

Newstead Town Board Meeting – August 12, 2024

A regular meeting was called to order by the Newstead Town Board on August 12, 2024, at 7:34pm at the Newstead Town Hall.

Present: Dawn Izydorczak – Supervisor
Joe Dugan - Councilman
John Jendrowski - Councilman
Mike Mutter - Councilman
Edmund Burke – Councilman
Emily Janicz -Town Attorney
Justine Seefeldt – Town Engineer
Jennifer DiChristina - Town Clerk

Roll Call was taken with all board members present.

Councilman Burke led the pledge to the flag.

Minutes from the regular meeting held on July 22, 2024 were presented for approval. A motion was made by Councilman Burke, seconded by Councilman Dugan to approve as amended.

Carried Unanimously

Agenda Changes – None

Communications – The Town Clerk presented the following correspondence:

A notice was received from the Town of Pembroke notifying the Town of a public hearing that was held on July 11, 2024, to amend the Zoning Law to include regulations for multi-family apartment projects in the Town's LC and C zoning districts. Public comments will be accepted until August 22, 2024.

A letter was received from John Klodzinski resigning from his position on the Zoning Board of Appeals.

A letter was received from the State of New York Department of State notifying the town that Local Law #1 and #2 have been received and filed as of July 16, 2024.

A letter was received from Energy Transfer notifying the town they will be mowing and clearing the brush on a high-pressure pipeline they own and operate that crosses the bike path on Barnum Road.

A motion was made by Councilman Dugan, 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: current planning items – Community Center, parks planning, ZBA & CAC member replacements, Bedford ditch project; building projects – dog kennel, Main Road barn, Library; Grants – AG plan, CDBG; water/sewer – Niagara Label project, Buell Street sewer; 2025 budget, Sandhill DEC well and, financial items.

Agenda Items Question Period: no one spoke

Budget Transfers: a motion was made by Councilman Burke seconded by Councilman Mutter to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 8/12/2024.

Carried Unanimously

Approval of Bills – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #2473 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2480 was presented for payment. Vouchers on this abstract(s) numbered 901-967, totaling \$190,414.17. Councilman Dugan seconded to approve payment as follows:

Abstract Batch(es) #2480:

General Fund (A)-\$38,158.25, General Fund- Outside Village (B)-\$10.29, Highway(DA, Highway: Outside Village (DB)-\$21,434.18, CAP-Multicultural Ctr (HMCC)- \$, CAP-Water-Scotland (HS)-\$1,004.11, CAP-Water-Koepsel (HW)-\$4,518.54, CAP-Water-Draper (HW01)-\$457.42, CAP-Water-Cedar (HW02)-\$507.63, CAP-Water-Knapp (HW03)- \$2,872.88, CAP-Bike Path (HTG)-\$, Drainage (SD)-\$4,303.20, Fire Protection (SF)-\$115,360.00, Refuse (SR, Sewer #1 Fund (SS)-\$543.67, Sewer District #2 (SS02)-\$295.03, Sewer District #3 (SS03)-\$944.47, Trust & Agency (TA)-\$ and Consolidated Water (SW00)-\$4.50, WD1(SW1)- \$, WD2(SW2)- \$, WD3(SW3)- \$, WD4(SW4)- \$, WD5(SW5)- \$, WD6(SW6)- \$, WD7(SW7)- \$, WD7A(SW7A)- \$, D8(SW8)- \$, WD9(SW9)- \$, WD10(SW10)- \$;

Total: \$190,414.17

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 doing field ditch mowing and cleaning fallen trees, they mowed parks, put up fresh oil and stone signs, oiled and stoned Kelkenberg and Brucker Road, two trucks to Alden and Clarence, went for parts and to pickup signs at the Erie County Sign shop, and installed two driveway pipes on Miland Road.

Assessor – no report

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

Patricia Wooley	6935 Cedar Street	IG Pool
Wilfred Griffin	13701 Stage Road	SFH
Mary Reimer	4453 Billo Road	Shed
Anita Davis	12657 Clarence Ctr Road	Roof
Sponholz Family Trust	7842 Moore Road	Floodplain Development
Sponholz Family Trust	7842 Moore Road	Pole Barn
Kreher’s Poultry Farms	Davison Road	Sign
Kimberly Ott	8080 Fletcher Road	Pole Barn
Alan Seaner	6715 Cedar Street	Generator
Sarah Edgar	3 Quarry Hill Estates	Patio Cover
Joseph Sigismondi	6090 Utley Road	Pond
David Rankie	8781 Burdick Road	Three Season Room/Porch
LD Energy Propco LLC	12963 Main Road	Demo
CMK Builders of Alden	5100 Havens Road	SFH
Lawrence Mercer	124 Quarry Hill Estates	Bump out
David Stanley	6762 Maple Road	Roof
Jacob Kelkenberg	12600 Stage Road	Pole Barn
Mark Molitor	6161 Dye Road	Generator
Diane LaValley	5703 Crittenden Road	Pole Barn
Kelly Schultz	11167 Main Road	Special Event Permit
Arrowhead Timberlodge	12292 Clarence Ctr Road	Fireworks
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5720 Cummings Road Inc	362 Redwood	Deck
5720 Cummings Road Inc	37 Sprucewood	Deck
Kreher’s Poultry Farms	11072 Main Road	Roof
Brett Arno	5435 Barnum Road	Generator
Ross Marranca	4433 Billo Road	Fireworks

Town Clerk – nothing at this time

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski – nothing at this time

Dugan – attended post July 3rd/4th meeting with the village, town and several other entities to discuss and issues that they had this year and met with Councilman Burke and Highway Superintendent Bassanello at Veterans Park regarding repairs that the shelter needs.

Burke – met with Councilman Dugan and Highway Superintendent Bassanello at Veterans Park.

Mutter – spent some time on Brodie’s Way on July 30th due to noise complaints and really didn’t hear anything. He will be doing that again. Attended the rec board meeting and talked about salaries and the budget.

Supervisor – Colleen and I met with Penflex representatives, I met with Wendel on the Community Center and Buell Street sewer projects, attended the Village ZBA hearing for the proposed Manufactured Housing Community at Hake & Clarence Center Roads, went over the RFP’s submitted for the Main Road barn and the truck engine bids with the Highway Super., I met with the church representatives and Steve Bedford on sewer proposals/ditching and addressed several residents’ concerns.

UNFINISHED BUSINESS:

Buildings – dog kennel electric being hooked up this week and should be operational by Friday. Library windows being cleaned this week.

Planning – nothing new

Water/Sewer – nothing new

Grants – lifeguard funding grant being submitted in conjunction with the County to the State, potential CDBG ideas for 2025.

NEW BUSINESS:

Public Hearing – Local Law #4 – 2024 Amendment No. 2 to the Zoning Law:

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the calling of a public hearing on September 9, 2024, at 7:25pm to hear comments on the proposed Local Law #4 of the year 2024 to define terms currently used in the Law to clarify that crematoriums are not included in the definition of a funeral home or mortuary and are therefore prohibited within the Town, 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

Resolution – Award RFP to Genesee Valley Roofing LLC:

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the quote from Genesee Valley Roofing LLC in the amount of \$25,421.19 for repair to the roof at the Town owned barn at 13411 Main Road 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 – Award Bid to Cummins Inc:

A motion was made by Councilman Mutter, seconded by Councilman Dugan approving the quote from Cummins Inc. in the amount of \$40,098.79 to complete an in-engine overhaul 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

Motion – Approve Municipal Authorization Resolution for Five Star Bank:

A motion was made by Councilman Dugan, seconded by Councilman Mutter approving the Municipal Authorization with Five Star Bank and allowing the Town Supervisor and Town Clerk to sign such resolution.

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

Approval- Advertise for ZBA and CAC:

A motion was made by Councilman Mutter, seconded by Councilman Dugan authorizing the Town Clerk to advertise for open positions on the Zoning Board of Appeals (alt) and the Conservation Advisory Council.

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

Approval- Lateral Restriction Hardship Application- 11125 Keller Road:

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the application for a lateral restriction exception hardship at 11125 Keller Road in water district 5 as submitted by owner(s) David Grabau, based on supporting documentation provided.

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

Carried Unanimously

Approval- Lateral Restriction Hardship Application- 5100 Havens Road:

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the application for a lateral restriction exception hardship at 5100 Havens Road in water district 10 as submitted by owner(s) Jessica Logos, based on supporting documentation provided.

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

Carried Unanimously

Privilege of the Floor/Question Period:

Richard Wagner, 8047 Kathryn Dr. – is requesting the Town put in a stable shoulder on the mailbox side of Kathryn Dr. He also voiced his concern over traffic going south on 93 approaching Hunts Corners as people don't always come to a full stop.

Matt Derion, 11664 Rapids Rd. – he talked to Councilman Jendrowski about a month ago regarding a Town ditch that runs along side of his property. It backs up in the winter thaw and spring rain. Pictures and videos were shared with the board and the Supervisor will speak to the Highway Superintendent to see if there is anything that can be done.

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 8:28pm.

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

Respectfully Submitted,
Jennifer L. DiChristina, Town Clerk