3,897,207.50. A total of 334 bills were paid at the Bank of Akron.

Attorney for the Town – Nothing to report.

COUNCILMAN

Summe – Nothing to report.

George – Nothing to report

Cummings – Nothing to report

Glor – Nothing to report.

SUPERVISOR – Nothing to report.

UNFINISHED BUSINESS

Water District #5 – Andrew stating that they are closing out issues and filing the hardship application for the build-out portion.

Water District # 7A – Awaiting Health Dept. approval. Will be making connections and should be finished in 2 weeks.

Library Project – Councilman George stated that the signs should be up by November 1st. Bids are still being reviewed for an early Spring start. The fence will be moved back for the winter. On the 19th he met with representatives on the aspect of a “green building” taking the common sense approach. He has also talked with Trustee Burke on Village parking concerns. Attorney Neill is awaiting word from the Village Attorney Shonn on sharing the maintenance of the parking lot.

Rezoning for Scotland Road – Councilman Summe reported that comments have been passed on. The Master Plan Committee will be meeting tomorrow night on same.

Wastewater Update – Andrew is in receipt of the report from Perry’s and is reviewing for work session discussion next week.

Buffalo Drilling Site Plan – Code Enforcement Officer Folger reported he was told the end of November.

Weaver Sub-division SEQR – Hearing Date – A motion was made by Councilman Summe, seconded by Councilman Cummings to schedule the hearing for Monday, November 13, 2000 at 7:45 PM. Clerk to notify adjoining neighbors and advertise in the Akron Bugle.

Carried Unanimously

Assessment Challenge – Already reported earlier in the meeting.

Bright Meadows Site Plan – Code Enforcement Officer Folger stated he informed them to hire an Engineer and proceed. He suggested removing from the agenda until further notice. A motion was made by Councilman Summe, seconded by Councilwoman Glor to table and remove from the agenda.

Carried Unanimously

Local Law #2 of the Year 2000 – The attached resolution was moved by Councilman Summe, seconded by Councilman George that this law is a Type II action under the SEQR law.

(Resolution Attached)

Carried Unanimously

The attached resolution was moved by Councilman Cummings, seconded by Councilman George to adopt Local Law #2, as presented.

(Resolution Attached)

Carried Unanimously

John Smith Site Plan – A motion was made by Councilman Summe, seconded by Councilman Cummings to approve same.

Carried Unanimously

Other – Nothing

NEW BUSINESS

Budget Amendments/Schedule Public Hearing for budget – The attached resolution was moved by Councilman Summe, seconded by Councilman George revising the tentative budget for the year 2001 and scheduling a public hearing on same for Monday, November 6, 2000 at 7:30 PM at the Newstead Town Hall.

(Resolution Attached)

Carried Unanimously

ADESA downstream drainage report - A motion was made by Councilman George, seconded by Councilman Summe to accept the report from William Schutt & Associates, as presented.

Carried Unanimously

Newstead Sno-Seekers trail – The attached resolution was moved by Councilwoman Glor, seconded by Councilman Summe agreeing to the use of the West Shore Line Railroad right of way for snowmobile use.

(Resolution Attached)

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 Summe to adjourn at 8:50 PM.

Carried Unanimously

Carole D. Borchert, RMC
Town Clerk