

A Regular Meeting of the Newstead Town Board was called to order on Monday, November 22, 1999 at the Newstead Town Hall at 8:00 PM.

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
Andrew Casolini - Engineer
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 Engineer Andrew.

Minutes from the previous meeting held on November 8, 1999 were presented for approval. A motion was made by Councilman George and seconded by Councilman Summe that they be approved as presented.

Carried Unanimously

Communications - Clerk presented the following:

A letter from Newstead Highway Superintendent Gary Fogal informing the Board of his intention to retire from his position as Highway Superintendent, effective January 1, 2000. He thanked the board, dedicated employees and citizens of the Town of Newstead for their support during his 22 years of service.

A notice from the NYS State Board of Real Property Services with the tentative state equalization rate for the 1999 Assessment Roll - 100.00.

A booklet from NYS State Board of Real Property Services with complaint instructions and description of data reports for State Equalization rates for city & town 1999 assessment rolls.

A letter from Time Warner Communications with an informational cable service booklet and rates effective January 1, 2000.

A letter from the Town of Amherst Central Fire Alarm Office with October, 1999 Operations Report for Akron and Newstead with a total of 42 fire calls.

A notice from the NYS Thruway Authority Williamsville Toll Barrier Open House to be held December 1, 1999 at Erie Community College North Campus. A group discussion to be held evaluating relocating the barrier between its current location in Williamsville and Interchange 48A in Pembroke.

A letter from Governor Pataki regarding the Census Day- April 1, 2000 Plan and booklet with summary of the program.

A motion was made by Councilman George, seconded by Councilman Summe to receive and file, except for the Highway Superintendent's letter which will be acted upon later in the meeting.

Carried Unanimously

Supervisor Holmes reported on the last work session. The first half of the session began at the Village Hall where they joined the Village Board to hear Phil Clark address the issue of water and the Regional Water Concept. The work session continued back at the Town Hall with discussions on: Water District #5, review of the airport meeting, ADESA Site Plan, salary questions for 2000 and discussion with the Dog Control Officer David DeYoung.

Privilege of the Floor – No one spoke.

Approval of Bills – Before the bills could be presented, 28 budget transfers and amendments were made with a motion from Councilman Cowan, seconded by Councilman Cummings.

(See Attachment)

Carried Unanimously

The following vouchers were approved for payment by Councilman Cowan, seconded by Councilman Summe: General Fund “A” – \$13,351.72 , General Fund “B” - \$514.56, Highway Outside Village “DB” - \$5,063.93 ,Capital Projects “HC” WD#5 – \$455,401.54 Capital Projects “HD” WD#7- 1,256.55, Fire Protection “SF”- 615.32, Refuse “SR” \$18,944.22, Sewer “SS” \$480.00, Water Districts “SW” - \$642.34 numbered 1047 through 1101 totaling \$496,270.18.

Carried Unanimously

Supervisors Reports for September and October. A motion was made by Councilman Cowan, seconded by Councilman Summe to approve as presented.

Carried Unanimously

COMMITTEE /DEPARTMENT HEAD REPORTS

Highway - Nothing

Assessor – Nothing

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

Cas Hoffman – 8255 Burdick Rd. – One Family Home

Kelly Schultz – 11205 Main Rd. – Ag. Bldg.

Cas Hoffman – Floodplain Development

Irene Smith – 11414 Main Rd. – Fill Permit

A short discussion was held on Kelly Schultz Pumpkin Farm. Mr. Pask stated that the criteria has been met for an Agricultural exemption.

Town Clerk – She stated the Delinquent Water Balance of \$12,804.96 was sent to the county to be added to the 2000 County & Town Tax roll.. The water bills for Districts 1,2,3, and 4 have been sent out with Districts 6,7,8 still waiting for information from Erie County Water Authority.

Attorney for the Town – Nothing

COUNCILMAN

Summe – Nothing at this time.

Cowan – Nothing at this time.

George – Nothing at this time.

Cummings – Nothing at this time.

SUPERVISOR – He reported that he has received the following checks: NYS Justice fines and fees in the amount of \$24,031.56, EC Stop DWI \$300.00, and a check from Erie County Sales tax in the amount of \$42,037.67.

UNFINISHED BUSINESS

Water District #5 – Engineer Casolini reported that they are testing the lines throughout the district with a water release and flushing. There has been many concerned citizen phone calls about this activity. Buckwheat, Ayers, Dorsch, and Steiner have all been approved.

Water District # 7A - The attached resolution was moved by Councilman Cowan, seconded by Councilman Summe to direct Wendel to prepare a Joint Application for Permit from the DEC and U. S. Army Corps of Engineers .

(Resolution Attached)

Carried Unanimously

The attached Water Supply Application Resolution was moved by Councilman Summe, seconded by Councilman Cummings:

(Resolution Attached)

Carried Unanimously

Andrew Casolini stated the Health Department is backlogged with applications and believes late winter or early spring for approval. District to be built in the Spring.

Library Project - Councilman George stated that he met with the Village Planning Board on site development and will comment and review at work session. The attached resolution was moved by Councilman George, seconded by Councilman Summe regarding access to 27, 29 and 31, 33 Main Street.

(Resolution Attached)

Carried Unanimously

Rezoning for Scotland Road – Attorney is waiting for a legal description from the applicant. A metes and bounds description is being prepared.

Salt Barn – Awaiting SEQR resolution.

Fire Contract – They have been mailed.

Local Law #4 – Awaiting Erie County comments. Should be ready at first meeting in December.

Other – Bike Path vehicles have not been in compliance. A motion was made by Councilman George, seconded by Councilman Summe that the Code Enforcement Officer send a certified letter to owners adjacent to the bike path, enclosing a copy of the local ordinance.

Carried Unanimously

NEW BUSINESS

Revision of ECWA leak detection fee – A motion was made by Councilman Summe, seconded by Councilman Cowan to authorize the Supervisor to sign the contract with Erie County Water Authority for leak detection. New fee is \$650.00.

Carried Unanimously

ADESA Site Plan – Engineer Andrew Casolini stated that he has forwarded documents requesting the town be lead agency on the project.

The attached resolution was moved by Councilman Summe, seconded by Councilman Cummings:

(Resolution Attached)

Carried Unanimously

Celebration Committee request – A motion was made by Councilman Summe, seconded by Councilman George to authorize the contract and expenditure of \$500.00 for the Millennium Celebration on New Years Eve.

Carried Unanimously

Other – Highway Superintendent Retirement – A motion was made by Councilman Cowan, seconded by Councilman Cummings to accept the letter received from Highway Superintendent Gary Fogal announcing his retirement 1-1-2000.

Carried Unanimously

Question Period – No one spoke.

There being no further business to come before the board a motion was made by Councilman Cowan, seconded by Councilman Summe to adjourn at 8:40 PM. Work Session to continue.

Carried Unanimously

Carole D. Borchert
Town Clerk