

A Public Hearing was called to order by the Newstead Town Board on Monday , February 26, 2001 at the Newstead Town Hall at 7:45 PM.

Present: Donald Holmes – Supervisor  
Gerald F. Summe – Councilman  
Thomas George - Councilman  
David L. Cummings – Councilman  
Joan M. Glor – Councilwoman  
Donnal D. Folger – Code Enforcement Officer  
Andrew Casolini – Town Engineer  
Nathan Neill – Attorney for the Town

Kathleen McLeod Lang – Deputy Clerk

Roll Call was taken with all board members present .

Supervisor Holmes stated that this hearing was called to hear anyone speaking for or against the Town of Newstead Water District #5 requesting Wendel Duscherer engineers to prepare a preliminary map, plan and report for the increase and improvement of facilities of the District, consisting of the installation of approximately 70,000 linear feet of 8-inch waterline and purchase land, original valves, piping, grading and metering. The Engineer has completed and filed with the Town and estimated the cost of the increase and improvement of to be \$3,000,000.00. The improvement of facilities shall be applied towards the cost of said project or redemption of any bonds issued therefor or may be budgeted as an offset to the taxes for the payment of the principal and interest on said bonds.

Deputy Clerk read Proof of Publication as it appeared in the Akron Bugle on February 15,2001.

Supervisor opened the hearing to the floor.

Councilman James Uebler, from the Town of Alden ,was present to supply the board with names, assessments of Alden residents interested in water hook up on Siehl and Lesswing roads. He will send a draft letter to Supervisor Holmes from Alden Town Board to review for interested water customers. He questioned Andrew Casolini on hydrant links of 500 feet which is the NYS regulations.

There being no one else spoke a motion was made by Councilman Summe, seconded by Councilman George to close the hearing at 8:05 PM.

Carried Unanimously

Regular Meeting of the Newstead Town Board was called to order on Monday, February 26,2001 at 8:06 PM.

Present all of the above.

Pledge to the flag was led by two Boy Scouts from Troop 559.

Minutes from the previous meeting held on February 12, 2001 were presented for approval. A motion was made by Councilman Summe,seconded by Councilman Cummings to approve, as presented.

Carried Unanimously

Communications - Deputy Clerk presented the following:

A letter from the NYS Department of Environmental Conservation Notice of Complete Application for NOCO Energy Corp. with an incorrect address on the notice.o

A letter from the US Federal Energy Regulatory Commission for the city of Lockport, NY with a notice rejecting application for preliminary permit for project no. 11856-000.

A letter from Wendel Duchscherer with a subject of Town of Newstead Water District No.5 Waterline Construction –Phase II Preliminary Notice of Intent.

A letter from Time Warner Communications with Franchise Renewal Application between the Town of Newstead and Time Warner Communications expires on September 17,2001.

A letter from NYS Department of Transportation on the SEQR/Site Plan Review, Newstead Water District #5, Waterline Phase II, Town of Newstead.

A Fax Transmission from Town of Amherst Central Fire Alarm Office with the total alarms for January , 2001 . The Akron Fire Company had 26 and Newstead Fire Company had 33.

A letter from Christian Airman Inc. requesting a rezoning of Akron Airport to Industrial (II)

A letter from Erie County Department of Environment and Planning, CDBG Urban County Consortium requesting an appointment to serve as Affirmative Action Officer for the Town of Newstead.

A letter from Erie County Water Authority with the Extract from Minutes of the Meeting of the ECWA held on Thursday, February 15,2001 amending our Tariff effective March 11, 2001.

A letter from AmeriPride ,Linen and Apparel Services requesting to be placed on all future bid lists for Textile and or Uniform Services.

A letter from KJR Construction Company regarding WD#5 Newstead Town Park Water Service and due to requirements of the State D.O.T. regarding blasting in their Right-of-Way on Buell Street, Akron-a pre-construction(blasting)meeting needs to be set up with a State Supervisor from Albany,NY.

The March 2001 copy of The Network , a newsletter of the Town of Amherst Department of Senior Services was received.

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

Carried Unanimously

Supervisor Holmes reported on the last work session held on February 19,2001 Where they met with HHL & Paragon in regards to the library bids,Northeast Caissons, rezoning on Scotland Road, Water District #5,and Water District expansion.

Privilege of the Floor – No one spoke

Approval of Bills – Councilwoman Glor reviewed Abstract #3 and found them to be in order Vouchers on Abstract #4 numbered 105 through 153 excluding # 150 & 151 were presented for approval by Councilwoman Glor, seconded by Councilman Summe

General Fund “A” – \$11,319.31 Fund”B” \$4,201.69, Highway “DA” - \$0, Highway Outside Village “DB”\$6,559.77,Capital Projects-WD#7A “HD” 10,789.61, Library Projects “HE” \$14,106.45, Fire Protection “SF” \$0.00, Refuse “SR” \$12,982.59, Sewer Fund “SS” \$1,201.00, and Water Districts “SW#5” - \$1,048.29 totaling \$62,208.71

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Highway Superindendent has taken delivery on new lawn mower ,utility tractor and attended the Ditching Committee meeting on February 22,2001 where they discussed 2001 plan. He will be announcing Spring White Metal Pick-up and Tire-Drop off dates next meeting .His new cell phone number is 574-0478 and will discuss next meeting on the new communications system in trucks with mounted cell phones.

Assessor – Not present

Code Enforcement Officer - The following building permit was presented for the record:

Perry’s Ice Cream	rear 1 Ice Cream Place	addition Pre-Treatment
Mark Lojek	8546 Burdick Rd.	2 <sup>nd</sup> story additiot
Sun Pipe Line	Conrail RR	access

The Code Enforcement Officer announced he will be starting project of unlicensed vehicles.

Town Clerk – Nothing at this time

Attorney for the Town – He attended the Associations of Towns Meeting held in NYC and found it very interesting and informative.

COUNCILPERSONS

Summe – He also atteneded the Associations of Towns Meeting held in NYC and wanted to thank the Board for letting him attend which was very informative. He also attended the Drainage Committee

George – Nothing to report

Cummings – Nothing to report

Glor- She received the questionare back from Newstead Senior Citizens in regards to membership now and what they expect in 5 years and space needed. She is requesting work session time to discuss this information.

SUPERVISOR – He attended Erie County Water Authority meeting and felt it was the least informative meeting he had attended .

UNFINISHED BUSINESS

Water District #5 – A motion from Councilman Summe, seconded by Councilman Cummings to authorize Supervisor to sign change order No. 5 from Ontario Specialty Contracting, Inc. for Contract 99-1

Carried Unanimously

The attached resolution was moved by Councilman Cummings, seconded by Councilman George authorizing DWSRF Application and Project Financing and Loan Agreement . New York Drinking Water State Revolving Fund.

(Resolution Attached)

Carried Unanimously

Library Project- Councilman George met with construction manager, engineer and architect last week to go over bids and where reduction of cost could be found. He is requesting work session time so these same people can review with the board and look into programs, funding and guidance from the board. He believes there is a period of 45 days before awarding contracts and the Town Attorney has some issues for discussion.

Rezoning for Scotland Road – The attached resolution was moved by Councilwoman Glor, seconded by Councilman Cummings for Town of Newstead be lead agency under SEQRA.

(Resolution Attached)

Carried Unanimously

Wastewater Update – In communication with Jacob Fleichman and more information next meeting.

Assessment Challenge – postpone

Master Plan Update – Public Information Meetings to be held March 27,2001 at the Akron Fire Hall, due to space needed. Committee Meeting March 8,2001

Sewer Hook up at Park – A motion was made by Councilman Summe, seconded by Councilwoman Glor, to hire Wendel Duchsherer at a cost of \$3,000.00 for Newstead Town Park Sewer Service Preliminary study and preliminary engineer information to see how large and cost estimate.

Carried Unanimously

Park Master Plan Update – Councilman Summe and Councilwoman Glor are having first meeting with Wendel Representative Mark Mistretta to share information and will share with board at next work session.

Rothland's Site Plan – SEQR in review, in early process.

Other- Park water service- Andrew Casolini indicated KJR is getting insurance and paper work in order, with letter received on the requirements of the State D.O.T. regarding blasting in their right of way on Buell Street – pre-construction (blasting) meeting to be set up with the State Supervisor from Albany, NY.

## NEW BUSINESS

Affirmative Action Officer – A motion was made by Councilman Cummings, seconded by Councilman Summe, to reappoint Town Clerk Carole Borchert as Affirmative Action Officer.

Carried Unanimously

McDonald's Site Plan – the attached resolution was moved by Councilman Summe, seconded by Councilwoman Glor, the Town of Newstead to begin the SEQR process.

Carried Unanimously

(Resolution Attached)

AOL/ Time Warner Franchise - work session time to discuss

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 8:35PM.

Carried Unanimously

Kathleen McLeod Lang  
Deputy Town Clerk