

## Newstead Town Board Meeting – November 25, 2024

A public hearing was called to order by the Newstead Town Board on October 28, 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  
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 #6 to repeal LL#5 to override the tax cap.

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

The Supervisor explained why Local Law #5 was originally passed and why it now needs to be repealed.

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

Councilman Burke 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 November 11, 2024 were presented for approval with corrections. A motion was made by Councilman Dugan, seconded by Councilman Mutter to approve as presented. Carried Unanimously

**Agenda Changes** – none

**Communications** – none

**Work Session:** at the work session held last week the following items were discussed: Niagara Label issues, Rotary flagpole update, Library & Town Hall roofs, playground update, grants updates, water/sewer updates. Following the work session a public meeting was held on the Community Center project.

**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 11/25/2024. Carried Unanimously

**Approval of Bills** – Councilman Dugan reported that the Abstract(s) from Batch(es) #2510 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2513 was presented for payment. Vouchers on this abstract(s) numbered 1368-1404, totaling \$282,570.92. Councilman Burke seconded to approve payment as follows:

Abstract Batch(es) #2513:

General Fund (A)-\$163,634.05, General Fund- Outside Village (B)-\$25,359.00, Highway(DA)-\$60,601.28, 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)-\$32,081.60, Sewer #1 Fund (SS)-\$27.83, Sewer District #2 (SS02)-\$75.12, Sewer District #3 (SS03)-\$, Trust & Agency (TA)-\$750.00 and Consolidated Water (SW00)-\$42.04, WD1(SW1)- \$, WD2(SW2)- \$, WD3(SW3)- \$, WD4(SW4)- \$, WD5(SW5)- \$, WD6(SW6)- \$, WD7(SW7)- \$, WD7A(SW7A)- \$, D8(SW8)- \$, WD9(SW9)- \$, WD10(SW10)- \$;  
Total: \$282,570392 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 hot patched a few holes and rebates, fixed zero turn mower and put badger on, mowed parks and picked up leaves, field ditch mowing and boom mowing done, setup trucks for winter, inspected water line on Indian Falls Road, replaced field ditch pipe on Tonawanda Creek Road, ground stumps, put hydrant markers up and replaced old ones, winterized park shelters and put plow stakes up, broke beaver dam up on Dorsch Road, met with Erie County about McNeeley and Hake Road, cutup tree in Skyline Drive Park, picked up garbage and tires on Bruning Road and reset hydrant pipe on Millgrove Road.

**Assessor** – a report was presented by the Assessor and read by the Supervisor as follows: Katie and I are working on exemption processing and reviewing the final round of permits and preparing for year end. All sales, splits, mergers and other property transactions are complete. I wish everyone a very safe and happy Thanksgiving.

**Building Office** – no report was provided

**Town Clerk** – nothing at this time

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

**COUNCILPERSONS:**

**Jendrowski** – dealt with several issues at the library, meeting the roofing contractor tomorrow at the Town Hall and Library, spoke to a resident about using shipping containers at a home based business and advised him to speak to the CEO, and met with Village Mayor about working together better with regards to the JMF.

**Dugan** – nothing at this time

**Burke** – visited the Veterans Park flagpole site.

**Mutter** – attended an EMS meeting regarding the upcoming ambulance contract, met with Danny and attended the electric bus demonstration at the school.

**Supervisor** – met with Kristine Sutton on investments and had several discussions regarding preparations for the flagpole project installation and the playground delivery & installation. Toured CDBG grant funding projects sites with the Erie County Committee. Attended the monthly AOT zoom meeting with NYS Supervisors and met with Justine to discuss engineering issues.

**UNFINISHED BUSINESS:**

**Buildings** – Library & Town Hall roof, playground installation, Rotary flagpole installation

**Planning** – waiting for reply from Village on the JMF agreement

**Water/Sewer** – nothing to report

**Grants** – have a meeting with USDA representative and the grant writers tomorrow

**NEW BUSINESS:**

**Adoption- Local Law #6 of 2024- Repeal LL#5 of 2024:**

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the adoption of Local Law #6 of 2024 that repeals Local Law #5 of 2024 as proposed.

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

Carried Unanimously

**Approval – Legal Services Contract Renewal 2025:**

A motion was made by Councilman Dugan, seconded by Councilman Burke approving the proposed contract with Emily Janicz for legal services as Town Attorney, Michael T. Coutu as Assistant Town Attorney, and Brendan Neill as Assistant Town Attorney in 2025, subject to the terms set forth in the resolution and authorizing the Supervisor to execute the agreements.

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

Carried Unanimously

**Resolution – Wendel GIS Contact Renewal 2025:**

A motion was made by Councilman Mutter, seconded by Councilman Dugan approving the proposed contract renewal with Wendel (and ESRI) for GIS services for 2025, subject to the terms set forth in the resolution and authorizing the Supervisor to execute the agreements.

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

Carried Unanimously

**Approval- Audit Services Contact Renewal 2025:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the proposed contract renewals with Drescher & Malecki LLP for auditing services for yearend ending December 31, 2024, and yearend ending December 31, 2025, subject to the terms set forth in the resolution and authorizing the Supervisor to execute the agreements.

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

Carried Unanimously

**Approval – Grant Writing Services Contact Renewal 2025:**

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the proposed contract renewal with Rotella Grant Management for grant writing services for 2025, subject to the terms set forth in the resolution and authorizing the Supervisor to execute the agreements.

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

Carried Unanimously

**Approval – SEQR-Lead Agency Site-Plan Application Fieldstone Villa-13428 Main Rd:**

A motion was made by Councilman Dugan, seconded by Councilman Burke declaring lead agency status on the proposed site-plan at 13428 Main Rd and known as Fieldstone Villa Housing and classifying it as an Unlisted Action under SEQRA with the Town electing to undertake a coordinated review.

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

Carried Unanimously

**Public Hearing-Site-Plan Application – Fieldstone Villa Senior Living, 13428 Main Rd:**

A motion was made by Councilman Mutter, seconded by Councilman Dugan approving the calling of a public hearing on December 9, 2024, at 7:25pm to hear comments on a proposed site-plan application for construction of a two-story, 24 unit, 24,040 sq. ft. senior housing building at 13428 Main Road 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- Lateral Restriction Hardship Applications:**

A motion was made by Councilman Burke, seconded by Councilman Dugan approving the applications for a lateral restriction exception hardship at 11133 Keller Road in water district 5 as submitted by owner R. Grabau and 12812 Stage Road in water district 5 as submitted by owner B. Wurthman, based on supporting documentation provided.

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

Carried Unanimously

**Privilege of the Floor/Question Period:** Brian Frey, 8536 Burdick Rd. – submitted and read a letter with his concerns regarding the proposed Community Center. (Letter attached to minutes.)

Akron School Superintendent spoke about the electric bus demonstration.

A representative of the Sheriffs Community Engagement Team spoke about some of the calls that have been handled recently in the Town of Newstead.

There being no further business to come before the board for the regular meeting, a motion was made by Councilman Dugan, seconded by Councilman Mutter to adjourn the regular meeting at 8:25pm.  
Izydorczak-Aye, Dugan-Aye, Jendrowski-Aye, Burke-Aye, Mutter-Aye Carried Unanimously

Respectfully Submitted,  
Jennifer L. DiChristina, Town Clerk