

**Newstead Town Board Meeting- December 27, 2010**

A public hearing was called to order by the Newstead Town Board on Monday, December 27, 2010 at 7:50pm at the Newstead Town Hall.

Present: David L. Cummings- Supervisor  
Justin Rooney- Councilman  
James Mayrose- Councilman  
Richard Baran- Councilman  
Mike Bassanello- Highway Supt.  
Nathan Neill- Town Attorney  
Jennifer Heberling- Deputy Town Clerk

Roll Call was taken with all board members present with the exception of Councilwoman Esposito who is on vacation.

The Supervisor called the public hearing on the proposed increase & improvement project to the Water Districts.

The Clerk read the proof of publication.

Comments:

Supervisor Cummings explained that this is to allow the Town Board to determine the cost of installing water in the Town where there isn't any. This would include Burdick Road, Tonawanda Creek Road and Route 93 to Koepsel Road.

No one appeared to speak.

There being no further comments, a motion was made by Councilman Rooney, seconded by Councilman Baran to close the public hearing on the water district project at 7:56pm.  
Carried

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

Highway Superintendant Bassanello led the pledge to the flag.

Minutes from the previous regular meeting held on December 13, 2010 were presented for approval. A motion was made by Councilman Mayrose, seconded by Councilman Rooney to approve as presented.  
Carried

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

The NYS Department of Public Service released new winter heating brochures which are located in the Town Clerk's information center in the hallway.

A request for liquor license renewal was received from The Rothlands, LLC for a "Ball Park/Beverage Cart" service license for 2011.

A motion was made by Councilman Rooney, seconded by Councilman Baran to accept and file the presented correspondence.  
Carried

**Work Session:** The Supervisor reported that at the work session held last week the following issues were discussed: water district issues, town hall & joint facility project updates, planning issues, Murder Creek project update, airport update, contracts, personnel issues, as well as any other issues brought before the board.

**Privilege of the Floor** – No one appeared to speak.

**Budget Transfers:** A motion was made by Councilman Rooney, seconded by Councilman Mayrose to approve the requested budget transfers per a memo from Bookkeeper Colleen Salmon dated 12/27/2010. Carried

**Approval of Bills** – Supervisor Cummings reported that the Abstracts from Batches #1003, 1005 & 1006 from the December 13, 2010 meeting have been reviewed with the previously un-audited vouchers and everything was found in order. He presented Abstract Batches #1010. Vouchers on this abstract numbered from 1356 - 1391 totaling \$127,410.66 and were presented by Supervisor Cummings, seconded by Councilman Mayrose to approve payment as follows:

Abstract Batches #1010:  
General Fund (A) -\$13,728.12, General Fund- Outside Village (B) \$3,624.12, Highway (DA) -\$0, Highway: Outside Village (DB) \$5,599.78, Capital Projects: CAP- Highway Garage- (HG) - \$1,969.10, CAP-Murder Creek (HM) \$7,500.00, CAP- Town Hall Addition (HT) \$94,875.11, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$28.28, Sewer District #2 (SS02)- \$86.15, Trust & Agency(TA)- \$0 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  
Total: \$127,410.66 Carried

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – Thanks everyone at the Town Hall and the Town Board and wishes everyone a Happy New Year.

**Assessor** – No report

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

CMK Builders	11856 Stage	One family home
Randy Schaefer	6557 Utley	Pavilion
Greenbriar Akron LLC	12963 Main	Sign

The Town Board accepted the report as presented. The Town Board also received the Planning Board report on the hours of training they completed for the year.

**Town Clerk** – No report

**Attorney for the Town** – No report

**COUNCILPERSONS:**

**Rooney** – No report

**Esposito** - Absent

**Mayrose** – Did a walkthrough of the Town Hall addition and the Joint Highway Facility with Jeff Grant. He seemed very impressed with both projects and will be back when the Highway Facility is complete.

**Baran** – gave an update on the work at the library. They are 98% complete. The roof and the retaining wall are still not complete. Some of the paint is not able to be removed and these areas are going to have to be replaced. They are going to continue restoration work on the statue during the winter also. The paint has been removed but it dulled the finish. They are working on restoring the finish. Total approximate cost of job is \$20,800. They are also making progress with information on people who were involved in this incident.

**SUPERVISOR** – Has attended a few meetings the last few weeks.

**UNFINISHED BUSINESS:**

**Water Districts** – Public hearing held this evening.

**Shared Public Works Facility Project** – Project meeting was held last Monday and they were updated on the progress. Moving along but they are not where they should be.

**Grants** – nothing to report

**Murder Creek Project** - report was given from Apex prior to this meeting. The committee is meeting during this meeting.

**NEW BUSINESS:**

**Special Use Permit Revocation- Buffalo Shooting Club:**

A motion was made by Councilman Baran, seconded by Councilman Mayrose approving the revocation of a Special Use Permit granted to the Buffalo Shooting Club due to cessation of activities for more than 6 months at the location on Billo Rd and the failure to request a renewal of the permit in 2010 as set forth in the resolution.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Esposito-Absent, Mayrose-Aye, Baran-Aye  
Carried

**Approval- Addendum to CEO Contract with Clarence:**

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the proposed Addendum to the Agreement for back-up Code Enforcement Services with the Town of Clarence as set forth in the resolution.

(Resolution Attached) Cummings-Aye, Rooney -Aye, Esposito-Absent, Mayrose-Aye, Baran-Aye  
Carried

**Approval- Liquor License Renewal:**

A motion was made by Councilman Baran, seconded by Councilman Mayrose approving the liquor license renewal request received from The Rothlands, LLC for a “Ball Park/Beverage Cart” service license for 2011.

Cummings-Aye, Rooney -Aye, Esposito-Absent, Mayrose-Aye, Baran-Aye  
Carried

**Approval- Temporary Special Use Permit Renewals for 2011:**

A motion was made by Councilman Mayrose, seconded by Councilman Rooney approving the following Temporary Special Use Permits for 2011: Lewistraum Kennels, Triple G Small Engine Repair, Champion Auto Locators, T & T Tire & Auto, Michael Shields, Outdoor Pleasures Landscaping.

Cummings-Aye, Rooney -Aye, Esposito-Absent, Mayrose-Aye, Baran-Aye  
Carried

**Approval- Organizational Meeting for 2011:**

A motion was made by Councilman Baran, seconded by Councilman Mayrose approving the date of January 3, 2011 at 7:30pm for the annual Organizational Meeting of the Town for 2011. This will include a work session at 7:15 and a work session to follow the Organizational Meeting.

Cummings-Aye, Rooney -Aye, Esposito-Absent, Mayrose-Aye, Baran-Aye  
Carried

**Approval – Tax Exempt Financing for Newstead Fire Company:**

A motion was made by Councilman Rooney, seconded by Councilman Mayrose allowing Supervisor Cummings to name Paul Vohwinkel as the designated hearing officer and to set a public hearing for January 18, 2011 for the Newstead Fire Company to request tax exempt financing for their construction project.

Cummings-Aye, Rooney-Aye, Esposito-Absent, Mayrose-Aye, Baran-Aye  
Carried

**Question Period-** No one spoke.

There being no further business to come before the board a motion was made by Councilman Rooney, seconded by Councilman Baran to adjourn the meeting at 8:20pm.

Carried

Respectfully Submitted,  
Jennifer L. Heberling, Deputy Town Clerk