

## Newstead Town Board Meeting – September 9, 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  
Joe Dugan - Councilman  
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.

The Supervisor called the public hearing to order for public comments on a proposed 80' flagpole placed at Veteran's Park by the Akron-Newstead Rotary Club.

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

Julie Brady, 27 Front Street – is in favor of the project but feels that the flag would be better if it was at the corner of Skyline Drive and Buell Street.

Dick Campbell, 12680 Brucker Road – also is in favor of the project and explained that the location chosen was based on the easy accessibility for both maintenance and for people visiting it.

Mary Jane Shonn, 13 Bloomingdale Avenue – asked if there would be something else other than just a flagpole. It was explained that the Rotary wants to do some type of memorial. She then asked if it would be better to start with the memorial and put the flag up after.

Dean Hyder, 7010 Scotland Road, Past President of Akron-Newstead Rotary – explained that phase II will be the memorial, and a design hasn't been decided on yet.

Richard Wagner, 8047 Kathryn Drive – he is a Vietnam Vet and also believes the monument should go first.

Dean Hyder explained that the drilling and construction required to install the flagpole would damage any memorial that was there. Flag needs to be put in first.

There being no further comments, a motion was made by Councilman Burke, seconded by Councilman Dugan to close the public hearing at 7:36pm. Carried Unanimously

The Supervisor called the second public hearing to order at 7:36pm for Local Law #4, amending the zoning law to clarify certain terms and prohibit cremation in the Town of Newstead.

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 7:38pm. Carried Unanimously

Town Clerk DiChristina led the pledge to the flag.

The regular meeting of the Town Board was called to order at 7:39pm with the same members present as listed above.

Minutes from the regular meeting held on August 26, 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** – The Town Clerk presented the following correspondence:

A resolution passed by the Sinclairville and North Collins town boards opposing offshore wind facilities in Lake Erie was received.

A notice of public hearing in the Town of Alden that was held on September 3<sup>rd</sup>, 2024 regarding rezoning the property at the rear of 11290 Broadway was received.

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

**Work Session:** no work session was held last week due to the holiday, but the following items were discussed prior to tonight’s meeting: planning items – Community Center design, 2025 budget, parks planning RFP; building projects – dog kennel, Town Hall transformer, Library; grants – CDBG; water/sewer updates.

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

**Budget Transfers:** a motion was made by Councilman Dugan seconded by Councilman Mutter to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 9/9/2024. Carried Unanimously

**Approval of Bills** – Councilman Mutter reported that the Abstract(s) from Batch(es) #2485 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2490 was presented for payment. Vouchers on this abstract(s) numbered 1033-1080, totaling \$64,942.06. Councilman Burke seconded to approve payment as follows:

Abstract Batch(es) #2490:

General Fund (A)-\$17,363.31, General Fund- Outside Village (B)-\$1,602.50, Highway(DA)-\$43,857.70, 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)-\$919.50, Fire Protection (SF)-\$, Refuse (SR)-\$, Sewer #1 Fund (SS)-\$787.78, Sewer District #2 (SS02)-\$191.96, Sewer District #3 (SS03)-\$193.19, 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)- \$;

Total: \$64,942.06 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 and mowed the parks, etc. and put bleachers out at Vets Park, removed fallen trees from field ditches, mowed bike path, road sides, and Crittenden Road field, repairs to TS 90 tractor (light & air conditioner), field ditching on Cummings Road with boom mowing, 1 man helped Village at Town Hall, broomed roads that had been oiled and stoned, driveway pipe on Martin Road, road ditch piping Miland Road 100’, road ditch piping Stage Road 220’, and picked up #10 from Cummins Engine.

**Assessor** – no report

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

5720 Cummings Road, Inc.	Maplewood	Deck
Margaret Odell	6013 Crittenden Rd	Deck
Eric Lanham	11250 Hiller Rd	Shed
Dale Siminski	11150 Main Rd	Garage
Joel Hammond	13974 Bloomingdale Rd	Deck
5720 Cummings Road, Inc.	Cottonwood Circle	Deck
Nicholas Hathaway	4828 South Newstead Rd	Demolition
Mark Maier	12956 Carney Rd	Generator

Donald Sahlem	4635 N Millgrove Rd	Roof on out building
Michael Ostrowski	8250 Maple Rd	Roof
Franklin Powell	13100 Stage Rd	SFH
Bergman Landscaping	13868 Indian Falls Rd	SFH
Michael Ostrowski	8250 Maple Rd	Windows
Mark Wanamaker	11236 Clarence Ctr Rd	Roof
Anthony Brandl	6320 Hake Rd	Renovation
William Cayea	13009 Dorsch Rd	Roof mounted solar panel
Louis Amoia	11519 Howe Rd	Pole barn
Kenneth Kiepf	12434 Swift Mills Rd	Pool deck
5720 Cummings Road, Inc.	Maplewood	Roof over deck
James Dwyes	Birchwood Lane	Deck with roof
5720 Cummings Road, Inc.	Sprucewood Lane	Deck

**Town Clerk** – waiting for the school tax bills to be ready at the county as they need to be mailed out by Monday.

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

**COUNCILPERSONS:**

**Jendrowski** – nothing at this time

**Dugan** – nothing at this time

**Burke** – nothing at this time

**Mutter** – nothing at this time

**Supervisor** – Colleen & I attended the annual Supervisor’s Roundtable budget meeting put on by Drescher & Malecki, I attended the monthly Supervisor’s meeting in East Aurora, I attended the web meeting regarding the SPCA contract renewals and a web meeting on new building department software.

**UNFINISHED BUSINESS:**

**Buildings** – dog kennel finished and Town Hall transformer installed and finished.

**Planning** – working on 2025 budget, meeting on Community Center design to be planned.

**Water/Sewer** – nothing new

**Grants** – nothing new

**NEW BUSINESS:**

**Approval – Local Law #4 – 2024 Amendment No. 2 to the Zoning Law:**

A motion was made by Councilman Mutter, seconded by Councilman Burke approving 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.

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

**Approval – Rotary Flagpole Project:**

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the proposed Akron-Newstead Rotary Club flagpole project at Veteran’s Park.

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

**Public Hearing – Leisurewood Dog Park:**

A motion was made by Supervisor Izydorczak, seconded by Councilman Dugan approving the calling of a public hearing on September 23, 2024, at 7:15pm to hear comments on the proposed Leisurewood Dog Park located at 5720 Cummings Road and owned by 5720 Cummings Road, Inc. and authorizing the Town Clerk to publish notice of the hearing in the Akron Bugle.

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

**Public Hearing- CDBG Funding for 2025:**

A motion was made by Councilman Mutter, seconded by Councilman Burke approving the calling of a public hearing on September 23, 2024 at 7:20pm to hear comments on the use of potential funds received from the Erie County Community Development Block Grant Consortium at the Town Hall and authorizing the Town Clerk to publish notice of the hearing in the Akron Bugle.

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

**Public Hearing- Local Law #5 of 2024- Override Tax Cap:**

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the calling of a public hearing on the proposal Local Law #5 of 2024 to override the tax cap, with the hearing to be held on September 23, 2023 at 7:25pm at the Town Hall and authorizing the Town Clerk to publish notice of the hearing in the Akron Bugle.

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

**Approval – Annual Snow Removal Contract:**

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the proposed contract for snow removal services for town properties as presented by Golden Dome Property Services for the 2024-25 winter season.

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

**Privilege of the Floor/Question Period:** Mary Jane Shonn, 13 Bloomingdale Avenue – wants to publicly commend Kristen Sutton, the Newstead Librarian for all of the hard work she does for our community.

Richard Wagner, 8047 Kathryn Drive – was questioning if the board knew when the shoulder on Kathryn would be repaired. The Supervisor told him they had spoken to the Highway Superintendent and it probably was not going to be this year.

Discussion then took place about organic green burials and if they were allowed in the town.

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 8:06pm.  
Izydorczak-Aye, Dugan-Aye, Jendrowski-Aye, Burke-Aye, Mutter-Aye Carried Unanimously

Respectfully Submitted,  
Jennifer L. DiChristina, Town Clerk