

A Public Hearing was called to order by the Newstead Town Board on Monday, September 22, 2001 at the Newstead Town Hall at 7:50 PM.

Present: Donald Holmes – Supervisor
Gerald Summe – Councilman
Thomas George – Councilman
David L. Cummings - Councilman
Joan M. Glor – Councilwoman
Fred Pask- Assessor
Donnal D. Folger – Code Enforcement Officer
James Ebersole – Highway Superintendent
Nathan Neill – Town Attorney
Andrew Casolini- Town Engineer
Carole D. Borchert – Town Clerk

Roll Call was taken with all board members present.

Supervisor Holmes stated this hearing was called to hear anyone speak for or against proposed Local Law No. 4 of the Year 2001 entitled “2001 Amendments to the Code of the Town of Newstead”

Clerk read the Proof of Publication as it appeared in the Akron Bugle.

Councilman Summe stated that having just received the memo from Wendel with some strong comments, he would like time to review before any action.

Supervisor Holmes stated that no action would be taken tonight anyway.

No one appeared from the audience to speak on the proposed law.

A motion was made by Councilwoman Glor, seconded by Councilman Summe to adjourn said hearing at 7:59 PM.

Carried Unanimously

Regular meeting was called to order at 8:00 PM.

Present: Same as Above

Pledge to the flag was led by Supervisor Holmes.

Minutes from the previous meetings held on September 10, 2001 were presented for approval. Supervisor Holmes ask for a correction on page 4, Facility Study RFP – stated that he was authorized to sign agreements, not agreed. A motion was made by Councilman Summe, seconded by Councilman George to approved, as corrected.

Carried Unanimously

Communications – Town Clerk presented the following:

A letter from Thomas Hanft, 6772, 6774 and 6820 Maple Road, requesting water service to their properties.

A letter from Village of Akron stating that the Mayor has declared a drought warning on September 23, 2001 for the Akron Water System and customers, remaining in effect until further notice.

A copy of a letter from Klauk, Lloyd & Wilhelm, Inc. thanking Becky for information sent as per Assessor Fred Pask.

Information from Time Warner Communications allowing customers to have a choice of cable broadband internet service providers.

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

Carried Unanimously

Supervisor Holmes stated there was not a work session last week.

Privilege of the Floor – No one spoke.

Approval of Bills – Councilwoman Glor reviewed Abstract #15 of the audited vouchers and found them to be in order.

She presented the following vouchers numbered 717 through 770, Voucher #717 was a prepay, on Abstract #16, as follows: General Fund “A” – \$19,652.77, Fund “B” - \$740.57, Highway Outside Village “DB”\$2,212.24, Capital Projects – WD# 5“HC” \$31,416.16, Library “HE” \$-0-, Fire Protection “SF” \$1,263.17, Refuse “SR”\$-0-, Sewer Fund “SS” \$742.50, Water Districts “SW#1” \$78.75, “SW#2” \$1,280.38, “SW#3” \$-0-”SW#4 “\$1,076.27, “SW#5” \$940.41, “SW#6” \$12,018.46, “SW#7” \$410.99, “SW8”\$27.86,”SW#9” \$76.63, totaling \$72,401.70. A motion was made by Councilwoman Glor, seconded by Councilman Summe to approve, as presented.

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Jim Ebersole reported that all field ditches were completed on 8/29/01. He has scheduled a metal pickup for Monday, September 24th for the Town of Newstead.. He will be attending an association meeting on road salt and plowing Erie County roads. South Newstead water problem has been completed. Bike Path has been sealed by a contractor. Bills for chips funding will be out at the end of the month.

Assessor – No report.

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

Dan Aldrich – 4195 South Newstead Road – Shed
Susan Ciezki – 4459 South Newstead Road – Shed
Louis Cerasani – 13425 Bloomingdale Road – Attached Garage.
Jason Zuba – 6253 Dye Road – One Family Home
Todd Adamczak – 6091 Utley Road – Pole Barn addition
NOCO Energy Corp. – 13613 Main Road – Storage Building
Mark Pelkey – 11093 Keller Road – Sunroom
Richard Spicola – 13661 Main Road – Sign
Richard Spicola – 13661 Main Road – Sign

He reported that the detention projects are awaiting rain to check feasibility.

Supervisor Holmes asked why no permit is needed for excess soil removal as noted on Route 5. Mr. Folger stated that the Ordinance does not call for a permit for such.

Town Clerk – She presented copies of the Supervisor’s Tentative Budget of Special Districts for the year 2002. She also read a letter from the Akron Fire Company granting permission to use the Fire Hall for the Primary Election to be held tomorrow, however it appears that the parking lot will be ready to hold the election at the Village Hall, the regular location. Primary Day is tomorrow with the Republicans selecting family court judges, Democrats the same, Independence the same with local races for the Supervisor and Town Clerk and the Conservative the same, as well as a County Comptroller race.

She also reported that Kathy Lang has been diagnosis with Multiple Sclerosis, MS, but feels that it is controllable at this point.

School tax bills are here. She has hired Mrs. Beatrice Carey of Miland Road to help in the mailing process. She would like them to be in the mail on Friday, September 14th. They are due without penalty on October 15th.

Attorney for the Town – Nothing at this time.

COUNCILPERSONS

Summe – He reported that the new carpeting in the Town Hall has been completed. Drapes are down and will not be replaced. He has a copy of the EMS contract for the Town Attorney to review.

George – Nothing at this time.

Cummings – He would like to discuss the Highway issues at work session next week. The information received on payrolls should have been for June and July not May and June. He also asked why the Councilmen did not receive budget request sheets. He would like to have funding to attend the Association of Towns meeting in New York City for 2002 as part of the Councilmen budget request. He is still awaiting word from the Councilmen on the Web site.

Glor – Nothing at this time.

SUPERVISOR – He would like responses for the Association of Erie County Governments dinner meeting to be held here on the 27th. If you sign to come make sure that you attend, as your dinner will be charged, even if you do not attend.

UNFINISHED BUSINESS

Water District #5 – Phase 1 survey is closing soon. Working with Ontario to wrap is up. Phase 2 is going ahead. Need to discuss a schedule for a public meeting.

Water District #7A – Awaiting paperwork for close out and pay out.

Library Project – Councilman George stated that the back parking lot will be opened for the Primary Election with the Seniors to return in one week. Steel should be delivered next week so the building can be closed in for the winter months.

Assessment Challenge – Assessor stated that new information as been received. Special Counsel will be out on Friday to review.

Comprehensive Plan Update – Councilman Summe reported on a meeting scheduled for September 17th at 6:30 PM to go over the plan again.

Water/Sewer Hook up at Park – Andrew stated that the Health Department report is in order awaiting electrical hook-up. KJR should be done in about a week and a half.

Park Master Plan – Awaiting a rendering and public meeting.

Rothland's Site Plan – A motion was made by Councilman Summe, seconded by Councilwoman Glor to table until a drainage report is received.

Carried Unanimously

AOL/Time Warner franchise – Revision has been received awaiting comments.

Christian Airmen Re-Zoning – Councilman George is awaiting costs on two proposals.

Facility Study RFP – Supervisor has agreed to sign revised agreement, January 2002.

Toll Barrier – The attached resolution was moved by Councilman Summe, seconded by Councilwoman Glor: The vote on the foregoing was as follows: Councilman Summe – AYE, Councilman George – ABSTAINED, Councilwoman Glor – AYE, Councilman Cummings – AYE, Supervisor Holmes – AYE.

(Resolution Attached) Carried

Bright Meadows Site Plan – It has been sent out.

Niagara Specialty Metals Site Plan – No comments have received from Erie County. The attached resolution was moved by Councilman Cummings, seconded by Councilman George:

(Resolution Attached) Carried Unanimously

Local Law #3 – SEQR – The attached resolution was moved by Councilwoman Glor, seconded by Councilman Summe adopting determination of non-significance.

(Resolution Attached) Carried Unanimously

The attached resolution was moved by Councilwoman Glor, seconded by Councilman Cummings to adopt said Local Law #3 entitled “Increase in the Salary of the Town Clerk”.

(Resolution Attached) Carried Unanimously

Local Law #4 – Public hearing scheduled for the next meeting on September 24, 2001 at 7:50 PM.

Other – Nothing to report.

NEW BUSINESS

Request for park use – To be reviewed at work session.

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 8:45 PM.

Carried Unanimously

Carole D. Borchert, RMC
Town Clerk