

## Newstead Town Board Meeting- February 25, 2008

A Regular Meeting was called to order by the Newstead Town Board on Monday, February 25, 2008 at 8:00pm at the Newstead Town Hall.

Present: David Cummings- Supervisor  
Tom George- Councilman  
Harold Finger- Councilman  
Justin Rooney- Councilman  
Cheryl Esposito- Councilwoman  
Mike Bassanello- Highway Supt.  
Rebecca Baker- Assessor  
John Good- Code Enforcement Officer  
Scott Rybarczyk- Town Engineer  
Nathan Neill- Town Attorney  
Dawn D. Izydorczak- Town Clerk  
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present.

Councilman Tom George led the pledge to the flag.

Minutes from the previous regular meeting held on February 11, 2008 were presented for approval. A motion was made by Councilman Finger, seconded by Councilman George to approve as presented. Carried Unanimously

**Communications** – The Town Clerk presented the following:

A certified copy of a resolution passed by the Town of Marilla Board was received regarding their opposition to the proposed amendments to the Real Property Tax Law and Village Law which would eliminate elected Assessors in New York State and replace them with appointed Assessors and divest all villages of the responsibility for assessing real property.

A certified copy of a resolution passed by the Town of Wales Board was received regarding their opposition to the proposed amendments to the Real Property Tax Law and Village Law which would eliminate elected Assessors in New York State and replace them with appointed Assessors and divest all villages of the responsibility for assessing real property.

A certified copy of a resolution passed by the Town of Wales Board was received regarding their support and request to the Governor Spitzer to continue the assignment of Special Resource Officers to New York's schools.

A notice was received from the UB Law School Affordable Housing Clinic announcing a seminar on "Building Bridges to Affordable Housing" to be held Wed., April 2, 2008 from 8:30am – 4:30pm at UB's Center for Tomorrow.

A letter was received from the NYS DEC notifying the town that the mining permit for County line Stone Co., Inc. were renewed by the DEC and shall be in effect from March 22, 2008 thru March 21, 2013.

A letter was received from National Fuel containing their emergency and non-emergency contact information for the year 2008.

A copy of a letter from the NYS DOT to Building Administrator Christine Falkowski was received regarding their SEQR/Site Plan Review comments on the proposed Joint Municipal Public Works Facility project.

A motion was made by Councilman George, seconded by Councilman Finger to receive and file correspondence as presented. Carried Unanimously

**Work Session:** The Supervisor reported that no work session was held last week. Tonight they discussed water districts, sewer district and joint facility.

**Privilege of the Floor** – No one spoke

**Approval of Bills** -Councilwoman Esposito reported that the Abstracts from Batches #686 from the February 11, 2008 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #691. Vouchers on this abstract numbered 117 - 144 totaling \$37,715.44 and were presented by Councilwoman Esposito, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #691:

General Fund (A) -\$21,973.08, General Fund- Outside Village (B) \$, Highway (DA) -\$0, Highway: Outside Village (DB) \$15,448.47, Capital Projects: CAP-WD#10-phase 2 (HI)- \$0, October Storm (HL) - \$0, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$25.64, Sewer District #2 (SS02)- \$268.25, and Water Districts (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0, Trust & Agency(TA)- \$0

Total: \$37,715.44

Carried Unanimously

## **COMMITTEE AND DEPARTMENT HEAD REPORTS**

**Highway** – Nothing to report

**Assessor** – Nothing to report

**Building Office** –the building report was presented by Building Administrator Christine Falkowski:

Ron Snyder	12178 Hunts Corners	Wood stove insp.
Richard Olaf	8128 Maple	Siding

The Town Board accepted the report as presented.

**Town Clerk**- The 1954-1958 Town Board minutes book that was sent out in November of last year for preservation has been returned to the town in its new Archival binder.

**Attorney for the Town** – the meeting with the residents affected by the Murder Creek Remediation project is this week. He is working on proposals for the easements for the meeting.

## **COUNCILPERSONS**

**George**- Nothing to report

**Finger**- Nothing to report

**Rooney**- he attended training at the Association of Towns in New York City and found it very educational and beneficial. He particularly enjoyed the seminar put on by Scott Rybarczyk.

**Esposito**- she also attended the Association of Towns conference and found there to be a lot of information and very helpful to someone who is new to government. She also toured the Northeast Caissons property and complex and the current highway garage facilities.

**SUPERVISOR**- he also attended the Association of Towns in New York along with the Town Attorney and Code Enforcement Officer. He brought back a lot of information that he has disseminated to various departments. Today he attended the Northeast Supervisors meeting in Clarence for their quarterly session. These quarterly meeting of the Counties Supervisors in the northeastern towns have generated a lot of helpful information and interaction.

## **UNFINISHED BUSINESS**

**Water District #10**- Phase 3 – Phase 1 and 2 are complete except for a few minor items. Phase 3 is in process and they need to look at what areas to include that are still unserved and continue seeking funding sources. Only 7 to 8 small pocket areas in the town are left unserved.

**Shared Public Works Facility Committee**- a meeting was held February 13<sup>th</sup> where they discussed the findings of a vehicle study of the Northeast Caissons site. They actually took town and village

vehicles on site and used them to determine access issues and space issues. A report should be completed in the next two weeks.

**GIS-** waiting to hear results in April – June. This can be removed from agenda until that time.

**Denio Library Basement-** the Supervisor and Councilman Finger have been meeting with contractors and soliciting bids on abatements, which they will go over and make final recommendations to the rest of the board. The abatement figures have come in higher than they anticipated so they will need to get additional quotes.

**Sewer District #1-** the generator is in, the tests have been done and they just need to get the maintenance guarantee now. This should be ready to close out in a couple weeks.

**Annual Audit-** the Supervisor reported the audit is complete and no extension to file will be needed this year. The books are in good order.

**NEW BUSINESS:**

**Local Law #2 of 2008- Adoption of New Code:**

A motion was made by Councilman Rooney, seconded by Councilman George issuing a Determination of Non-significance of Local Law under SEQRA and a Negative SEQRA Declaration and authorizing the Supervisor to sign Part III the EAF forms.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye  
Carried Unanimously

A motion was made by Councilman Rooney, seconded by Councilman Finger approving the adoption of Local Law #2 of 2008 regarding the newly revised and updated Code of the Town of Newstead.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye  
Carried Unanimously

**Neg Dec & Site Plan Approval- Akron Airport: TABLED**

This item has been tabled again for the town engineers to meet with Passero Associates regarding drainage issues on the site.

**Water District #10- Cost Benefits Analysis Findings:**

A motion was made by Councilman Finger, seconded by Councilwoman Esposito issuing determination that water districts #1,3,5,6,7 should contribute capital contributions to water district #10 based on an analysis of benefits that these districts receive from water district #10 and authorizing the Supervisor to execute written agreements between said districts.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye  
Carried Unanimously

**Inter-municipal Agreement with Town of Clarence- Senior Van:**

A motion was made by Councilman George, seconded by Councilman Finger approving the inter-municipal agreement with the Town of Clarence for the Senior Van Service for the year 2008 and authorizing the Supervisor to sign and deliver that agreement.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye  
Carried Unanimously

**Special Use Permit Renewal- T & T Tire and Auto:**

A motion was made by Supervisor Cummings, seconded by Councilman Rooney approving the renewal of a special use permit for T & T Tire and Auto located at 11720 Main Road with the condition that a maximum of 8 vehicles be for sale at any given time including agricultural type vehicles and that the owner meet the conditions previously stipulated in the special use permit no later than July 1, 2008.

Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye Carried Unanimously

**Support of Retaining State Resource Officers at Schools:**

A motion was made by Councilwoman Esposito, seconded by Councilman Rooney issuing the boards support of retaining Special Resource Officers in our schools and thereby their opposition to the Governors proposal to re-deploy 92 State Troopers out of local schools back to other state assignments.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye  
Carried Unanimously

**Annual Contract Renewal- Town Attorney:**

A motion was made by Councilman George, seconded by Councilman Rooney approving the annual renewal of the contract with the Town Attorney and authorizing the Supervisor to execute the contract.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye  
Carried Unanimously

**Question Period-** No one spoke

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilman Rooney to adjourn the meeting at 8:40 PM.

Carried Unanimously

Respectfully Submitted,  
Dawn D. Izydorczak, RMC, Town Clerk