

A Regular Meeting was called to order by the Newstead Town Board on Monday, November 12, 2001 at the Newstead Town Hall at 8:00 PM.

Present: Donald Holmes – Supervisor  
Gerald Summe – Councilman  
Thomas George – Councilman  
David L. Cummings - Councilman  
Joan M. Glor - Councilwoman  
Fred Pask- Assessor  
James Ebersole – Highway Superintendent  
Nathan Neill – Town Attorney  
Andrew Reilly- Town Engineer  
Carole D. Borchert – Town Clerk  
Kathleen McLeod Lang –Deputy Town Clerk

Roll Call was taken with all board members present.

Pledge to the flag was led by Code Enforcement Officer Folger.

Minutes from the previous meeting held on October 22, 2001 were presented for approval. A motion was made by Councilman Summe, seconded by Councilman Cummings that they be approved, as presented.

Communications – Town Clerk presented the following:

A letter from Akron Little League Football Inc. President Lawrence Izydorczak requesting a reschedule for the November work session time with the Town Board.

A letter from NYSDOT with a completed engineering investigation relative to a request for a reduced speed limit on Dye Road. Based on data collected, they will establish a 40-MPH speed limit on Dye Road from Clarence Center Road to Hunts Corners Road.

A letter from Governor George E. Pataki acknowledging receipt of a copy of the resolution adopted September 10, 2001 by the Newstead Town Board regarding the Toll Barrier.

A letter from NYS Agriculture and Markets with Final Notice of Intent – Erie County Agriculture District #1 – Town of Newstead – Water District No. 5, Phase II – Advance of Public Funds- Construction of Waterlines.

A letter from NYSDEC, Division of Environmental Permits, advising that the DEC permit for Water District #5 is complete and a technical review has commenced. Public comment is required for this application and the Notice must be published in the Akron Bugle during the week of 11/12/2001.

A letter from New York Governing Board, the CLASS –NY Board of Governors is set to proceed with elections for seven expiring terms on the board, with description of the entire process entitled “Governing Board Selection Process”.

A letter from the Association of Towns of NYS with the 2002 Training School & Annual Meeting to be held at the New York Hilton Hotel, NYC, February 17-20, 2002.

An application for Permit Transfer was received from Lafarge Corporation, 2255 Bailey Avenue, Buffalo, NY for gravel pit project on Siehl and County Line Road.

A letter of resignation was received from Dee Ann Wehling, cleaner of the Newstead Town Hall and Denio Library basement

A memo from the Newstead Zoning Board of Appeals with a recommended change to ordinance Chapter 100, Article 3 100-15 A 1 (c) regarding lot sizes for horses and language added to address other animals.

A letter from the National Drinking Water Clearinghouse has assembled a body of information about protecting small water systems from potential treats.

A letter from Erie County's Executive office to maximize awareness of Municipal Affairs. They are putting together an informational database with municipal budget information.

A pamphlet from Exxon Mobile Pipeline Company entitled Petroleum Pipelines in Your Community.

A letter from NYS Real Property Services with information on distribution of 2001 STAR Administrative Aid.

A letter from Erie County Controller Nancy Naples on Pooling of Cash Balances for Investment purposes.

A letter from US Department of Commerce, Bureau of Census, providing Census 2000 Block Maps for the Town of Newstead. Maps given to Code Enforcement Officer.

A letter from the EC Sheriff's office with computer data sheets on complaints handled in the Village of Akron, 66, and 91 in the Town of Newstead outside of the Village for the month of October 2001.

A letter from Belmont Shelter Corp. on the subject of HELP (Home Energy Loan Program) for Lower-Income Homeowners in Chautauqua, Erie and Niagara Counties.

A booklet from the NFTA (Niagara Frontier Transportation Authority) serving the Niagara Region. with the Annual Financial Report for 2000- 2001.

A newsletter from the Town of Amherst Department of Senior Services (The Network) for the month of November 2001.

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

Carried Unanimously

Work session scheduled with the Village of Akron on October 29<sup>th</sup> was cancelled. Supervisor Holmes reported on the work session held last week having discussed assessment challenge, Comprehensive Plan, Park Master Plan, Senior Exemptions, Clerical hours in Assessor's Office, AOL/Time Warner Franchise, Fuel/Electricity purchases, Northeast Caissons/Rattles to Reading Site Plan and Personnel matter.

Privilege of the Floor – No one spoke.

Approval of Bills – Councilwoman Glor reviewed Abstract #19 and found it to be in order, except for Voucher # 889 - \$4,801.78. It was paid by check #4286 for one cent more, in the amount of \$4,801.79.

She has reviewed the vouchers on Abstract # 20 numbered 909 through 1007 with Voucher #912 deleted and recommends payments as follows: General Fund "A" – 28,833.07, Fund "B" – 1,597.64, Highway Outside Village "DB" \$13,074.56, Capital Projects- WD#5 – "HC" \$23,458.14, Fire Protection "SF" \$1,263.17, Refuse Fund "SR" \$12,873.03, Water Districts "SW# 2" \$76.63, "SW#4" \$97.52, "SW #5" \$965.90, "SW#6" 264.71, "SW#7" \$410.99, SW# 8" \$27.86, "SW#9" \$76.63, totaling \$83,019.85.

Councilman George seconded the motion to approve.

Carried Unanimously

#### COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Superintendent Ebersole not present but Councilman Cummings reported he would like to replace the hi lift. Councilman George stated they are investigating a Cell Tower for radio communication being placed on Buell Street and shared with the Village.

Assessor – Nothing to report

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

Ross Rumfola III	11541 Miland Rd	Fireplace stove insert
Daniel Wroblewski -	11156 Rapids Rd	One Family Home
Michael Hoerner	6923 Maple Rd.	Pole Barn
Michael Renzi	7404 Maple Rd.	Garage Addition
Andy Cinotti	12337 Nice Rd.	Fence (L shape)
Quarry Hill Estates	11789 Main Rd.	Manufactured Home
Daniel Wroblewski	11156 Rapids Rd.	Floodplain Development

He stated that he has received 11 responses with 8 samples of data from other towns in regards to recreational vehicles. He was told to do a summary for the board. He suggested engineering fees should be added to site plan. He also stated that an ad for a part time clerk in his office should be published this week.

Town Clerk – She will be filing final School Tax Report for Genesee and Niagara County on the 15<sup>th</sup> and Erie County on December 1<sup>st</sup>. She asked the Board if a contract was ever done with the Akron Central School District for the collection. Matter turned over to the Attorney.

Attorney for the Town – AOL/Time Warner Contract does not address the issue.

#### COUNCILPERSONS

Summe – Nothing at this time.

George – Nothing at this time.

Cummings – Nothing at this time.

SUPERVISOR – He congratulated the winners of the recent election and will help in anyway possible during the transition.

#### UNFINISHED BUSINESS

Water District #5 – Drew Reilly said they are waiting for KJR release of leans for WD#5 and WD#7A.

Library Project – Councilman George reported that they will be paving the driveway this week and working on enclosing the building for the winter

Assessment Challenge – The following resolution was moved by Councilwoman Glor, seconded by Councilman Summe authorizing the Town Assessor to sign the proposed settlement on behalf of the Town of Newstead.

(Resolution Attached)

Carried Unanimously

Comprehensive Plan Update – Councilman Summe looking at next week’s schedule in regards to the findings statement.

Water/Sewer Hook up at Park – Drew is waiting for KJR release of leans on this project .

Park Master Plan – Meeting of the 26<sup>th</sup> at 7:30 PM discussion per Drew Reilly.

AOL/Time Warner franchise –Town attorney reported earlier.

Christian Airmen Re-Zoning – Richard Forrestel will have information in a week per the Town Attorney. The following resolution was moved by Councilman Summe, seconded by Councilwoman Glor endorsing the project to purchase snow removal equipment for Akron Airport for the purpose of making the project eligible for State funding.

(Resolution Attached) Carried Unanimously

The following resolution was moved by Councilman Cummings, seconded by Councilwoman Glor, endorsing the project to rehabilitate, realign, mark and light Runway 7-25 at Akron Airport for the purpose of making the project eligible for State funding.

(Resolution Attached) Carried Unanimously

Facility Study – Councilwoman Glor reported all groups have been interviewed and information is being analysis into a draft report. Final report scheduled for February.

Toll Barrier – Nothing new.

Northeast Caissons/Rattles to Reading Site Plan – The following resolution was moved by Councilman Summe, seconded by Councilman Cummings incorporating Wendel Engineers comments:

(Resolution Attached) Carried Unanimously

Budget for 2002 – The following resolution was moved by Councilman George, seconded by Councilman Summe:

(Resolution Attached) Carried Unanimously

Little League Football contract –will meet with them at next week’s work session.

#### NEW BUSINESS

Senior Income levels for exemption – The following resolution was moved by Councilman Cummings, seconded by Councilman Summe.

(Resolution Attached) Carried Unanimously

ECWA tank proposal- schedule work session time to discuss.

Fuel purchase under County contract – Supervisor awaiting information and Fire Company response.

Other – Councilman Summe moved that Personnel Ads be placed in the local papers this week, seconded by Councilwoman Glor.

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 8:45 PM.

Carried Unanimously

Carole D. Borchert, RMC  
Town Clerk