

A Regular meeting was called to order by the Newstead Town Board on Monday ,
December 11, 2000 at the Newstead Town Hall at 8:15 PM.

Present: Donald Holmes – Supervisor
Gerald F. Summe – Councilman
David L. Cummings – Councilman
Joan M. Glor – Councilwoman
Fred Pask – Assessor
Andrew Casolini – Town Engineer
Nathan Neill – Attorney for the Town
Kathleen McLeod Lang – Deputy Clerk

Roll Call was taken with all board members present .

Pledge to the flag was led by Supervisor Holmes.

Minutes from the previous meeting held on November 27, 2000 were presented for approval. A motion was made by Councilwoman Glor, seconded by Councilman Cumming to approve with correction in Councilwoman Glor's report on recycling numbers being up 20% in the first nine months,not seven months.

Carried Unanimously

Communications -Deputy Clerk presented the following:

A letter from Wendel Duchscherer on the Weaver Major Subdivision and recommendation of approval on drainage report.

A faxed copy from Wendel Duchsherer on the Town Park water service and a schedule of tentative dates for bidders as published in the Akron Bugle

A notice from ECIDA on a Public Hearing being held on January 9,2001 at Newstead Town Hall for a Building Improvements project with Perry's Ice Cream Co.Inc.

A letter from Chief Deputy Sheriff Richard T. Donovan with the monthly complaints handled by the Erie County Sheriff's in the month of November, 2000 with the Village of Akron having 66 complaints and 77 for the Town of Newstead.

A fax transmission from the Town of Amherst Central Fire Alarm Office with a total alarm's of 33 for Akron and 44 for Newstead for the month of November, 2000.

A notice from NYS Division of Criminal Justice with a Basic Course for Peace Officer in the Spring, 2001.

A letter of resignation from Debbie Eldred , custodian of the Limerick Hall effective 01/01/01.

A letter of resignation from Mary Valentine from her position on the Newstead Planning Board effective 01/01/01.

A letter from Judge Dennis Freeman on a forum he attended on December 2,2000 on Domestic Violence held by Judge Vincent Doyle.

A Directory from NYS Environment Investment Management Group with a list of vendors who sell recycled products.

A faxed copy of a letter from Councilman George to Nimish R. Shah, Regional Permit Engineer of the DOT requesting comments on two alternative site access to Newstead Town Library.

Another faxed copy of a letter from Councilman George to Mayor Mike Charles on the

Library Design , Village Driveway-NYSDOT approval.

A letter from Law Offices of Difilippo & Flaherty on a check in the amount of \$25,000 with appropriate resolution approving this amount for the Town's contribution towards settlement of the claim in the Baumler vs. Town of Newstead.

A letter from NorthEast Caissons Inc. president Peter Henley in response to Newstead Town Board Work Session on November 29, 2000 and the rezoning for Scotland Road.

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

Carried Unanimously

Supervisor Holmes stated last week's work session was cancelled due to the Safety Dinner.

Privilege of the Floor – No one spoke

Approval of Bills – Councilwoman Glor reported that Abstract #22 has been reviewed and found to be in order. She also reviewed Supervisors Report for the months of September and October 2000 and found them to be in order. A motion of Budget Transfers and Amendments was made by Councilwoman Glor , seconded by Councilman Summe

Carried Unanimously

Vouchers on Abstract #23 numbered 1122 through 1161 were presented for payment By Councilwoman Glor, seconded by Councilman Summe:
General Fund "A" – \$8,725.85 Fund"B" 5,148.07, Highway "DA" - \$0, Highway Outside Village "DB"\$4,206.44,Projects "HC" WD#5 – \$24,692.43,Capital Projects "HD" WD #7A - \$0.00, Capital Projects"HE" Library, \$0.00,Fire Protection "SF" \$76,339.30,Refuse "SR" \$583.10,
\$19,785.74, Sewer "SS" \$0.00, Water Districts "SW" - \$7,433.12,
and Trust and Agency "TA" \$0.00- totaling \$127,128.31.

Carried Unanimous

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Councilman Cummings reported the highways are all open despite the 60 inches of snow that have fallen this fall.

Assessor – No report

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

David Scotch – 11174 Hunts Crns – garage
Martin Todd – 5625 Cummings – gazebo
Matt Mangus – 11261 Miland – one family home
Michael Kowalczyk – 11241 Rapids Rd – Pole Barn
Kelly Schultz – 11163 Main - Temporary Sign
Steve Baldo – 11234 Main – Sign Renewal
Frank Jurek – Hunts Crns – Sign Renewal

Town Clerk – Deputy Town Clerk read the Dog Control Officer's November, 2000 report with a raccoon tested positive in the Kirby Road area, which is the 1st case in this area in 2 years.

Attorney for the Town – Nothing to report

COUNCILMAN

Summe – He stated that he attended the Comprehensive Committee meeting on November 30 and the responds to the survey sent out was outstanding . The Village of Akron had 50% returned, Town of Newstead had 35% with a combined total of 41%. He thanked Marilyn Kasperek for her help and the next meeting will be held on January 25, 2000 at the Newstead Town Hall. He also attended the EMS Board Meeting and the contracts are almost ready to turn over to the townships and lawyers for review. He also gave the board members a copy of the Smart Growth Plan from Genesse County for their review.

George – Nothing to report

Cummings – Nothing to report

Glor – Nothing to report

SUPERVISOR – He reported receiving \$9,276.06 Justice Campbell fines,\$7,424.04 Justice Freeman fines,\$300.00 EC Stop DWI contract., \$349.00 NYS Freeman-training reimbursement, \$2,255.22 NYS CHIPS aid, \$690.00 Ron Eulenburg Recreation signup,\$33.35 Gould Publications duplicate payment, \$1,013.18 Clark Patterson Engineering reimbursement, \$35,726.30 EC sales tax, \$1,573.00 Whiting Roll Up Door new RPZ, \$46,747.13 Bank of Akron CD Interest.
He also attended the Community Development Grants meeting with many high quality applications with much need and many poorly written applications were prepared by grant writers.

UNFINISHED BUSINESS

Water District #5 – Nothing that was not discussed earlier in the worksession.

Water District # 7A – Mr. Casolini recommended the extention of the all work on Water Line #7A.

Councilman Summe moved ,seconded by Councilwoman Glor to extend all work on Water District 7A to May 31, 2001.and to hold a retention of \$5,000.00.

Carried Unanimously

Library Project – Councilman George reported the fence around the Library property has been moved back for more area to walk during the winter. He has met with the designers and things are proceeding nicely. The schedule is as follows: Complete Bids by third week in January, award contracts first of February, start construction by first of March, weather permitting.

Councilman George moved, seconded by Councilman Cummings to release Library rentention held on Empire Building Diagnostic due to completion of work.

Carried Unanimously

Rezoning for Scotland Road – Awaiting discussion and directions from Northeast Caissons.

Wastewater Update – Received an up date letter and need a few points of clarification

Weaver Sub-division - The attached resolution was moved by Councilman Summe, seconded by Councilwoman Glor for the Town of Newstead to adopt a Negative Declaration in connection with the application for approval of Major Subdivision for Galen Weaver.

(Resolution Attached)

Carried Unanimously

Weaver Sub-division –The attached resolution was moved by Councilwoman Glor, seconded by Councilman Summe for approval of a major subdivision from Galen Weaver for property located on Dye Road in Newstead.

(Resolution Attached)

Carried Unanimously

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

Master Plan Update – Councilman Summe already reported.

Other – Nothing

NEW BUSINESS

Response to DEC re: Pine Hill – A motion was made by Councilman George, seconded By Councilwoman Glor to allow the DEC be the Lead Agent for Pine Hill and to write a letter with a list of issues to be addressed.

Carried Unanimously

Spring Marsh expansion – remain on agenda for next meeting

Assessor's conference request for 2001 – A motion was made by Councilman Cummings, seconded by Councilman George to approve Town Assessor to attend conferences for the year 2001.

Carried Unanimously

Baumler, et al settlement – The attached resolution was moved by Councilman George, seconded by Councilman Cummings to approve a contribution of \$25,000 towards settlement of Baumler et al vs. Town of Newstead.

(Resolution Attached)

Carried Unanimously

A motion was made by Councilman Cummings, seconded by Councilman Summe to amend the budget to include \$25,000 in legal services.

Carried Unanimously

Snow plowing contract – A motion was made by Councilman Cummings , seconded by Councilman Summe to approve the contract from Erie County for snow plowing county roads from Main Road to Village line in the Town of Newstead.

Carried Unanimously

Other – Nothing

Question Period – Richard Raykowski, 13899 Indian Falls Road, ask for a copy of the letter from Northeast Caissons read in communications. A copy was provided to him.

Supervisor request for board to meet for a short period of time to do scheduling of final work session.

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.

Carried Unanimously

Kathleen MeLeod Lang
Deputy Town Clerk