

A Regular Meeting of the Newstead Town Board was called to order on Monday, September 25, 2000 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  
James B. Ebersole – Highway Superintendent  
Donnal D. Folger – Code Enforcement Officer  
Andrew Casolini – 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.

Pledge to the flag was led by Deputy Clerk Lang.

Minutes from the previous meeting held on September 11, 2000 were presented for approval. Two corrections were noted, amount received from Community Development Funds for Water District #9 was \$90,000 not \$50,000 and Scotland Road Rezoning is for Northeast Caissons, not H & M Foundations. A motion was made by Councilman Cummings, seconded by Councilwoman Summe to approve, as corrected.

Carried Unanimously

Communications - Clerk presented the following:

A letter from NYS Real Property Services regarding 1999 Maintenance Aid Certification for the Town of Newstead in the amount of \$7,474.00 for 3,737 parcels.

A letter from Erie County Water Authority listing unpaid water district account final balances to be added to the 2001 tax roll.

A letter from EC Department of Public Works noting receiving of bids for the Burdick Road Slide Stabilization Project.

A letter from EC Division of Highways having forwarded to the NYS Department of Transportation the petitions from Cedar Street residents regarding road markings.

A notice from NYS Real Property Services of the tentative state equalization rate for the 2000 assessment roll being 100.00. Complaint process and form included.

Clerk presented the Town of Newstead Special Districts Tentative Budget for 2001 as received by the Supervisor on September 15, 2000.

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

Carried Unanimously

Supervisor Holmes reviewed the work session held last week having met with Joann Roach and friends to discuss Health Connection and community transportation needs, Ron Eulenburg re: Recreation budget, Thruway Toll Barrier, Library, Odor Hot Line, Scotland Road rezoning, William Schutt request re: Drainage Study, Water Districts #5 & 7A and School Tax Collecting.

Supervisor presented the following revenues received: NYS reimbursement Assessor training - \$941.43, Justice Freeman Court Fines - \$7493.00, Justice Campbell Court Fines \$8905.00 and NYS State Aid, Revenue Sharing - \$30,197.00

Privilege of the Floor – Arlene Richardson, 4678 South Newstead Road, presented petitions with several hundred signatures opposing the movement of the Williamsville Toll Barrier to the Town of Newstead, feeling that its impact will affect many people in the hamlet of South Newstead. She is still receiving signed petitions. She also presented a letter from her husband and herself asking the Town Board to send a letter to the NYS Thruway Authority opposing the toll barrier in Newstead. She stated it is not environmental justice to move the barrier to Newstead because their studies show there would be fewer people affected.

Approval of Bills – Councilwoman Glor approved Abstract #17 dated 9-11-00, as audited. The following vouchers on Abstract #18 numbered 818 through 878 were presented for payment by Councilwoman Glor, seconded by Councilman Summe: General Fund “A” – \$143,720.98, General Fund “B” - \$6,049.52, Highway “DA” - \$0, Highway Outside Village “DB” - \$39,877.00, Capital Projects “HC” WD#5 – \$108,845.25, Capital Projects “HD” WD #7A - \$2,335.20, Capital Projects “HE” Library, \$40,643.15, Fire Protection “SF” \$99,612.00, Refuse “SR” \$22,157.71, Sewer “SS” \$26.75, and Water Districts “SW” - \$128,583.47, totaling \$491,851.03.

Carried Unanimously

#### COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Highway Superintendent Ebersole stated that he has advertised and is accepting resumes for Highway drivers to update the file.

Assessor – He is attending Assessors School and getting ready to be sworn in as President of the NYS Assessor’s Association tomorrow night in Rochester. Town Officials invited to attend.

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

Robert Fromwiller – 7410 Sandhill Road – Pole Garage  
Eric Friedman – 7310 Sandhill Road – Shed  
Martin Todd – 5625 Cummings Road – 3 car garage  
Kimberly Rice – 12667 Koepsel Road – Woodstove  
James Simpson – 6299 Utley Road – Pole Barn  
Steven Bedford – 6820 Cedar Street – Greenhouse  
Kevin Borchert – 6785 Cedar Street – Shed  
Michael Ford – 4762 Ayers Road – 2 car garage  
Tom Musilli – 7382 Maple Road – One family home  
Don Salerno – 11821 Clarence Center Road – One family home.

He reported that he put copies of information on Lockport fees in board member boxes. He will be meeting with Earth Dimensions with comments from Conservation Advisory Council and is reviewing front yard fence permits.

Town Clerk – She reported that there were 98 voters on Primary Day, September 12<sup>th</sup>, thus re-enforcing our consolidation of the local districts. In a year which a President of the United States is to be elected local voter registration days must be held, therefore, Personal Registration Days will be held on Saturday October 7, 2000 1 PM – 9 PM, Newstead Town Hall Court Room and Wednesday, October 11, 2000 5 PM – 9 PM Newstead Town Hall, Basement Conference Room.

Attorney for the Town – Nothing to report.

#### COUNCILMAN

Summe – Nothing to report.

George – Nothing to report

Glor – Nothing to report

Cummings – He reported that Clarence Center roadwork was started today.

SUPERVISOR – Nothing to report.

#### UNFINISHED BUSINESS

Water District #5 – Andrew reported reviewing progress and monitoring restoration project.

Water District # 7A – Andrew stated that the main line is finished and hydrant testing should be completed the end of this week with only 2 lacking services..

Library Project – Councilman George stated he would like work session time to review the issue list and bid approval for foundation work.. The bids will be open on Wednesday September 27 at 2 PM with hopefully 4 contractors bidding. Foundation work to be completed by early December and then site to be closed for the winter. The sign for the new library should be posted on the site this week.

Rezoning for Scotland Road – Councilman Summe stated a recommendation for the Town Board and Planning Board should be ready by next Monday.

Wastewater Update – Andrew reported that the deadline has passed for one applicant. To be discussed in Executive Session later this evening.

Buffalo Drilling Site Plan – Code Enforcement Officer Folger stated he will be in Court on October 11<sup>th</sup> on this matter.

Weaver Sub-division SEQR – Paperwork has been mailed.

Assessment Challenge – Nothing to report.

Other – Nothing

#### NEW BUSINESS

Bright Meadows Site Plan – The attached resolution was moved by Councilman George, seconded by Councilman Cummings:

(Resolution Attached)

Carried Unanimously

Local Law #2 of the Year 2000 – Regarding change in Town Clerk salary for the year 2000 only, to compensate for school tax collecting. A motion was made by Councilman Cummings, seconded by Councilwoman Glor to schedule a public hearing on same on October 9, 2000 at 7:50 PM at the Newstead Town Hall.

Carried Unanimously

Odor Hotline – A motion was made by Councilman Summe, seconded by Councilwoman Glor to authorize the Supervisor to carry through on the hotline matter.

Carried Unanimously

Thruway Toll Barrier – A motion was made by Councilman Summe, seconded by Councilwoman Glor to authorize the Supervisor, Attorney and Engineer to draft said letter opposing the Newstead sites.

(Councilman George Abstained)

CARRIED

Drainage Study time extension for ADESA – A motion was made by Councilwoman Glor, seconded by Councilman Cummings to extend extra time for the study.

Carried Unanimously

Additional training for Becky Baker – A motion was made by Councilman Summe, seconded by Councilwoman Glor to authorized Becky Baker to take additional training classes at a cost of \$2,289.

Carried Unanimously

Other – Lead Agency for the Comprehensive Master Plan - A motion was made by Councilman Summe, seconded by Councilman Cummings that the Newstead Town Board serve as lead agency on the project.

Carried Unanimously

Budget and Budget Message presentation – Town Clerk presented copies of the 2001 Budget to board members. Supervisor Holmes read his budget message to all present.

Work session to continue on Special District Budget.

Executive Session to follow this meeting on Wastewater Treatment Law

Question Period – No one spoke.

There being no further business to come before the board a motion was made by Councilman Summe, seconded by Councilman George to enter in to Executive Session at 8:45 PM to discuss the Wastewater Treatment Law.

Carried Unanimously

Councilman Cummings asked to close this meeting with a moment of silence for Bob Sescil who served on the Planning Board for over 20 years and was a dedicated Town of Newstead citizen.

Meeting adjourned in his memory.

Carole D. Borchert, RMC  
Town Clerk

Executive Session minutes:

A motion was made by Councilwoman Glor, seconded by Councilman Summe to leave executive session at 9:15 PM All approved.

A motion was made by Councilwoman Glor, seconded by Councilman Summe to adjourn at 9:16 PM. All approved.

Minutes taken by Supervisor Holmes.