

## Newstead Town Board Meeting – June 24, 2024

A public hearing was called to order by the Newstead Town Board on June 24, 2024, at 7:21pm 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  
Justine Seefeldt – Town Engineer  
Jennifer DiChristina - Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing to order for a short-term rental located at 13753 Main Road in the C2 zone owned by Thomas & Candy Zackey.

The Clerk read proof of publication and the Supervisor opened the floor for public comment.

Candy Zackey, owner of 13753 Main Road spoke about the unit and said it has been in operation for about 2 years.

There being no further comments, a motion was made by Councilman Dugan, seconded by Councilman Burke to close the public hearing at 7:25pm. Carried Unanimously

The Supervisor called the second public hearing to order at 7:25pm for a short-term rental located at 7269 Sandhill Road in the RA zone owned by Jean York.

The Clerk read proof of publication and the Supervisor opened the floor for public comment.

Peter York, applicant for the property at 7269 Sandhill Road spoke and said they have both a cabin and a yurt that they rent and have been doing it since 2021.

There being no further comments, a motion was made by Councilman Dugan, seconded by Councilman Burke to close the public hearing at 7:28pm. Carried Unanimously

Councilman Dugan led the pledge to the flag.

The regular meeting of the Town Board was called to order at 7:25pm with the same members present as listed above.

Minutes from the regular meeting held on July 10, 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 Dugan to approve the following agenda changes: add H: Cancel work session on 7/1/2024

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

Two notices were received from Charter Communications informing the town of revisions to its channel lineup on or about July 22, 2024 and informing the town of a rate increase on or about July 16, 2024.

A beer/wine permit was received from Timothy & Jessica Pietrowski for a family party to be held at the Cultural Center on November 23, 2024.

A motion was made by Councilman Burke, 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: a meeting was held with members of the Newstead Historical Society; current planning items updates; building updates; grant updates; water/sewer updates.

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

**Budget Transfers:** None

**Approval of Bills** – Councilman Burke reported that the Abstract(s) from Batch(es) #2462 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2466 was presented for payment. Vouchers on this abstract(s) numbered 688-742, totaling \$144,463.16. Councilman Mutter seconded to approve payment as follows:

Abstract Batch(es) #2466:

General Fund (A)-\$30,435.79, General Fund- Outside Village (B)-\$4,221.54, Highway(DA)-\$39,063.59, Highway: Outside Village (DB)-\$, 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)-\$522.72, Fire Protection (SF)-\$22,804.00, Refuse (SR)-\$47,196.35, Sewer #1 Fund (SS)-\$29.31, Sewer District #2 (SS02)-\$68.12, Sewer District #3 (SS03)-\$, Trust & Agency (TA)-\$ and Consolidated Water (SW00)-\$121.74, WD1(SW1)- \$, WD2(SW2)- \$, WD3(SW3)- \$, WD4(SW4)- \$, WD5(SW5)- \$, WD6(SW6)- \$, WD7(SW7)- \$, WD7A(SW7A)- \$, D8(SW8)- \$, WD9(SW9)- \$, WD10(SW10)- \$;  
 Total: \$144,463.16 Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – a report was presented by the Highway Superintendent and read by the Supervisor as follows: the crews have been out to mow parks, fix benches in parks and bike path, helped village electric department at the town hall, took sander out of #3 truck, rented a gradall from Alta Co. for 1 month, worked on road ditching on Brucker Rd., replaced 3 cross culvert pipes on Brucker Rd., rolled parks, fill road ditch with pipe at 6090 Utley Rd. and 13230 Martin Rd., road ditching & driveway pipe on Howe Rd., haul clean #2 stone for rd. projects, road ditching & driveway on South Ayers, 30’ driveway pipe 6486 Utley Rd., field ditching Brucker Rd & driveway pipe, road ditching Greenbush Rd., pipe road ditch 6137 Dye Rd., field ditching on Buckwheat Rd. & Stage Rd., shoulder repair on Hiller & Stage Rd., open park bathrooms, mow road sides, 2 trucks to help Lancaster, Alabama, & Oakfield, boom mow & field ditching North Ayers, mow Crittenden Rd. field, trim guide rails, repair toilet at Skyline Park, take fence down on bike path, sweep town roads, mow field ditches, fix head stone in Maple Lawn Cemetery, field ditching Meahl, McNeeley & Downey Road and mowed bike path.

**Assessor** – a report was presented by the Assessor and read by the Supervisor as follows: not too much to report this month. Grievance went well, Katie and I went out to take photos of properties that had missing file photos last week. I will begin working on new construction for the 2025 assessment roll within the next few months. I will most likely have to attend court the week of the 8<sup>th</sup>, I received a jury summons, and I am number 15. Chances are good that I will be called. I will also be on vacation from August 5<sup>th</sup> – August 16<sup>th</sup>. If anyone has any questions please feel free to contact me.

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

5720 Cummings Rd., Inc.	Cottonwood Circle	Covered Screen Porch
Joseph Sigismondi	6090 Utley Rd	Deck
Sponholz Family Trust	7842 Moore Rd	Water Guard & Sump Pump
Kevin Paquin	12426 Swift Mills Rd	Kiln Chamber in Existing Barn
Richard Carter	6410 Dye Rd	Addition
Clifford Albrecht	7882 Brackett Rd	Addition
David Tabbi	11081 Rapids Rd	Pool House/Storage
MPR 12089 LLC	12089 Clarence Ctr Rd	Tents (2)

**Town Clerk** – nothing at this time

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

**COUNCILPERSONS:**

**Jendrowski** – nothing at this time

**Dugan** – had a phone call with a resident on Hake Road regarding Niagara Specialty Metals expansion.

**Burke** – had a very similar phone call as Councilman Dugan. Met with the Supervisor, members of the Village Board and Chief Lauricella regarding the Police Services contract, attended a celebration committee meeting, and met with the Supervisor, the Mayor and Village Trustee regarding the sewer line.

**Mutter** – nothing at this time

**Supervisor** –I had a meeting with Colleen and Alex from 3+1 on our investments, met with Councilman Burke, Mayor Perry, Trustee Forrestel and Steve Bedford on the Buell St sewer request twice, met with Justine, Mike Coutu and the NYSDEC reps on the Sandhill Rd site issue, met with Akron Police Chief Lauricella, Trustee Schultz and Village Attorney Borden on updating the Police Services contract, attended a web meeting with representatives from Verizon, Mayor Perry and ACS Supt. Andrea Kersten on service issues, spoke with the DCO about the new deputy applications, and spoke with Wendel reps on the Community Center Project.

**UNFINISHED BUSINESS:**

**Buildings** – Town Hall transformer project is ongoing, New electric meter will be installed tomorrow in preparation.

**Planning** – nothing

**Water/Sewer** – nothing

**Grants** – working ag & farmland grant.

**NEW BUSINESS:**

**Resolution – Short-Term Rental 13753 Main Rd:**

A motion was made by Councilman Dugan, seconded by Councilman Mutter approving the proposed short-term rental at 13753 Main Rd., in the C-2 zone and owned by Thomas & Candy Zackey.

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

**Resolution - Short-Term Rental 7269 Sandhill Rd:**

A motion was made by Councilman Mutter, seconded by Councilman Burke approving the proposed short-term rental at 7269 Sandhill Rd., in the R-A zone. The owner is Jean York and the applicant is Peter York.

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

**Resolution – Award RFP to Sergi Construction Inc. for Niagara Label Forcemain:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the quote from Sergi Construction Inc. in the amount of \$13,270 for repair to the Niagara Label Forcemain and authorizes the Town supervisor to take all steps necessary to ensure the project is completed.

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

**Resolution – Update to Intermunicipal Agreement with the Village of Akron:**

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the update to the Intermunicipal Agreement with the Village of Akron to clarify the rate of payment and the role of the Akron Police in the Town of Newstead related to special events in the Town.

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

Carried Unanimously

**Motion – Appoint Dale Gooch as Deputy Dog Control Officer:**

A motion was made by Councilman Burke, seconded by Councilman Mutter to appoint Dale Gooch as Deputy Dog Control Officer effective immediately.

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

Carried Unanimously

**Approval- Lateral Restriction Hardship Application- 13130 Stage Road:**

A motion was made by Councilman Dugan, seconded by Councilman Mutter approving the application for a lateral restriction exception hardship at 13130 Stage Road in water district 5 as submitted by owner(s) Kristen & Joe Ianni, based on supporting documentation provided.

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 Mutter approving the request for a beer/wine permit at the Cultural Center on November 23, 2024 for a family party, as requested by Timothy & Jessica Pietrowski.

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

Carried Unanimously

**Approval- Cancel Work Session for July 1st:**

A motion was made by Councilman Mutter, seconded by Councilman Burke approving the cancellation of the work session scheduled for July 1, 2024.

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

Carried Unanimously

**Privilege of the Floor/Question Period:** Marilyn Kasperek thanked the Town Board for their continued support of the Community Band.

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 7:45pm.

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

Carried Unanimously

Respectfully Submitted,

Jennifer L. DiChristina, Town Clerk