

A Regular Meeting of the Newstead Town Board was called to order on Monday, October 25, 1999 at 8:00 PM at the Newstead Town Hall.

Present: Donald C. Holmes – Supervisor
Gerald F. Summe - Councilman
Thomas L. Cowan - Councilman
Thomas George - Councilman
David L. Cummings – Councilman
Frederick Pask – Assessor
Donnal D. Folger – Code Enforcement Officer
Nathan S. Neill – Attorney for the Town
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 Councilman Summe.

Minutes from the previous meeting held October 11, 1999 and Special Meeting held on October 18, 1999 were presented for approval. A motion was made by Councilman Cummings, seconded by Councilman George to approve as presented.

Carried Unanimously

Communications - Clerk presented the following:

A letter from Mona Rudolph, 422 Akron Road, opposing the proposed building site for Northeast Caissons at the corner of Akron and Scotland Roads.

A letter from Veronica Daugherty, 13699 Indian Falls Road, voicing her opinion on the Northeast Caissons master plan for the property directly across from her residence.

A letter from Nextel Communications withdrawing their application with the Planning Board for a cell tower at 4678 S. Newstead Road. They have chosen to co-locate.

A Wastewater Treatment Registration Application from Perry's Ice Cream Co.

A 1999 Fall Metal Pickup report from Highway Department.

Information from NYS Public Service Commission in the matter of an efficient usage of telephone numbering resources.

A SEQR Negative Declaration Notice of Determination of Non-Significance for Water District #7A.

A notice from NYS Department of Transportation that a traffic study on Hake Road has been initiated.

A copy of a permit from NYSDEC for Pine Hill Materials Corporation for Siehl and County Gravel Pit.

A report entitled Land Use Planning & Regulations in New York State municipalities from NYS Legislative Commission on Rural Resources.

A copy of the Elderberry Press from Amherst Senior Citizens.

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 met with representatives from Perrys Ice Cream on their risk management project for ammonia leaks, Water District #5, Dog Control Officer, Local Law #4, Fire Contract, Library Project and Hake Road speed limit.

Privilege of the Floor – Dennis Freeman, Town Justice, appeared before the board to ask permission to attend a Youth Court Seminar in Albany, November 7 – 9. Cost to be split with the Village paying 1/3 and Town 2/3.

Sue Smith, 11267 Clarence Center Road, appeared and asked if and when they are scheduled to receive water. She was told that approval is as far as the intersection of Clarence Center and Barnum Roads. If funds allow it will be extended to the Latke residence on Clarence Center Road in the Spring. Engineer Casolini stated that density of the area and affordability are two important factors in determining extension.

Approval of Bills – The following vouchers were approved for payment by Councilman Cowan, seconded by Councilman Summe: General Fund A - \$13,713.47, General Fund B - \$539.05, Highway Outside Village DB- \$21,557.52, Capital Projects HC - \$833,097.42, Fire Protection SF - \$0, Refuse SR - \$21,236.91, Sewer Fund SS, \$2,847.31, Water SW - \$19,227.15, numbered 936 through 984, totaling \$912,218.83.

Carried Unanimously

COMMITTEE /DEPARTMENT HEAD REPORTS

Highway - Councilman George stated that the log jam work is complete, awaiting reseeding of the area.

Assessor – No report.

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

Michael Benson – 5308 N. Millgrove Road – Wood burning stove, chimney & shed.
Jack Meginley – 196 Quarry Hill Estates – Handicap ramp
Kim Vanice – 8067 Greenbush Road – a family home.
Kelly Schultz (Pumpkin Palace) – 11199 Main Road – Sign renewal.

Kim Vanice – 8067 Greenbush Road – Floodplain Development Permit

He stated that he attended a meeting on class insurance and they are working on new reporting forms to comply. He indicated that the water district is not in compliance.

Town Clerk – She presented the September Dog Control Officer's Report.

Attorney for the Town – Nothing to report at this time.

COUNCILMAN

Summe – He reported that the Consumer Confidence Report has been mailed to all water district customers as required, street light has finally been installed on Lewis Road in front of the Calvary Baptist Church, he is checking on water usage and consumption reports. There is still a leak in Water District #1, he has a quote for a locator to be discussed at work session.

Cowan – Nothing at this time.

George – Nothing at this time.

Cummings – Discussion for a work session on land purchase. He met with Recreation Director on Fall Program. They would like another Soccer Field on Skyline property.

SUPERVISOR – He reported the following revenue checks received: NYS Aid \$28,759.00, Sales Tax \$28,238.99, NYS Chips \$2,471.82 and NYS reimbursement for Assessor school in the amount of \$879.34.

UNFINISHED BUSINESS

Water District #5 – Engineer Casolini reported there are still 4 crews working on site with restoration in progress. They would like to reduce the retainage to 5% on contract cost, being the contractor has posted a bond. The attached resolution was moved by Councilman Summe, seconded by Councilman Cummings for same:

(Resolution Attached) Carried Unanimously

Munistat Services Agreement – The attached resolution was moved by Councilman Summe, seconded by Councilman Cowan approving the written agreement in connection with the issuance of \$2,825.00 B.A.N. for Water District #5.

(Resolution Attached) Carried Unanimously

Water District # 7A- Engineer Casolini reported that he waiting for the Health Department review on the water supply application.

Library Project - Work session discussion on progress. HUD has approved the \$1 million grant, but more paperwork is needed.

Rezoning for Scotland Road – Public informational meeting to be scheduled.

Pine Hill Site application – To be removed from the agenda.

Salt Barn – Looking for land.

Fire Contract – Akron and Newstead have responded. Awaiting Attorney to prepare contract.

Nextel Application – To be removed from the agenda as they have withdrawn application.

Bloomingtondale rezone – In Planning Board hands.

Local Law #4 – Amendment to the Code of the Town of Newstead. A motion was made by Councilman George, seconded by Councilman Summe to schedule a public hearing on same for Monday, November 8, 1999 at 7:30 PM.

Carried Unanimously

Celebration Committee Request to use Town Hall – A motion was made by Councilman Summe, seconded by Councilman Cowan to grant permission for the use of the Town Hall on New Years Eve for a movie.

Carried Unanimously

NEW BUSINESS

Year 2000 Budget – A public hearing to be held on November 1, 1999 at 7:45 PM at the Newstead Town Hall.

Other – A motion was made by Councilman George, seconded by Councilman Cummings to approve the Albany School for Judge Dennis Freeman to attend.

Carried Unanimously

Question Period – Councilman Summe ask the Code Enforcement Officer to keep the Bloomingdale rezoning communication going with the Planning Board.

There being no further business to come before the board a motion was made by Councilman Cowan, seconded by Councilman Summe to adjourn at 8:55 PM.

Carried Unanimously

Carole D. Borchert
Town Clerk