

A Regular Meeting was called to order by the Newstead Town Board on Monday December 10, 2001 at the Newstead Town Hall at 8:00 PM

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

Roll Call was taken with all board members present.

Pledge to the Flag was led by Town Clerk Carole Borchert.

Minutes from the previous meeting held November 26, 2001 were presented for approval. A motion was made by Councilman Summe, seconded by Councilman Glor to approve as presented.

Carried Unanimously

Communications – Town Clerk presented the following:

A post card from General Code Publishers noting they are processing Local Law #4 for inclusion in our Code as supplemental pages.

A letter from the Village of Akron announcing the Akron Drought Alert was lifted on November 30, 2001 by the Mayor.

A letter from Wendel Duchscherer on Newstead Town Park Water and Sewer Service being completed. They recommend payment in full and release of all retained monies to KJR Construction.

A faxed letter from Wendel Duchscherer Town Engineer Andrew Casolini on the subject of Lateral Restriction Policy for WD# 5-Phase II.

A letter from E C Water Authority on the subject tariff effective 1-1-02.

A letter from American Ref-Fuel Company of Niagara regarding Solid Waste Disposal Agreement.

A letter from from Wendel Duchscherer to ECWA on Town of Newstead water sales.

A letter from the NYS Department of Conservation with the Application for State Assistance Payments for Wastewater Treatment Improvement, Nonagricultural Nonpoint Source, Aquatic Habitat Restoration and Pollution Prevention.

A notice and agenda of the Greater Buffalo-Niagara Regional Transportation Council Meeting to be held on December 20, 2001 at 10:00am at the Buffalo & Erie County Public Library Central Meeting Room.

A faxed transmission from the Town of Amherst Central Alarm Office with total calls for Akron being 38 and Newstead being 23 for the month of November 2001.

The Town of Newstead Supervisor's Report of Cash Received and disbursed for the month of November was received.

A letter from the Erie County Sheriff's with computer data on complaints handled by the deputies in the Village of Akron, 61, and the Town of Newstead, 102, for the month of November 2001

A letter from Univera HealthCare on the subject of rate adjustment was received.

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

Carried Unanimously

Supervisor Holmes reported there was no work session due to the Safety Dinner which was enjoyed by all.

Privilege of the Floor – John Schmitt, 12318 Main Rd., raised concerns over a change of use for the property next to his property. There is diesel fumes, vibrations, noise and constant open burning of some kind. He asked if the board was aware of the activity. Andrew Casolini, Town Engineer, indicated the site plan for the property was presented to the Planning Board, but did not know the status. Nathan Neil, Town Attorney, said Buffalo Drilling was leasing property from ADESA to reach pipe storage. Supervisor Holmes stated he will try to get more information and get back to him.

Approval of Bills – Councilwoman Glor reviewed Abstract #21 and found it to be in order. She has reviewed the vouchers on Abstract # 22 numbered 1037 through 1081 and recommends payment as follows: General Fund "A" – \$24,607.84,, General Fund Outside Village "B" \$372.07, Highway Fund Outside Village "DB" \$ 4,834.56, Capital Projects- WD#5 – "HC" \$0, Library Project "HE" \$ 0, Refuse Fund "SR" \$0, Fire Protection – "SF" \$1,263,17, Sewer Fund "SS" \$0, Water District "SW1" \$59.50, Water District "SW2", \$76.63, Water District "SW3" \$59.50, Water District "SW4" \$97.52 Water Districts "SW #5" \$1,129.99, Water District "SW6" \$264.71, Water District "SW7" \$410.99, Water District "SW8" \$27.86, Water District "SW9" \$76.63, totaling \$37,280.97.

Councilman Cummings seconded the motion to approve.

Carried Unanimously

#### COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Superintendent Ebersole reported his department is ready for the snow and ready to start winter patrol. He has scheduled a bid opening for December 27, 2001 at noon for new John Deere and Cat Loader. NYSDOT is missing a curve sign colored yellow and black on Dye Road for 35 MPH and recommends the reduction to 15MPH. Town Attorney confirms that this is an advisory and tickets can not be issued. Erie County Conservation has 2 ditches proposed and confirmation due next week.

Assessor – He announced publication of the Assessor's New Hours and put a copy in Board Members boxes to be effective after the first of the year. He will be in Albany Tuesday and Friday.

Code Enforcement Officer – The following building permits were presented for the record. He was not present for the meeting.

Dan Blanchaniec	5028 S.Newstead Rd.	Sunroom/bathroom
Dan Sutton	11174 Crego Rd.	Storage Building
Charles McConnaughey	13008 Main Rd	Fence
James Tartaglia	5849 Davison Rd.	One Family Home
Kurt Schie	6696 Utely Rd.	One Family Home
Golden Pond Estates	13415 Main Rd	Manufactured Home
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John Smith	11520 Main Rd.	Sign
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Town Clerk – She read the November 2001 Dog Control Officers Report. She also expressed her sincere Thanks to all the Newstead Town Officials for the time she has spent working with them and serving the residents of the Town of Newstead.

Attorney for the Town – Nothing at this time.

#### COUNCILPERSONS

Summe – He announced that the Organizational Meeting for the year 2002 will be held on January 1<sup>st</sup> at 10AM at the Newstead Town Hall, after the swearing in ceremony.

George – Nothing at this time.

Cummings – Nothing at this time.

Glor – Nothing at this time.

SUPERVISOR – He stated that there will be a Special Board Meeting on December 20, 2001 at 7:30 PM to pay bills with a work session at 7 PM. He also announced that the Rural Van has received an East Hill Grant for monies to make the van wheelchair accessible. It has been running 4 days a week with an average of 13 riders a day. It will be funded next year.

#### UNFINISHED BUSINESS

Water District #5 – Andrew stated everything is in order and only needs the Proof of Publication on the Lead Agency status. Clerk has the information for him tonight.

Library Project – Councilman George reported that things are taking shape and pushing to enclose the structure before winter sets in. Weather has been very cooperative. This has been helpful in keeping the project on schedule. Opening dates will be established soon.

Comprehensive Plan Update – Councilman Summe reports their finding statement will be presented at the December 20<sup>th</sup> meeting for action.

Water/Sewer Hook up at Park – A motion was made by Councilman George, seconded by Councilman Cummings to accept recommendation from Town Engineer to make payment to KJR Construction and remove from agenda.

Carried Unanimously

Park Master Plan – Councilman Summe stated the Public Information Meeting held on November 26, 2001 had good input from the community. A motion was made by Councilman George, seconded by Councilwoman Glor to accept plan, as presented.

Carried Unanimously

AOL/Time Warner franchise – Town Attorney has heard nothing.

Christian Airmen Re-Zoning – Town Attorney stated he will be meeting with Richard Forrestel soon.

Facility Study – Councilwoman Glor gave a progress report noting that cost estimates will begin this week.

Toll Barrier – Nothing new.

Soil removal at Ivy Ridge – To be discussed at work session following this meeting.

#### NEW BUSINESS

Health Insurance Carrier for 2002 – A motion was moved by Councilman Summe, seconded by Councilman George to provide Community Blue to all Town employees. P&A will be meeting with employees starting tomorrow at 7:30AM at the Highway Garage and 8:30 AM at the Town Hall to complete applications.

Councilman Cummings opposed.

Carried

Councilman Cummings conference request – No action tonight. Will be discussed at the December 20<sup>th</sup> meeting.

Fire Company agreement on housing Senior Citizens - The following resolution was moved by Councilwoman Glor, seconded by Councilman Summe to pay Newstead Fire Company a monthly fee of \$400 a month for hall usage retroactive to July 1, 2001.

(Resolution Attached)

Carried Unanimously

Training Request – A motion was made by Councilman Summe, seconded by Councilman Cummings that the Town Board approve \$500.00 for training of a new bookkeeper and Code Enforcement/Assessor's clerk at a rate of \$9.00 per hour for clerk and \$10.00 per hour for bookkeeper.

Carried Unanimously

Other – Speed Sign Request – A motion was made by Councilman Cummings, seconded by Councilman George that the Highway Superintendent be authorizes to replace a curve sign and speed reduction sign on Dye Road, as discussed.

Carried Unanimously

Assessor's Request - A motion was made by Councilman Cummings, seconded by Councilman Summe to approve publication of new hours for Assessors Office

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 8:50 PM with the work session to continue.

Carried Unanimously

Carole D. Borchert, RMC  
Town Clerk

