

## Newstead Town Board Meeting – October 14, 2024

The regular meeting was called to order by the Newstead Town Board on October 14, 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  
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.

No public hearing was held tonight and will be rescheduled due to an error in the address.

Councilman Burke led the pledge to the flag.

Minutes from the regular meeting held on September 23, 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 Dugan, seconded by Councilman Mutter to approve the following agenda change: add K. Playground Resolution.

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

A notice was received from the State of New York Department of State notifying the Town that Local Law #4 of 2024 was filed on 09/17/2024.

A beer/wine application was received from Lisa Mazur at the Cultural Center for a family party on November 3, 2024.

A notice was received from Charter Communications notifying the Town of a change in the channel lineup effective on or around September 13th.

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

**Work Session:** at the session held last week, the following items were discussed: planning items – a proposal from the Town Historian, transformer rehab proposals, community center update; Building projects – JMF chairs, Library roof, B&A department desk enclosure, tree removal proposal, Parks playground; Grants updates; Water/sewer updates; 2025 budget; year-end planning.

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

**Budget Transfers:** a motion was made by Councilman Dugan, seconded by Councilman Burke to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 10/14/2024. Carried Unanimously

**Approval of Bills** – Councilman Burke reported that the Abstract(s) from Batch(es) #2494 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2500 was presented for payment. Vouchers on this abstract(s) numbered 1154-1227, totaling \$158,633.86. Councilman Dugan seconded to approve payment as follows:

Abstract Batch(es) #2500:

General Fund (A)-\$26,731.62, General Fund- Outside Village (B)-\$77.93, Highway(DA)-\$, Highway: Outside Village (DB)-\$62,811.67, CAP-Multicultural Ctr (HMCC)- \$16,800.00, 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)-\$15,239.44, Fire Protection (SF)-\$, Refuse (SR)-\$32,271.45, Sewer #1 Fund (SS)-\$571.60, Sewer District #2 (SS02)-\$141.76, Sewer District #3 (SS03)-\$3,453.77, Trust & Agency (TA)-\$175.00 Consolidated Water (SW00)-\$359.62, WD1(SW1)- \$, WD2(SW2)- \$, WD3(SW3)- \$, WD4(SW4)- \$, WD5(SW5)- \$, WD6(SW6)- \$, WD7(SW7)- \$, WD7A(SW7A)- \$, D8(SW8)- \$, WD9(SW9)- \$, WD10(SW10)-\$

Total: 158,633.86

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: The exemption renewals for the low income senior and low-income disability have been mailed and are slowly being returned. The agricultural exemption renewals will be mailed early next week. We have run a new list for the new construction and have started to assess the level of completion. If anyone has any questions for me please feel free to contact me.

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

Jeffrey Sage	11446 Howe Rd	Basement remodel
Ross Marranta	4433 Billo Rd	Roof
Theodore Grundas	7224 Scotland Rd	Roof
5720 Cummings Road Inc	Cottonwood Circle	Roof
Buffalo Drilling Co Inc	12340 Main Rd	Roof
Suzanne Golz	11507 Clarence Ctr Rd	Siding
Wyeth Jones	11273 Rapids Rd	Roof
Edward Baker	5507 Barnum Rd	Roof
Matthew Brewer	12471 Meahl Rd	SFH
Gordon Storr	12072 Main Rd	Roof
Bedford's Greenhouse	5675 Buell St	Mixed Commercial Use Bldg
5720 Cummings Road Inc	Thornwood	Floating Deck
Mary Britton	11025 Kelkenberg Rd	Pole Barn
5720 Cummings Road Inc	Cherrywood	Deck
Thomas George	11494 Meahl Rd	Demo of Barn
Jason Koons	8372 Greenbush Rd	Windows
Adesa Buffalo	12200 Main Rd	Compliance Cert Letter
Hickory Tree Estates LLC	11125 Keller Rd	SFH
Oasis Homes of WNY	11168 Stage Rd	SFH
12715 Lewis Rd LLC	12715 Lewis Rd	Interior Reno
Suzzanne Borton	11088 Keller Rd	Pond
Rock Garden Properties LLC	11825 Main Rd	Demo of Barn
Leslie Ann Klein	13626 Bloomingdale Rd	Basement Entrance
Jan Ginter	12250 Buckwheat Rd	Pole Barn
5720 Cummings Road Inc	Birchwood	Deck
Michael Knavel	5130 Havens Rd	Shed
5720 Cummings Road Inc	Leisurewood Lane	Deck
Tammy Berghorn	7878 Moore Rd	Pole Barn Add
Keith Rosenberg	7971 Greenbush Rd	Covered Porch
Richard Karlinski	5906 Crittenden Rd	Deck/Roof
Spink Irrevocable Trust	7641 Maple Rd	Garage Addition
Kurt Schie	6696 Utley Rd	Pole Barn

**Town Clerk** – Tomorrow, October 15<sup>th</sup> is the last day to pay the school tax without penalty and I have received a letter of resignation from 2<sup>nd</sup> Deputy Emily McCoy effective October 18<sup>th</sup>.

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

**COUNCILPERSONS:**

**Jendrowski** – nothing at this time

**Dugan** – nothing at this time

**Burke** – attended the Indigenous People day event on the Reservation where Mike Ober gave a presentation.

**Mutter** – attended a rec board meeting where new hires for the fall program were hired and worked with Danny on the EM trailers.

**Supervisor** – attended a meeting with Wendel on the Community Center final design changes, attended the Rural Transit Van Service quarterly meeting, attended 2 AOT monthly Supervisor’s meetings, and attended the monthly Supervisor’s meeting in East Aurora. Had a meeting with Wendel, Dan Kowalik and Metzger Engineering on the Leisurewood Dam, met with Colleen and April Hartloff on health insurance for employees for 2025 and met with Bev on the proposed railroad history signs for the bike path.

**UNFINISHED BUSINESS:**

**Buildings** – library roof.

**Planning** – nothing new

**Water/Sewer** – nothing new

**Grants** – nothing new

**NEW BUSINESS:**

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

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the calling of a public hearing on October 28, 2024 at 7:15pm to hear comments on the site plan application/special use permit for a home-based business engaged in landscaping, Bergman Landscaping LLC at 13868 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-Aye, Burke-Aye, Jendrowski-Aye, Mutter- Aye

Carried Unanimously

**Public Hearing – Proposed Short-Term Rental 12353 Clarence Cener Rd:**

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the calling of a public hearing on October 28, 2024, at 7:20pm to hear comments on the proposed short-term rental at 12353 Clarence Center Rd., owned by Daniel and Nicole Klonowski 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

**Approval – Declare Former Transformer as Surplus:**

A motion was made by Councilman Mutter, seconded by Councilman Burke approving the declaration of the former transformer as surplus and authorizes the Supervisor to list it on Auctions International.

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

Carried Unanimously

**Resolution – Award Vet’s Park Rehabilitation Project RFP:**

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the quote from Rehwaldt Builders Inc. in the amount of \$19,500 for the rehabilitation project of the restrooms and kitchen/utility area in the shelter at Veteran’s Park 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 Tree Removal Project:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the quote from For the Love of Trees LLC in the amount of \$7,325 for the removal of eight trees throughout the town and authorizes the Highway Superintendent 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 – Appoint Joshua Kraft to ZBA:**

A motion was made by Councilman Dugan, seconded by Councilman Mutter to move Joshua Kraft from an alternate member on the ZBA to a permanent member with a term expiring 12/31/2025.

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

**Motion – Appoint Rebecca Baker as Alternate ZBA Member:**

A motion was made by Councilman Dugan, seconded by Councilman Mutter to appoint Rebecca Baker as an alternate member of the ZBA with a term expiring 12/31/2025.

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

**Approval- Lateral Restriction Hardship Applications:**

A motion was made by Councilman Dugan, seconded by Councilman Mutter approving the applications for lateral restriction exception hardship at 6240 Utley Rd in water district 5, owned by Stein, 5090 Havens Rd in water district 10, owned by CMK Builders, 11168 Stage Rd in water district 10, owned by Oasis Homes, and 11454 Hiller Rd in water district 10, owned by Brauer as submitted and 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 Dugan approving the request for a beer/wine permit at the Cultural Center on November 3, 2024 for a family party, as requested by Lisa Mazur.

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

**Approval- Recreation Program hires:**

A motion was made by Councilman Mutter, seconded by Councilman Burke approving the hiring of staff for the 2024-25 fall-winter recreation program based on recommendation by Director Dan Roland.

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

**Resolution - Award Playground Equipment Bid:**

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the purchase of new playground equipment for Skyline Park from Great Lakes Recreation at a cost of \$48,799 under Sourcewell Contract #010521-LTS and authorizes the Town Supervisor to take all necessary steps to complete the purchase.

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

**Privilege of the Floor/Question Period:** Richard Wagner of 8047 Kathryn Drive appeared to again ask to have the shoulder of his road repaired this year and presented the board with a petition signed by his neighbors.

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 8:14pm. Izydorzak-Aye, Dugan-Aye, Jendrowski-Aye, Burke-Aye, Mutter-Aye Carried Unanimously

Respectfully Submitted,  
Jennifer L. DiChristina, Town Clerk