

Newstead Town Board Meeting- December 27, 2006

A Regular Meeting was called to order by the Newstead Town Board on Wednesday, December 27, 2006 at 6:00PM at the Newstead Town Hall.

Present: David Cummings- Supervisor
Harold Finger- Councilman
Mark Decker- Councilman
Nathan Neill- Town Attorney
Dawn D. Izydorczak- Town Clerk

Roll Call was taken with all board members present except Councilman Tom George and Councilman Brian Murray.

Supervisor Cummings led the pledge to the flag.

Minutes from the previous regular board meeting held on December 11, 2006 were presented for approval. A motion was made by Councilman Finger, seconded by Councilman Decker to accept as presented. Carried

Communications – The Town Clerk presented the following:

On February 13, 2007 the Erie County Dept. of Senior Services will be conducting a HEAP outreach at the town hall from 9:00am – 4:00pm, on a first come first served basis. Anyone with questions can contact Kathy Donner at Leg. Mike Ranzenhofer's office at 631-8695.

The NYSDEC will be holding public information meetings in 5 locations throughout the state between January 9th thru January 22, 2007 on proposed rule making and amendments to the water quality regulations. The closest meeting to us will be in Rochester on January 16th. A Legislative public hearing will then follow on February 5, 2007 at 2:00pm in the DEC Albany office. For more information see the Town Clerk.

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

Work Session: The Supervisor reported that at the work session held last week the following issues were discussed: Henley property plans, Senior Center issues, Water District #10 issues, Rt. 5 re-zoning, shared facilities project, October storm issues, planning/zoning issues, toll barrier, organizational meeting, personnel matters, grants, codification review, police contract with the Village, the windmill law, as well as other issues.

Privilege of the Floor – No one spoke

Approval of Bills -Councilman Decker reported that the Abstract from Batch #563 & 564 from the December 11, 2006 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #571 & 572. Vouchers on this abstract numbered 1287 & 1288- 1321, totaling \$46,878.66 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch #571 & 572:

General Fund (A) -\$21,534.27, Fund (B) \$0, Highway (DA) -\$0, Highway: Outside Village (DB) \$6,618.87, Capital Projects: CAP-WD#10 (HI)- \$15,136.47, Reserve- Roof Repair (HR01)- \$0, (HL) October Storm- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$3,327.15, Sewer District #2 (SS02)- \$234.75, and Water Districts (SW1) \$0, (SW2) \$0, (SW3) \$1.78, (SW4) \$0, (SW5) \$25.37, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0, Trust & Agency(TA)- \$0 Total: \$46,878.66 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Not present

Assessor – Not present

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

Leonard Schie	4902 N. Millgrove	Permit renewal
Niagara Specialty Metals	12600 Clarence Ctr	Sign
Darryl Cummings	12425 Clarence Ctr	Demolition
J. Capan & D. Lucas	13902 Bloomingdale	Permit renewal
Thomas Eldred	12527 Clarence Ctr	Permit renewal
Akron Alloy	13760 Indian Falls	Sign
Akron Alloy	13760 Indian Falls	Sign
Champion Auto Locators	11678 Main	Special Permit renewal
Triple G Small Engine Repair	12056 Buckwheat	Special Permit renewal

The Town Board accepted the Building Report as presented.

Town Clerk- Nothing to report.

Attorney for the Town – Nothing to report.

COUNCILPERSONS

George- Not present

Finger- Nothing to report.

Decker- Nothing to report.

Murray- Not present

SUPERVISOR- October and November Supervisor's Reports are on file with the Town Clerk.

UNFINISHED BUSINESS

Water District #10- Phase 1A & Phase 1B – In a memo provided by Wendel Duchscherer, they had started work on the Tennessee Gas Line segment when a representative from Tennessee Gas stopped work due to claim of insufficient length of insulated pipe. A meeting is scheduled with ECWA and Tennessee Gas representatives to resolve this issue.

Phase 2- The Maple, Tonawanda Creek, Greenbush and Martin Road installations are complete. 2,700' of 3,501' of waterline on Billo Rd and 600' of 1,004' on Hiller Rd have been installed. 96% of the base bid mainline has been installed. Testing has been completed on Maple Rd and Tonawanda Creek Rd and upon approval of test results, services will start to be installed during the first week of January.

Route 5 Re-Zoning- discussion to be held at next work session.

Shared Public Works Facility Committee- discussion to be held at next work session.

NYS Toll Barrier- Waiting for response

NEW BUSINESS:

Local Law No. 3 of 2006- Fire & Building Code Amendment:

A motion was made by Councilman Finger, seconded by Councilman Decker issuing a Determination of Non-Significance of Local Law and declaring it a Type II Action under SEQR. (Resolution Attached) Cummings-Aye, George-Absent, Finger-Aye, Decker-Aye, Murray-Absent
Carried

A motion was made by Councilman Finger, seconded by Councilman Decker adopting Local Law No. 3 of 2006 entitled "Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code of the Town of Newstead".

(Resolution Attached) Cummings-Aye, George-Absent, Finger-Aye, Decker-Aye, Murray-Absent
Carried

Local Law No. 4 of 2006- Moratorium on Windmills:

A motion was made by Councilman Decker, seconded by Councilman Finger issuing a Determination of Non-Significance of Local Law and declaring it a Type II Action under SEQR.

(Resolution Attached) Cummings-Aye, George-Absent, Finger-Aye, Decker-Aye, Murray-Absent
Carried

A motion was made by Councilman Decker, seconded by Councilman Finger adopting Local Law No. 4 of 2006 entitled "Amendment to the Code of the Town of Newstead Placing a Six Month Moratorium on Windmills within the Town".

(Resolution Attached) Cummings-Aye, George-Absent, Finger-Aye, Decker-Aye, Murray-Absent
Carried

2007 Organizational Meeting:

A motion was made by Councilman Finger, seconded by Councilman Decker that the 2007 Organizational Meeting and the swearing in ceremony of new Councilman Justin Rooney will be held on Thursday, January 4, 2007 at 7:00pm at the town hall.

Cummings-Aye, George-Absent, Finger-Aye, Decker-Aye, Murray-Absent Carried

Lateral Restriction- 6265 Dye Rd:

A motion was made by Councilman Decker, seconded by Councilman Finger approving the Lateral Restriction application request for the Kiefer property at 6265 Dye Rd per the amended application submitted.

Cummings-Aye, George-Absent, Finger-Aye, Decker-Aye, Murray-Absent Carried

Supervisor Cummings expressed his thanks to Brian Murray for his service to the Town of Newstead as Councilman for the year 2006.

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 Decker to adjourn the meeting at 6:19 PM.

Carried

Respectfully Submitted,
Dawn D. Izydorcak, Town Clerk