

## **Newstead Town Board Meeting – March 11, 2024**

A public hearing was called to order by the Newstead Town Board on March 11, 2024, at 7:28pm at the Newstead Town Hall.

Present: Dawn Izydorczak – Supervisor  
John Jendrowski – Councilman  
Joe Dugan – Councilman  
Mike Mutter - Councilman  
Edmund Burke – Councilman  
Emily Janicz – Town Attorney  
Michael Coutu – Assistant Town Attorney  
Jennifer DiChristina – Town Clerk  
Lisa Kaminski – Deputy Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing to order for a special use permit for a dog kennel at 12390 Hunts Corners Road at 7:28pm.

The Clerk read proof of publication. The Supervisor explained to those present that the board would not be voting on this special use permit tonight. She also stated that a letter was received from attorney Terry C. Burton who is representing neighbors that are opposed to the proposed dog kennel reopening and is attached to these minutes.

Taryn Vohwinkle, 32 Buell Street – ran the kennel for 7 years and closed it in 2021 because of Covid. She presented a folder to each board member containing letters of recommendation from prior clients.

Terry Burton, 62 Webster Street, North Tonawanda – presented an aerial photo showing where the dog kennel would be and the proximity to the surrounding neighbors. Six of the current neighbors lived there when the prior owner ran the kennel and are very concerned about the reopening. Mr. Burton told the board they are expected to act on the best interest of the neighbors.

Gary Bellinger, 12350 Hunts Corners Road – has 2 dogs of his own that will be impacted by dogs barking at the kennel. It's not a home-based business as the person running the kennel will not be living there. Who will take care of the dogs if there is a storm? He is also concerned about trying to sell his property in the future, and sees no benefit to reopening the kennel.

Taryn Vohwinkle – lived there for 7 years prior to buying and operating the kennel. The person who owned it for those 7 years didn't live there either.

Adam Vohwinkle, 4446 South Newstead Road – the Bellingers knew the kennel was there when they purchased the house and had the option to buy that piece of property also.

Urszula Golodolinski, 12415 Hunts Corners Road – opposed the original special use permit in 2013 and doesn't wish living near a dog kennel on anyone. Since it has been closed for 3 years it has been much quieter and it wasn't a good experience when it was open.

Robin Tyler, Springville – wants to know what properties have decreased in value due to the dog kennel.

Holly Berghorn, 7430 Sandhill Road – was a client of Taryn's. There was never any smell and the couple that wants to run it doesn't live far away.

Mark Young, 12391 Hunts Corners Road – it is a nuisance when there are dogs there and wonders why the new owners haven't reached out to any of the neighbors.

Erica Tyler, Roll Road – has reached out on Facebook and have gotten nothing but positive feedback. There will be cameras installed in case something happens, and if she is allowed to open, the Planning Board has put conditions on the approval.

Ann Vohwinkle, 4446 South Newstead Road – questioned the traffic noise on Hunts Corners Road.

Urszula Golodolinski – claims the traffic is heavier in the morning and afternoon after people get out of work but the dogs barked all day.

Alicia Bellinger, 12350 Hunts Corners Road – when they purchased the house they were told the kennel had been shut down for three years. She works from home and has meetings over Zoom and can't risk having dogs barking in the background.

Chris Stewart, 12605 Hunts Corners Road – his son is going to be working at the kennel and he himself lives very close. Erica has asked him to help out if she can't get there. He also asked what happens to the property if it is not used as a dog kennel.

Taryn Vohwinkle – explained that they had a lot of interest in people wanting the property but wanted to keep it local and feels there is a need for it in the area.

Marjorie Stewart, 12605 Hunts Corners Road – she is Carson's mother, and she gives Carson and Erica a lot of credit for wanting to take on this project and open a business. Carson and Erica are willing to do what is needed to update the kennel.

Duwayne Grabenstater, 12447 Hunts Corners Road – has boarded his dog there in the past and Taryn did her best to keep the dogs quiet. Not loud in front of the kennel but the sound amplifies with the woods behind and its very loud across the street. Anything that goes by the property sets the dogs off.

Mark Nowakowski, 7065 Draper Road – lives 3-4 minutes away and has never really heard any dogs barking. He totally supports this reopening.

Taryn Vohwinkle – asked the board to look into any complaints that were made when she was operating the kennel.

There being no further comments, a motion was made by Councilman Jendrowski, seconded by Councilman Dugan to close the public hearing at 8:09pm. Carried Unanimously

Councilman Mutter led the pledge to the flag.

The regular meeting of the Town Board was called to order at 8:09pm with the same members present as listed above.

Minutes from the regular meeting held on February 26, 2024 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilman Jendrowski to approve as presented. Carried Unanimously

**Agenda Changes** – none

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

A letter was received from the State of New York Unified Court System notifying the Newstead Town Court they were awarded a JCAP grant to update the camera system in the building.

A beer/wine permit was received from Julie Brady for a family party at the Newstead Cultural Center on April 14, 2024.

A notice was received from Charter Communications notifying the Town about revisions to its channel lineup on or about March 31, 2024.

A motion was made by Councilman Jendrowski, seconded by Councilman Mutter to accept and file the presented correspondence. Carried Unanimously

**Work Session:** at the work session held last week the following items were discussed: planning items: Community Center project, Wendel training proposal, Buell Street sewer, eclipse planning, FEMA funds; Water/Sewer updates; Equipment purchases-street sweeper, highway truck, summer equipment rental; Building projects: library, town hall transformer; Grant updates-JCAP grant approved; update on Emergency Services trailer.

**Agenda Items Question Period:** no one spoke

**Budget Transfers:** None

**Approval of Bills** – Councilman Dugan reported that the Abstract(s) from Batch(es) #2431 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2434 was presented for payment. Vouchers on this abstract(s) numbered 223-265, totaling \$65,064.51. Councilman Jendrowski seconded to approve payment as follows:

Abstract Batch(es) #2434:

General Fund (A)-\$26,201.73, General Fund- Outside Village (B)-\$10.67, Highway(DA)-\$5,837.16, Highway: Outside Village (DB)-\$0, CAP-Multicultural Ctr (HMCC)- \$0, CAP-Water-Scotland (HS)-\$0, CAP-Water-Koepsel (HW)-\$0, CAP-Water-Draper (HW01)-\$0, CAP-Water-Cedar (HW02)-\$0, CAP-Water-Knapp (HW03)- \$0, CAP-Bike Path (HTG)-\$0, Drainage (SD)-\$0, Fire Protection (SF)-\$0, Refuse (SR)-\$31,635.30, Sewer #1 Fund (SS)-\$480.57, Sewer District #2 (SS02)-\$110.01, Sewer District #3 (SS03)-\$344.57, Trust & Agency (TA)-\$0 and Consolidated Water (SW00)-\$444.50, WD1(SW1)- \$0, WD2(SW2)- \$0, WD3(SW3)- \$0, WD4(SW4)- \$0, WD5(SW5)- \$0, WD6(SW6)- \$0, WD7(SW7)- \$0, WD7A(SW7A)- \$0, D8(SW8)- \$0, WD9(SW9)- \$0, WD10(SW10)- \$0; Total: \$65,064.51  
Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – no report given

**Assessor** – a report was presented by the Assessor and read by the Supervisor as follows: exemption season has ended; I am now working to finalize the inspection and valuation of any completed or partially completed new construction. All other sales, splits, mergers, and exemption processing are complete. If anyone has any questions, please call.

**Building Office** – the following building report was presented by Julie Brady of the Planning & Building Department:

5720 Cummings Rd, Inc.	174 Birchwood	Deck
Cheryl Rollo	5911 Davison Rd	Deck
Charles Gibson	11920 Rapids Rd	Pole Barn
Frank Laurienzo	12784 Dorsch Rd	Pole Barn
Michael Whiting	7086 Cedar St	Garage Addition
AT&T Centerline	11167 Main Rd	Antennas on Existing Tower
Lester Francis	12006 Meahl Rd	Generator
Robert Strach	5714 Barnum Rd	Generator
Kimberly Potter	6453 Utley Rd	Roof
Mario Candino	12702 Carney Rd	Roof
John Smith	11372 Main Rd	Zoning Compliance Request

**Town Clerk** – Town/County taxes are due on Friday and the office will have late hours on Thursday March 14<sup>th</sup> until 6pm.

**Town Attorney(s)** – nothing at this time

**COUNCILPERSONS:**

**Jendrowski** – met with Dave Miller regarding kennel questions, met with Dawn & Mike Bassanello and went over the truck specs, and had one more plumber give a quote for the library.

**Dugan** – nothing to report

**Burke** – had a meeting with the Supervisor and Town Attorney regarding a personnel issue.

**Mutter** – attended a meeting regarding the EMO trailer and the EMS contract.

**Supervisor** – attended a Rural Transit committee meeting, Councilman Burke & I met with the village sewer committee on Buell St proposal, had a zoom meeting with Wendel team on Community Center immersion process, attended the ribbon cutting ceremony for the new senior center van, attended the Supervisor’s meeting in East Aurora with guest speaker Comptroller Kevin Hardwick on County Clerk’s office audit, had a meeting on personnel issues with Town Attorney, Highway Supt. & Councilman Burke, and attended a zoom meeting with Senator Gallivan’s office on issues with the Governor’s proposed state budget.

**UNFINISHED BUSINESS:**

**Buildings** – the transformer project at the Town Hall is still in progress, plumbing and roof repairs at the library will be voted on tonight and still working on getting the masonry pointed, caulked and sprayed.

**Planning** – Community Center immersion begins tomorrow and going to bid on highway truck.

**Water/Sewer** – nothing new

**Grants** – received notification that we were awarded the JCAP grant.

**NEW BUSINESS:**

**Approval – Roof Repair at the Newstead Library:**

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the quote for Grove Roofing Services Inc. in the amount of \$6,688.00 for repair of the Newstead Library roof and authorizing the Supervisor to take all steps necessary to ensure the Project is completed.

(Resolution) Izydorczak-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Mutter- Aye  
Carried Unanimously

Councilman Burke thanked Councilman Jendrowski for all the hard work he has put in on the library building.

**Approval – Plumbing Repair at the Newstead Library:**

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the quote for Cellino Plumbing, Heating, & Cooling in the amount of \$5,461.46 to repair/partially replace a pipe in the Newstead Library and authorizing the Supervisor to take all steps necessary to ensure the Project is completed.

(Resolution) Izydorczak-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Mutter- Aye  
Carried Unanimously

**Approval- Bid for Highway Plow Truck:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the Town Clerk to advertise for bids for the purchase of a new Class 8 dump truck to be used as a plow truck by the Highway Department with bids due on March 27, 2024 at 1:00pm.

(Resolution)Izydorczak-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Mutter-Aye  
Carried Unanimously

**Approval- Beer/Wine Permit:**

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the request for a beer/wine permit at the Cultural Center on April 14, 2024 for a family party, as requested by Julie Brady.

Izydorczak-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Mutter-Aye Carried Unanimously

**Privilege of the Floor/Question Period:** no one spoke

There being no further business to come before the board for the regular meeting, a motion was made by Councilman Burke seconded by Councilman Mutter to adjourn the regular meeting at 8:27pm.

Izydorczak-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope-Aye Carried Unanimously

Respectfully Submitted,  
Jennifer DiChristina, Town Clerk