

Newstead Town Board Meeting- March 23, 2009

A Regular Meeting was called to order by the Newstead Town Board on Monday, March 23, 2009 at 8:00pm at the Newstead Town Hall.

Present: David Cummings– Supervisor
Tom George- Councilman
Harold Finger- Councilman
Justin Rooney- Councilman
Cheryl Esposito- Councilwoman
Scott Rybarczyk- Town Engineer
Kathy Lang- Deputy Clerk
Jennifer Heberling- 2nd Deputy Clerk

Roll Call was taken with all board members present.

Jennifer Heberling led the pledge to the flag.

Minutes from the previous regular meeting held on March 9, 2009 were presented for approval. A motion was made by Councilman Finger, seconded by Councilwoman Esposito to approve as presented. Carried Unanimously

Communications – The Deputy Town Clerk presented the following:

A letter was received from Time Warner Cable notifying the town that the Time Warner Cable franchise is now a separate entity from Time Warner Inc. and is now being publicly traded.

A copy of a letter sent to Governor Paterson was received from the NYS Association of County Clerks committing their support to the Town Clerk's in their efforts to have Part NN, Sections 26 thru 28 of the Governors budget stricken from the bill in both the Senate and the Assembly.

A letter from John Braunscheidel, 7619 Scotland Road, requesting use of soccer fields at the Newstead Town Park for the Empire United Soccer Academy, formerly Buffalo United Soccer Club, for Monday and Wednesday from 6:00-8:00PM starting April 6-July 8, 2009.

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 at the work session held last week the following issues were discussed: water district issues, Joint Facilities committee, grant submissions, planning issues, assessor issues, the town clerk/highway supt. resolution, recreation fee proposal, soccer tournament police protection, personnel issues/contracts and any other items found necessary. Also a joint meeting of the Village and Town Boards was held.

Privilege of the Floor – No one spoke

Budget Transfers: A motion was made by Councilwoman Esposito, seconded by Councilman Rooney to approve Year End Budget Transfers and Year End Budget Amendments for 2008 as per a memo from Bookkeeper Colleen Salmon dated March 23, 2009.

Carried Unanimously

Approval of Bills -Councilwoman Esposito reported that the Abstracts from Batches #812 from the March 9, 2009 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #814. Vouchers on this abstract numbered 236- 289 totaling \$556,609.44 and were presented by Councilwoman Esposito, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #814:

General Fund (A) -\$121,688.27, General Fund- Outside Village (B) \$1,400.00, Highway (DA) -\$0, Capital Projects: CAP-WD#10-phase 2 (HI)- \$0, Town Hall Addition (HT)- \$0, Murder Creek Stabilization (HM) - \$0, Highway: Outside Village (DB) \$2,427.42, Drainage (SD)- \$2,895.00, Fire Protection (SF) \$259,000.00, Refuse (SR) \$0, Sewer Fund (SS) \$26.69, Sewer District #2 (SS02)-

\$234.05, and Water Districts (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$79,887.00, (SW6) \$0, (SW7) \$0, (SW7A) \$2,382.75, (SW8) \$0, (SW9) \$6,314.00, (SW10) \$80,354.26, Trust & Agency(TA)- \$0
Total: \$556,609.44

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – Not present but will be starting mowing and clean up at Town Park and new property with some playground work and hedge row.

Assessor –No report

Building Office –the building report was presented by Christine Falkowski of the Planning & Building Department:

Benderson Development	12963 Main	Sign
Michael Borth	13546 Stage	Windows, Roof & Siding
Ivy Ridge Properties	5422 Barnum	C/O inspection
Judith Miller	13588 Stage	Permit renewal
Buffalo Drilling	12264 Main	Permit amendment
Vickie Lombard	Downey Rd	Driveway
Frederick Bedford	6714 Cedar	Shed
Robert Bebee	6801 Maple	2 porches

The Town Board accepted the report as presented.

Town Clerk- Dawn is on vacation until March 30th and David DeYoung will be out of town from March 27-31st . Bev Richards will cover the Dog Control Officer’s duties.

Attorney for the Town –Not present due to another meeting attending.

COUNCILPERSONS:

George- Nothing at this time

Finger- He has been working on building issues and the lights in court room have been replaced.

Rooney- Nothing at this time

Esposito-Nothing at this time

SUPERVISOR- February Supervisor’s Report is on file with the Town Clerk. He explained what the Supervisors Report consisted of to the audience of Akron Central High School students present.

UNFINISHED BUSINESS:

Water District #10- Phase 4/Consolidation- They are still working on grants and consolidation issues which will need work session time.

Shared Public Works Facility Committee-They have reviewed the proposals and have a short list which the Town and Village Boards will review and then make a final choice within a couple weeks.

GIS- nothing new

NEW BUSINESS:

Support of Town Clerks & Highway Superintendant elected position:

A motion was made by Councilmen Rooney, seconded by Councilwoman Esposito opposing Part N N Sections 26 thru 28 of S.56/A.156, Public Protection and General Government Article VII of the NYS Governors Bill, which would enable changing the Town Clerk's and Highway Superintendants positions from elected to appointed positions by a permissive referendum as opposed to the current mandatory voters referendum and requesting the support of the Senate and Assembly to have these sections of the Governors budget pulled out prior to a vote on the budget.

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

Local Law No.2 of 2009- Zoning Law Amendment:

A motion was made by Councilwoman Esposito, seconded by Councilman Finger approving the calling of a public hearing to hear comments on proposed Local Law #2 of 2009 entitled Amendment to the Zoning Law on April 27, 2009 at 7:45pm at the Newstead Town Hall.

(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 Councilwoman Esposito to adjourn the meeting at 8:27pm.

Carried Unanimously

Respectfully Submitted,
Kathleen McLeod Lang, Deputy Town Clerk