

Newstead Town Board Meeting – September 23, 2024

A public hearing was called to order by the Newstead Town Board on September 9, 2024, at 7:24pm at the Newstead Town Hall.

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

Roll Call was taken with all board members present except for Councilman Dugan.

The Supervisor called the public hearing to order for public comments on a proposed dog park in Leisurewood.

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

Charlene & Robert Pocobello, 40 Cedar St. – are also residents in Leisurewood and are in favor of the dog park.

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

The Supervisor called the second public hearing to order at 7:28pm for public comments on CDBG projects for 2025.

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 Burke, seconded by Councilman Mutter to close the public hearing at 7:30pm. Carried

The Supervisor called the third public hearing to order at 7:30pm for public comments on Local Law #5 – Override the tax cap.

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 Burke, seconded by Councilman Mutter to close the public hearing at 7:33pm. Carried

Councilman Jendrowski 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 September 9, 2024 were presented for approval. A motion was made by Councilman Burke, seconded by Councilman Mutter to approve as presented. Carried

Agenda Changes – None

Communications – The Town Clerk presented the following correspondence:

A notice was received from Charter Communications notifying the town of a price increase for new customers effective on or around September 17th.

A notice of public hearing was received from the Town of Alden notifying the Town of a public hearing to be held on October 7th at 7:10pm at the Alden Town Hall to Authorize Informational Enclosures with Tax Bills.

A notice from the Association of Towns was received notifying the town of an upcoming Planning & Zoning School that will be held on October 28th from 7am – noon at the Amherst Marriott Niagara. This information has been shared with the clerks for the ZBA and Planning Boards.

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

Work Session: at the session held last week, the following items were discussed: planning items – ZBA & CAC applications, Niagara Specialty solar; building projects – Library project, B & A dept. desk enclosure, tree removal proposal, parks planning: RFP and playground; Grants updates; Water/Sewer updates; 2025 budget; recap of meeting at ACS with representatives.

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 9/23/2024. Carried

Approval of Bills – Councilman Mutter reported that the Abstract(s) from Batch(es) #2490 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2494 was presented for payment. Vouchers on this abstract(s) numbered 1081-1130, totaling \$96,949.65. Councilman Burke seconded to approve payment as follows:

Abstract Batch(es) #2494:

General Fund (A)-\$39,574.09, General Fund- Outside Village (B)-\$11.26, Highway(DA)-\$3,285.73, 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)-\$, Fire Protection (SF)-\$, Refuse (SR)-\$33,302.98, Sewer #1 Fund (SS)-\$4.71, Sewer District #2 (SS02)-\$, Sewer District #3 (SS03)- \$13,270.00, Trust & Agency (TA)-\$ and Consolidated Water (SW00)-\$26.12, WD1(SW1)- \$, WD2(SW2)- \$, WD3(SW3)- \$, WD4(SW4)- \$, WD5(SW5)- \$, WD6(SW6)- \$, WD7(SW7)- \$, WD7A(SW7A)- \$, D8(SW8)- \$, WD9(SW9)- \$, WD10(SW10)- \$7,500.88;

Total: \$96,949.65

Carried

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – a report was presented by the Highway Superintendent and read by the Supervisor as follows: the crews worked on mowing the parks, field ditching York property, installed road pipe on Stage Rd (220’) and Draper Rd (140’), mowed and boom mowed field ditches, helped the Village mill and blacktop Village streets and took #10 back to Cummins.

Assessor – a report was presented by the Assessor and read by the Supervisor as follows: I am up to date on the inspection and valuation of completed and in progress new construction. All sales, splits and mergers are up to date as well. I will be away at the Assessor’s conference next week. I will have my phone with me if I am needed; email would be the best method of contact. Exemption renewals will be going out early next week for low-income senior, low-income disability and agricultural.

Building Office – no report was given

Town Clerk – received the school tax bills on Thursday evening and with a lot of help from Katie and Julie we were able to get them into the mail on Tuesday afternoon.

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski – nothing at this time

Dugan – absent

Burke – attended the Celebration Committee meeting and are preparing for the New Years Eve event. Also discussed security for both the NYE and 4th of July events.

Mutter – has been working on the Town and Village trailers and getting them ready.

Supervisor – attended a GIS meeting with Wendel and Brian Murray, attended the Rotary Club breakfast and did a presentation, attended the ACS and County/State representatives meeting, Colleen & I met with Alex at 3+1 on investments and I attended an Erie Co. Agricultural & Farmland Protection Plan fall focus group meeting at Clarence. The Supervisor presented the 2025 tentative budget to the board and read her 2025 budget message.

UNFINISHED BUSINESS:

Buildings – library masonry finished, hole in roof needs to be addressed.

Planning – working on the parks

Water/Sewer – nothing new

Grants – CDBG will be submitted this week

NEW BUSINESS:

Approval – Local Law #5 – Tax Cap Override:

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the adoption of the proposed Local Law #5 of 2024 allowing the override of the NYS Tax Cap as presented.

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

Approval- CBDG Grant Funding for 2025:

A motion was made by Councilman Mutter, seconded by Councilman Burke approving the application for 2025 Community Development Block Grant funding, with the projects listed as follows: 1. Rural Transit Van Service.

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

Resolution – Leisurewood Dog Park:

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the proposed Leisurewood Dog Park located at 5720 Cummings Road and owned by 5720 Cummings Road, Inc. subject to the terms set forth in the resolution.

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

Public Hearing- Site Plan/Special Use Permit Application Bergman Landscaping:

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the calling of a public hearing on October 14, 2024 at 7:25pm to hear comments on the site plan application for a home-based business to construct a 3,600 square foot residential/shop at 13830 Indian Falls Rd in the RA zone and authorizing the Town Clerk to publish notice of the hearing in the Akron Bugle.

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

Public Hearing-2024 Budget:

A motion was made by Councilman Mutter, seconded by Councilman Burke approving the calling of a public hearing on October 28, 2024 at 7:25pm to hear comments on the proposed 2025 budget at the Town Hall and authorizing the Town Clerk to publish notice of the hearing in the Akron Bugle.

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

Approval- Erie County SPCA Contract Approval:

A motion was made by Councilman Jendrowski, seconded by Councilman Mutter approving the contract with the Erie County SPCA commencing on October 10, 2024 and authorizing the Supervisor to execute the contract.

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

Approval- Lateral Restriction Hardship Application- 13863 Indian Falls Rd:

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the application for a lateral restriction exception hardship at 13863 Indian Falls Road in water district 10 as submitted by owner(s) Brandon Meek, based on supporting documentation provided.

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

Approval- Lateral Restriction Hardship Application- 11780 Clarence Center Rd:

A motion was made by Councilman Mutter, seconded by Councilman Burke approving the application for a lateral restriction exception hardship at 11780 Clarence Center Road in water district 5 as submitted by owner(s) Janelle Decker, based on supporting documentation provided.

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

Approval- Lateral Restriction Hardship Application- 12471 Meahl Rd:

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the application for a lateral restriction exception hardship at 12471 Meahl Road in water district 10 as submitted by owner(s) Matthew Brewer, based on supporting documentation provided.

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

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 7:59pm.

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

Respectfully Submitted,
Jennifer L. DiChristina, Town Clerk