

Newstead Town Board Meeting – May 13, 2024

A public hearing was called to order by the Newstead Town Board on May 13, 2024, at 7:26 pm at the Newstead Town Hall.

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

Roll Call was taken with all board members present.

The Supervisor called the public hearing to order for a proposed site plan from Cory Quinn to place sheds related to a seasonal business, The Haunted Forest at 11167 Main Road.

The Clerk read proof of publication. The Supervisor explained this was recommended by the Planning Board and Erie County had no recommendations.

Cory Quinn, owner of The Haunted Forest was present and explained the wanted to use the sheds for a ticket booth and other things to enhance the experience. Councilman Burke asked the hours of operation and would they be using any amplification. Mr. Quinn said the hours would be from 8pm-1am and yes they will be using amplification but since they are so far back in the woods no one will hear it.

There being no further comments, a motion was made by Councilman Dugan, seconded by Councilman Burke to close the public hearing at 7:30pm. Carried Unanimously

The Supervisor called the second public hearing to order at 7:31pm for Local Law #1 of 2024, zoning law amendments.

The Clerk read proof of publication.

There being no comments, a motion was made by Councilman Dugan, seconded by Councilman Burke to close the public hearing at 7:33pm. Carried Unanimously

Councilman Burke led the pledge to the flag.

The regular meeting of the Town Board was called to order at 7:33pm with the same members present as listed above.

Minutes from the regular meeting held on April 22, 2024 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilman Mutter to approve as presented. Carried Unanimously

Agenda Changes – A motion was made by Councilman Burke, seconded by Councilman Jendrowski to approve the following agenda changes:

Add H. - resolution to approve Local Law #1 of the Year 2024

Add J. - motion to hold special meeting on May 20, 2024 at 7pm.

Communications – The Town Clerk presented the following correspondence:

A notice was received from Charter Communications informing the town of revisions to its channel lineup on or about June 3, 2024.

A notice was received from Erie County regarding proposed revisions to the Erie County Sanitary Code. There will be a public hearing held on May 29, 2024 at 3:00pm at 110 Franklin Street, 4th floor conference room in the City of Buffalo.

A notice and resolution was received from the Akron Central School voicing their opposition to the timeline NYS has put on the adoption of the zero-emission bus mandate passed in the 2022-2023 NYS budget.

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski 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, Rotary flag pole project, EMS committee, JMF agreement updates, Leisurewood dam updates, concert cove updates; Equipment purchases – highway truck mini-bid results; Building projects: library, town hall transformer, swing set for park; Grant updates – JCAP grant implementation; Water/sewer – Buell St sewer and Niagara Label repair.

Agenda Items Question Period: no one spoke

Budget Transfers: A motion was made by Councilman Dugan seconded by Councilman Jendrowski to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 05/14/2024. Carried Unanimously

Approval of Bills – Councilman Mutter reported that the Abstract(s) from Batch(es) #2447-2448 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2456-2457 were presented for payment. Vouchers on this abstract(s) numbered 504-574, totaling \$114,820.80. Councilman Burke seconded to approve payment as follows:

Abstract Batch(es) #2456-2457:

General Fund (A)-\$31,277.61, General Fund- Outside Village (B)-\$54.33, Highway(DA)-\$, Highway: Outside Village (DB)-\$49,796.67, CAP-Multicultural Ctr (HMCC)- \$, CAP-Water-Scotland (HS)-\$, CAP-Water-Koepsel (HW)-\$, CAP-Water-Draper (HW01)-\$, CAP-Water-Cedar (HW02)-\$, CAP-Water-Knapp (HW03)- \$, CAP-Bike Path (HTG)-\$, Drainage (SD)-\$456.75, Fire Protection (SF)-\$, Refuse (SR)-\$32,234.81, Sewer #1 Fund (SS)-\$417.47, Sewer District #2 (SS02)-\$101.60, Sewer District #3 (SS03)-\$252.06, Trust & Agency (TA)-\$ and Consolidated Water (SW00)-\$229.50, WD1(SW1)- \$, WD2(SW2)- \$, WD3(SW3)- \$, WD4(SW4)- \$, WD5(SW5)- \$, WD6(SW6)- \$, WD7(SW7)- \$, WD7A(SW7A)- \$, D8(SW8)- \$, WD9(SW9)- \$, WD10(SW10)- \$; Total: \$114,820.80

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – no report

Assessor – a report was presented by the Assessor and read by the Supervisor as follows: I do not have much to report this month. I met with several individuals regarding their assessments. Some I was able to help and some I was not, the individuals I was not able to help will be attending our Grievance Board hearing on May 28th. Our tentative roll has been filed and is available on our website and in print at the Assessor’s office.

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

Daniel Johnston	6185 Dye Rd	Siding
Shawn Vandegenachte	12451 McNeeley Rd	IG Pool
David Root	12610 Clair Dr	Install Sump Pump
Stephen Odell	5436 Crittenden Rd	Pole Barn
Dawn Gibson	6840 Maple Rd	Pole Barn
Andrew & Sue Blasko	12471 Hunts Corners Rd	Front Porch Roof
Jonathan Starba	7444 Sandhill Rd	Pre-Fab Shed
KKBM Properties LLC	12626 Roll Rd	Deck
Aaron Dudley	12458 Buckwheat Rd	Rooftop Solar
KKBM Properties LLC	12626 Roll Rd	Windows
Linda Clyde	11718 Nice Rd	Windows
Paul Nufer	13620 Steiner Rd	Zoning Comp Request
Dome & Home LLC	13440 Steiner Rd	AG Pool
William Whitlocke	7655 Maple Rd	AG Pool

Scott Clutter	4843 Schutt Rd	SFH
David Waterbury	7999 Kathryn Dr	Siding
Thoms Powers	6674 Draper Rd	Roof
Cathleen Lojek	8546 Burdick Rd	Roof
James Bliemeister	12766 Koepsel Rd	Roof
Timothy Woodbury	5875 Davison Rd	Roof
Leslie Wood	13626 Bloomingdale Rd	Generator
Robert Pinn	4864 Ayers Rd	Generator

Town Clerk – nothing at this time

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski – attended a library board meeting and a joint facility meeting with Supervisor Izydorczak, met with a Draper Road resident regarding a ditch and Mike Bassanello has been made aware of the problem.

Dugan – nothing to report

Burke – attended a virtual meeting with the Supervisor and Wendel regarding the community center.

Mutter – met with Mike Bassanello regarding the proposed truck purchase and working on the delivery of the EMS trailer which will be tomorrow.

Supervisor – Councilman Jendrowski & I attended a meeting with village board members of the JMF committee. I had a couple meetings with the Senior Center Director on Community Center design, met with Justine and Dan Kowalik on the Leisurewood dam draft plan, attended a zoom meeting of NYS Supervisors and Association of Towns staff and met with the vendor on the security camera installation. I attended the Supervisor’s monthly meeting in East Aurora and had a zoom meeting with Councilman Burke and the Wendel design team on the Community Center design.

UNFINISHED BUSINESS:

Buildings – Town Hall transformer project ready for June/July install.

Planning – Community Center project design moving along

Water/Sewer – waiting for a response from NYSDOT before the RFP can be submitted.

Grants – Justice Court JCAP grant implementation ongoing.

NEW BUSINESS:

Approval - Site Plan for 11167 Main Rd:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the site plan to allow the placement of sheds related to a seasonal business, The Haunted Forest owned by Cory Quinn at 11167 Main Road subject to the terms set forth in the resolution.

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

Approval- Standard Workday & Reporting:

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the establishment of the standard workdays for elected and appointed officials as reported on RS2417-A to the NYS Local Retirement System and attached here with.

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

Approval – Masonry Repair at the Newstead Library:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the quote for Highland Masonry Restoration in the amount of \$15,000. to make necessary repairs to the

masonry at 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 – Swing Set Purchase for Veterans Park:

A motion was made by Councilman Mutter, seconded by Councilman Burke approving the purchase of a swing set for Veterans Park in the amount of \$18,968. From Great Lakes Recreation DBA NE Rec Co 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

Public Hearing – Proposed Site Plan 11803-11825 Main Rd:

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski approving the calling of a public hearing on May 28, 2024, at 7:20pm to hear comments on the proposed site plan for Shed Builders LLC to display and sell sheds at 11803-11825 Main Rd, owned by Rock Garden Properties LLC, and orders the Town Clerk to publish notice of the hearing in the Akron Bugle.

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

Public Hearing – Proposed 8 Lot Major Subdivision on Miland Rd:

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the calling of a public hearing on May 28, 2024, at 7:25pm to hear comments on the proposed 8-lot major subdivision without public improvement on two parcels of land totaling 95 acres on Miland Rd, owned by Lavocat Properties, and orders the Town Clerk to publish notice of the hearing in the Akron Bugle.

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

Motion- Request for Facilities- Akron Little League Football:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the request of the Akron Little League Football for use of the town park facilities for their 2024 season contingent on signing an agreement and providing proof of insurance approved by Town Counsel. Izydorczak-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Mutter- Aye Carried Unanimously

Approval - Local Law #1 of 2024 – Amendment to the Zoning Law:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan to approve Local Law #1 of the Year 2024 - Zoning Law of the Town of Newstead subject to the terms set forth in the resolution.

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

Motion – Calling a Special Meeting for May 20, 2024:

A motion was made by Councilman Burke, seconded by Councilman Mutter to call a special meeting on May 20, 2024 at 7:00pm to address the resolution to award the bid for the purchase of a highway truck.

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

Privilege of the Floor/Question Period:

CEO David Miller spoke to the board about defining several definitions in the Town Zoning Law.

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 8:01 pm.

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

Respectfully Submitted,
Jennifer L. DiChristina, Town Clerk