

## Newstead Town Board Meeting – July 8, 2024

A public hearing was called to order by the Newstead Town Board on July 8, 2024, at 7:25pm 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 Local Law #2, a moratorium on battery storage facilities projects.

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

There being no comments, a motion was made by Councilman Dugan, seconded by Councilman Mutter to close the public hearing at 7:27pm. Carried Unanimously

The Supervisor called the second public hearing to order at 7:27pm for Local Law #3, a moratorium on wind turbine projects.

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

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

Councilman Jendrowski led the pledge to the flag.

The regular meeting of the Town Board was called to order at 7:28pm with the same members present as listed above.

Minutes from the regular meeting held on June 24, 2024 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilman Mutter to approve as presented. Carried Unanimously

Agenda Changes – None

**Communications** – None

**Work Session:** no work session was held last week due to the holiday, but the following items were discussed prior to tonight's meeting: current planning items updates, building projects updates; grant updates; water/sewer updates.

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

**Budget Transfers:** None

**Approval of Bills** – Councilman Dugan reported that the Abstract(s) from Batch(es) #2466 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2471 was presented for payment. Vouchers on this abstract(s) numbered 766-824, totaling \$2,066,903.18. Councilman Burke seconded to approve payment as follows:

Abstract Batch(es) #2471:

General Fund (A)-\$16,487.64, General Fund- Outside Village (B)-\$, Highway(DA)-\$134,598.06, Highway: Outside Village (DB)-\$, CAP-Multicultural Ctr (HMCC)- \$, CAP-Water-Scotland (HS)-\$190,000.00, CAP-Water-Koepsel (HW)-\$860,000.00, CAP-Water-Draper (HW01)-\$92,000.00, CAP-Water-Cedar (HW02)-\$98,000.00, CAP-Water-Knapp (HW03)- \$550,000.00, CAP-Bike Path (HTG)-\$, Drainage (SD)-\$18,480.00, Fire Protection (SF)-\$18,018.72, Refuse (SR)-\$, Sewer #1 Fund (SS)-\$493.19, Sewer District #2 (SS02)-\$177.29, Sewer District #3 (SS03)-\$2,290.04, Trust & Agency (TA)-\$13,633.63 and Consolidated Water (SW00)-\$72,724.61, WD1(SW1)- \$, WD2(SW2)-

\$, WD3(SW3)- \$, WD4(SW4)- \$, WD5(SW5)- \$, WD6(SW6)- \$, WD7(SW7)- \$, WD7A(SW7A)- \$, D8(SW8)- \$, WD9(SW9)- \$, WD10(SW10)- \$;  
 Total: \$2,066,903.18 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 will most likely have jury duty the week of the 8<sup>th</sup> starting on the 9<sup>th</sup>. I will have limited availability to phone and email during court hours. I will also be on vacation from August 3<sup>rd</sup> – August 18<sup>th</sup>. I have no concerns currently.

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

Shannon Cinotti	12296 Nice Rd.	AG Pool
Blair McClintick	11107 Howe Rd.	Roof
Matthew Freibaum	11507 Clarence Ctr Rd.	Remodel
Duane Chaffee	13091 Steiner Rd.	Front Porch w/Pergola Cover
Timothy Bondanza	5576 Barnum Rd.	Shed
James Krzysiak	4151 South Newstead Rd.	Pole Barn
Nicholas Cerasani	7370 Maple Rd.	IG Pool
Kelly Schultz	11167 Main Rd.	Special Event
James Schneider	11568 Meahl Rd.	Windows
James Krzysiak	4151 South Newstead Rd.	Patio Roof Covering
5720 Cummings Rd. Inc.	Thornwood	Roof over Park Home

**Town Clerk** – nothing at this time

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

**COUNCILPERSONS:**

**Jendrowski** – nothing at this time

**Dugan** – had a meeting with ESC & Celebration Committee on July 3<sup>rd</sup> to coordinate fireworks and met with Disaster Coordinator Kowalik and Trustee Schultz regarding future communication systems for Amherst Control.

**Burke** – attended a meeting regarding the potential sewer on Buell Street and wanted to recognize Kathy Capan for all her hard work on the July 4<sup>th</sup> celebration.

**Mutter** – attended a recreation meeting and went over the trailer with ESC.

**Supervisor** – I attended a CDBG committee meeting and the Association of Erie County Governments meeting in Brant, spoke with village on requested wording changes on the Police Services contract, met with Sarah on setting up interviews for the Senior Center attendant position and then attended 5 out of 6 of those interviews, approved the new BAN for the town’s borrowing for the next year, attended a zoom meeting on potential new software for the building/planning department, spoke with Wendel reps on the Community Center project and had the privilege to judge the July 4<sup>th</sup> parade. Also met with Dave Miller and reps from Leisurewood today.

**UNFINISHED BUSINESS:**

**Buildings** – the new swing set for Veterans park is in and should be installed within the next 2 weeks.

**Planning** – nothing new

**Water/Sewer** – nothing new

**Grants** – working with Rotella on the ag plan grant and a possible funding source for hiring and retaining life guards.

**NEW BUSINESS:**

**Approval- Local Law #2 of 2024- Moratorium on Battery Energy Storage Systems:**

A motion was made by Councilman Burke, seconded by Councilman Dugan approving Local Law #2 of 2024 that will impose a six-month moratorium on Battery Energy Storage Systems in the Town of Newstead to allow the Town Board to consider amendments, revisions and additions to Chapter 180 of the Town Code.

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

**Approval- Local Law #3 of 2024- Moratorium on Wind Energy Conversion Systems:**

A motion was made by Councilman Mutter, seconded by Councilman Burke approving Local Law #3 of 2024 that will impose a six-month moratorium on Wind Energy Conversion Systems in the Town of Newstead to allow the Town Board to consider amendments, revisions and additions to Chapter 422 of the Town Code.

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

**Approval- Beer/Wine Permit:**

A motion was made by Councilman Dugan, seconded by Councilman Mutter approving the request for a beer/wine permit at Skyline Park on September 14, 2024 for a party, as requested by Dawson Bruyere.

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

**Privilege of the Floor/Question Period:** The following residents were in attendance to voice their concerns with the noise at Niagara Specialty Metal:

**Martin & Lori Schuman, 74 Jackson Street**

**Michael & Kathryn Neelon, 3 Brodie's Way**

**Adrian Guadalupe, 5 Brodie's Way**

The residents in attendance were looking for the Board's support with the noise concerns they have with Niagara Specialty Metals. The banging noises typically start around 6am most mornings and has gone as late as midnight some nights. They have filed multiple complaints with the CEO with no resolution. They would like to know what the next step would be and wish to have some communication from the CEO.

Councilman Jendrowski explained to the residents what Niagara Specialty Metals does, they do run 2 shifts, and what the noise is that they are hearing. Also explained that the property is zoned industrial and what they are doing is completely permitted.

Supervisor Izydorczak stated that she will speak with the CEO and reach out to Bob Shabala from Niagara Specialty.

The residents are also very concerned about the speed on Hake Road and are requesting a traffic study be done. The Supervisor will have a resolution drawn up to be approved at our next meeting to initiate that process.

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 8:19pm.  
Izydorczak-Aye, Dugan-Aye, Jendrowski-Aye, Burke-Aye, Mutter-Aye Carried Unanimously

Respectfully Submitted,  
Jennifer L. DiChristina, Town Clerk