

**Newstead Town Board Meeting- December 28, 2009**

A Public Hearing was called to order by the Newstead Town Board on Monday, December 28, 2009 at 7:40pm at the Newstead Town Hall.

Present: David Cummings– Supervisor  
Tom George- Councilman  
Harold Finger- Councilman  
Justin Rooney- Councilman  
Mike Bassanello- Highway Supt.  
Nathan Neill- Town Attorney  
Dawn Izydorczak- Town Clerk

Roll Call was taken with all board members present except Councilwoman Esposito.

Supervisor Cummings called the public hearing on proposed Local Law #6 of 2009 amending Article III of the Zoning Law to order at 7:40pm.

The Town Clerk read the proof of publication.

Comments: no one spoke

There being no further comments a motion was made by Councilman Rooney, seconded by Councilman George to close the public hearing on the proposed LL#6 of 2009 at 7:46pm.  
Carried

Supervisor Cummings called the public hearing on proposed Local Law #7 of 2009 on the proposed amendment to the Subdivision Law to order at 7:50pm.

The Town Clerk read the proof of publication.

Comments: no one spoke

There being no further comments a motion was made by Councilman Rooney, seconded by Councilman George to close the public hearing on the proposed LL#7 of 2009 at 7:55pm.  
Carried

A regular meeting of the Newstead Town Board was called to order at 8:00pm with the same board members present as listed above.

Supervisor Cummings led the pledge to the flag.

Minutes from the previous regular meeting held on December 14, 2009 were presented for approval. A motion was made by Councilman Rooney, seconded by Councilman George to approve as presented.  
Carried

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

A notice of 2 workshops to be held on the Niagara River Watershed on Sat., January 9<sup>th</sup> in Grand Island from 10:15-12:45 and Sat., January 16<sup>th</sup> in Marilla from 9:30am-12:00pm.

A letter from Time Warner Cable announcing its rates for video service for 2010.

A letter from the NYS Department of State acknowledging receipt and filing of Local Laws #4 & #5 for 2009 on December 18, 2009.

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

**Work Session:** The Supervisor reported that at the last work session held the following issues were discussed: meeting with Christian Airmen to discuss airport issues, water district issues, Joint

Facilities, grant submissions, planning issues, 2010 organizational meeting, as well as any other items found necessary.

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

**Budget Transfers:** a motion was made by Councilman Finger, seconded by Councilman George approving the budget transfers as requested by Bookkeeper Colleen Salmon in a memo dated 12/28/09. Carried

**Approval of Bills** – Supervisor Cummings reported that the Abstracts from Batches #895 & 897 from the December 14, 2009 meeting have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batch #899. Vouchers on this abstract numbered from 1386 - 1419 totaling \$64,219.97 and were presented by Supervisor Cummings, seconded by Councilman Finger to approve payment as follows:

Abstract Batch #899:  
General Fund (A) -\$11,780.53, General Fund- Outside Village (B) \$308.73, Highway (DA) -\$0, Capital Projects: CAP- Highway Garage- (HG) - \$42,017.46, CAP- Town Hall Addition (HT) \$0, CAP-WD#10 (HI)- \$0, CAP- Murder Creek (HM)- \$0, CAP- Scotland Rd (HS)- \$3,600.00, Highway: Outside Village (DB) \$5,511.08, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$28.69, Sewer District #2 (SS02)- \$88.53, and Water Districts (SW1) \$31.82, (SW2) \$19.56, (SW3) \$51.56, (SW4) \$41.07, (SW5) \$533.39, (SW6) \$26.13, (SW7) \$30.68, (SW7A) \$11.75, (SW8) \$33.94, (SW9) \$22.15, (SW10) \$82.90, Trust & Agency(TA)- \$0  
Total: \$64,219.97 Carried

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – Today was a busy day. The guys were out for the 4<sup>th</sup> time snowplowing and will go out again late tonight. Mike thanked Tom & Harold for all they have done for him over the past 4 years and their help on so many projects over the years. He wished them well.

**Assessor** – no report presented

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

Chris Milhollen	11734 Meahl	Shed
John Dirschedl, Jr.	12948 Swift Mills	Lean-to
Charles McConnaughey	12963, 12969 & 13001 Main Rd	Demolition
Thomas Forrestel	6497 Scotland	Permit Renewal
Roy Walters	13414 Main	Demolition
Richard Beyer	7023 Sandhill	Shed
Nova Schlager	11258 Clarence Center	Permit renewal
Summit Truck & Auto	11872 Main	7 permanent signs

The Town Board accepted the report as presented.

**Town Clerk**- the town clerk presented refurbished archival book of marriages from 1950-1969.

**Attorney for the Town** – nothing at this time

**COUNCILPERSONS:**

**George**- nothing at this time

**Finger**- nothing at this time

**Rooney**- nothing at this time

**Esposito**- not present

**SUPERVISOR-** The Supervisor reported the Walter house on Main Rd was demolished this week and that the Rt. 5 and 93 development demolition took place and the site work is moving along fast.

**UNFINISHED BUSINESS:**

**Water District #10-** Scotland Rd Extension/Consolidation- construction on the Scotland Rd waterline project will begin January 4<sup>th</sup>.

**Shared Public Works Facility Committee-** nothing new to report

**Grants-** nothing new to report

**NEW BUSINESS:**

**Approval- Local Law #6 of 2009:**

A motion was made by Councilman George, seconded by Councilman Rooney issuing a Determination of Non-Significance of Local Law under SEQR for Local Law #6 of 2009 amending Article III of the Zoning Law of the Town of Newstead and authorizing the Supervisor to sign the EAF forms.

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

A motion was made by Councilman George, seconded by Councilman Rooney approving the adoption of Local Law #6 of 2009 amending Article III of the Zoning Law of the Town of Newstead.

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

**Approval- Local Law #7 of 2009:**

A motion was made by Councilman Rooney, seconded by Councilman George issuing a Determination of Non-Significance of Local Law under SEQR for Local Law #7 of 2009 amending the Subdivision Law of the Town of Newstead and authorizing the Supervisor to sign the EAF forms.

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

A motion was made by Councilman Rooney, seconded by Councilman George approving the adoption of Local Law #7 of 2009 amending the Subdivision Law of the Town of Newstead.

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

**Final Order Consolidating Water Districts:**

A motion was made by Councilman Finger, seconded by Councilman Rooney approving the consolidation of all water districts within the Town of Newstead effective 12/31/2010 subject to the terms set forth in the resolution.

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

**Question Period-** no one spoke

Supervisor Cummings thanked Councilman George & Councilman Finger for all their years of service to the Town Board and the residents. They will be greatly missed for their dedication, leadership and continuous contributions to the town. The Supervisor stated the town is losing two incredible assets.

Councilman Finger thanked Councilman George for his good example over the years and his leadership on so many projects.

Councilman George thanked all the town employees and officials who he has enjoyed working with over the years and especially thanked Marilyn Kasperek of the Akron Bugle and Laura Winchester of the Buffalo News for their great job of representing what is going on in our town government to the residents on a regular basis.

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilman George to adjourn the meeting at 8:22pm.

Carried

Respectfully Submitted,  
Dawn D. Izydorzak, Town Clerk