

A Public Hearing was called to order by the Newstead Town Board on Monday , November 27, 2000 at the Newstead Town Hall at 7:55 PM.

Present: Donald Holmes – Supervisor
Gerald F. Summe – Councilman
David L. Cummings – Councilman
Joan M. Glor – Councilwoman
Donnal D. Folger – Code Enforcement Officer
Fred Pask – Assessor
Andrew Reilly – 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 with the exception of Councilman George.

Supervisor Holmes stated that this hearing was called to hear anyone speaking for or against the proposal to enter into an Amendment to the existing Lease Management Agreement between the Town of Newstead acting as Water Commissioners on behalf of Water District #2, 4, 5, 6, 7, 8 and 9 and the Erie County Water Authority to add Water District #7A to such agreement.

Clerk read Proof of Publication as it appeared in the Akron Bugle on November 16, 2000.

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 Cummings 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, November 27, 2000 at the Newstead Town Hall at 8:05 PM.

Present: All of the above.

Pledge to the flag was led by Supervisor Holmes.

Minutes from the previous meeting held on November 13, 2000 were presented for approval. A motion was made by Councilman Summe, seconded by Councilman Cummings to approve as presented.

Carried Unanimously

Communications - Clerk presented the following:

A letter from NYS Department of State having filed Town of Newstead Local Law #2, 2000, 11-2-2000.

A letter from Time Warner Communications with new rates for the year 2001

A letter from Wendel-Duchscherer on Water District #5 regarding ductile iron fittings.

A letter from Wendel-Duchscherer on Water District #5 church and park water services.

A letter from Wendel-Duchscherer on Water District #5 removal and re-installation of fence.

A letter from Wendel-Duchscherer on Water District #5 water services.

A letter from Wendel-Duchscherer on Water District #7A construction schedule.

A letter from NYS Department of Environmental Conservation SEQR Lead Agency designation for Pine Hill Materials Corporation.

A letter from CLASS NY Governing Board election of officers.

A meeting notice from GBNRTC scheduled for December 1, at 10:00 AM at the Buffalo and Erie County Library.

A letter from PERMA on rates for 2001.

A copy of delinquent water balances to be added to the 2001 County and Town Tax Roll totaling \$6,649.50 for districts #1, 2, 3, 4, 6, and 7.

A letter from EC Senior Services with a change in administration for the Going Places Van, Transportation Unit.

A signed Declaration of State of Emergency issued by the Supervisor on Monday, November 20 at 7:00 PM.

A signed order rescinding a Declaration of State of Emergency on November 21, 2000 at 3:30 AM.

A faxed copy of comprehensive plan committee meeting and agenda from Peter J. Smith and Company

A copy of a report from Pratt & Huth Associates.

A copy of the Senior Newsletter "The Network" from Town of Amherst.

A motion was made by Councilwoman Glor, seconded by Councilwoman Cummings to receive and file, as presented.

Carried Unanimously

Supervisor Holmes stated last week's work session was cancelled due to Storm 2000 and State of Emergency proclamations.

Privilege of the Floor – Richard Raykowski, 13830 Indian Falls Road, has concerns on the Northeast Caissons re-location on Scotland Road. He was told that all the neighbors concerns would be addressed.

Matt Dembrow, 288 Indian Falls Road, asked if a public hearing would be scheduled. He was told when a final plan is presented a hearing will be scheduled.

Approval of Bills – Councilwoman Glor reported that Abstract #21 has been reviewed and found to be in order. Voucher #1075 was held and will be paid tomorrow. The following vouchers on Abstract #22 numbered 1081 through 1121 were presented for payment by Councilwoman Glor, seconded by Councilman Cummings: General Fund "A" – \$19,361.08, General Fund "B" - \$1,968.66, Highway "DA" - \$0, Highway Outside Village "DB" \$6,413.35, Capital Projects "HC" WD#5 – \$3,390.10, Capital Projects "HD" WD #7A - \$0.00, Capital Projects "HE" Library, \$13,796.12, Fire Protection "SF" \$0.00, Refuse "SR" \$19,785.74, Sewer "SS" \$40.14, Water Districts "SW" - \$3,637.76, and Trust and Agency "TA" \$6706.46 - totaling \$75,099.41.

Carried Unanimously

Councilman George entered the meeting at 8:10 PM.

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Councilman Cummings said the Highway Superintendent would be here later.

Assessor – He has been doing field work review with a representative from OPRS and stated that his office will be closed on Saturday mornings during the month of December as part of his vacation time. He will place a notice in the paper.

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

Dan Sutton – 11174 Crego Road – Storage Building
Lawrence Pafk – 13464 Martin Road – Pole Barn
Craig Huber – 4025 Pohl Road – One Family Home
Ed Steaman – 4302 Billo Road – Change Roof Line
John Ananiadis & Ray Braun – 11891 Main Road – Remodel Restaurant
Clayton Albrecht – Clarence Center Road – Storage Barn
Nichols Long & Moore Construction Corp. – 8536 Burdick Road – 100 loads of fill.

He stated he would be attending a Spring Marsh meeting tomorrow night at 7:30 PM.

Town Clerk – She reported continuing on a records management project and presented the newly preservation of the Town Minutes from 1872 to 1902. The pages were de-acidified and encapsulated to preserve them well into the future.

Attorney for the Town – Nothing to report.

Highway Superintendent entered the meeting at 8:15 PM.

COUNCILMAN

Summe – He stated that the EMS meeting was postponed with no new date scheduled.

George – Nothing to report

Cummings – He complimented the Highway Superintendent and Highway crew for the excellent job done on the roads during the recent Storm 2000.

Glor – She reported that the recycling numbers are up 20% for the first seven months of 2000 over the same time period last year.

SUPERVISOR – Nothing to report, except he will be attending a project review committee meeting tomorrow on the proposed local van. Wednesday he will be reviewing 5 project applications in other communities.

UNFINISHED BUSINESS

Water District #5 – A motion was made by Councilman Cummings, seconded by Councilwoman Glor to approve change order #14.

Carried Unanimously

A motion was made by Councilman Cummings, seconded by Councilwoman Glor to approve the Wendel fee proposal, as submitted

Carried Unanimously

Water District # 7A – The attached resolution was moved by Councilman Cummings, seconded by Councilman George to amend the lease proposal to include water district #7A.

(Resolution Attached)

Carried Unanimously.

Library Project – Councilman George reported not much new to report, except design is

moving along with a December 20th date. Out to bid the first of the year with a return date the third in January.

Rezoning for Scotland Road – No action.

Wastewater Update – A letter has been sent. December 5th is the deadline per the Supervisor.

Buffalo Drilling Site Plan – Code Enforcement Officer suggests removing from the agenda until Spring. A motion was made by Councilman Summe, seconded by Councilwoman Glor to table.

Carried Unanimously

Weaver Sub-division – Reviewing Nathan’s paperwork for action on December 11th. Wendel final review of drainage project. Any questions asked before the 11th as there will be no work session next week, due to the Safety Dinner.

Assessment Challenge – Awaiting. It has been scheduled for December 20th.

Master Plan Update – Meeting scheduled for Thursday night. Packet for review from Pratt and Huth.

Other – Nothing

NEW BUSINESS

Consultant for the Court – A motion was made by Councilwoman Glor, seconded by Councilman Cummings to offer Diane Graziano the work as a consultant in the court at her present rate with payment on a voucher, up to 35 hours. And it is the opinion that vacation time if not used it is lost.

Councilman Summe is not in agreement. He would like to keep her on as a consultant at the rate of \$15.00 per hour as requested by the Judges.

The vote on the foregoing was as follows: Councilman Summe – NAY, Councilman George – AYE, Councilman Cummings – AYE, Councilwoman Glor – AYE, Supervisor Holmes – AYE.

CARRIED

Other – Nothing

Question Period – Richard Raykowski, 13899 Indian Falls Road, asked where now. He was told there will be more discussions, awaiting applicant intentions. He was told every effort will be made to accommodate the neighbors concerns. Issues will be addressed.

There being no further business to come before the board a motion was made by Councilwoman Glor, seconded by Councilman Summe to adjourn at 8:30 PM.

Carried Unanimously

Carole D. Borchert, RMC
Town Clerk

