

## Newstead Town Board Meeting – December 23, 2024

A public hearing was called to order by the Newstead Town Board on December 23, 2024, at 7:42pm at the Newstead Town Hall.

Present: Joe Dugan – Deputy Supervisor  
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 except for Supervisor Izydorzak.

The Deputy Supervisor called the public hearing to order at 7:42pm to hear comments regarding sharing the EMS trailer in DLAN for mutual aid.

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

There was a discussion between the Board and the Town Attorney regarding intermunicipal agreements and how supplies will be replaced.

There being no comments, a motion was made by Councilman Burke, seconded by Councilman Jendrowski to close the public hearing at 7:45pm. Carried

Emily Janicz led the pledge to the flag.

The regular meeting of the Town Board was called to order at 7:45pm with the same members present as listed above.

Minutes from the regular meeting held on December 9, 2024 were presented for approval with corrections. A motion was made by Councilman Mutter, seconded by Councilman Burke to approve as presented. Carried

**Agenda Changes** – a motion was made by Councilman Burke, seconded by Councilman Dugan to add the following items to the agenda:

- I. Motion to accept final auctions international bids

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

A notice from Charter Communications was received informing the Town of upcoming changes to their channel lineup effective on or around January 15, 2025.

A notice from New York State Department of State was received informing the Town that Local Law #6 was filed effective 12/05/2024.

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

**Work Session:** at the work session held last week the following items were discussed: Niagara Label issue, project updates, grant updates, and water/sewer updates.

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

**Budget Transfers:** a motion was made by Councilman Mutter, seconded by Councilman Burke to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 12/23/2024. Carried

**Approval of Bills** – Councilman Jendrowski reported that the Abstract(s) from Batch(es) #2516 have been reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2520 was presented for payment. Vouchers on this abstract(s) numbered 1445-1508, totaling \$30,959.39. Councilman Burke seconded to approve payment as follows: Abstract Batch(es) #2520:

General Fund (A)-\$23,126.66, General Fund- Outside Village (B)-\$17.48, Highway(DA)-\$, Highway: Outside Village (DB)-\$7,251.31, CAP-Multicultural Ctr (HMCC)- \$560.00, 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)-\$, Fire Protection (SF)-\$, Refuse (SR)-\$, Sewer #1 Fund (SS)-\$3.94, Sewer District #2 (SS02)-\$, Sewer District #3 (SS03)-\$, Trust & Agency (TA)-\$ and Consolidated Water (SW00)-\$, WD1(SW1)- \$, WD2(SW2)- \$, WD3(SW3)- \$, WD4(SW4)- \$, WD5(SW5)- \$, WD6(SW6)- \$, WD7(SW7)- \$, WD7A(SW7A)- \$, D8(SW8)- \$, WD9(SW9)- \$, WD10(SW10)- \$;  
 Total: \$30,959.39 Carried

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – no report was given

**Assessor** – no report was given

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

Ciminelli Muir Woods LLC	Sandhill Rd	Zoning Comp Certificate
Lori Millard	6217 Utley Rd	Generator
Brandon Meek	13863 Indian Falls Rd	SFH
Buffalo Drilling Co Inc.	12340 Main Rd	Remodel 2 <sup>nd</sup> floor

**Town Clerk** – nothing at this time

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

**COUNCILPERSONS:**

**Jendrowski** – attended a library meeting. Met with Grove roofing and will be getting a quote for the Senior Center roof. Weather pending the minor repairs on the Library and Town Hall roof will be done. Also still talking to concerned residents regarding the proposed Community Center.

**Dugan** – spoke to Chris Whitmarsh regarding the Niagara Label sewer issue and Louis Henley regarding a meeting with the Councilman.

**Burke** – attended a Celebration Committee meeting to finalize the New Years Eve ball drop.

**Mutter** – attended Light Up Akron and is working on the SAM grant.

**Supervisor** – Absent

**UNFINISHED BUSINESS:**

**Buildings** – several projects are in process but should be finished as weather allows

**Planning** – nothing new

**Water/Sewer** – nothing new

**Grants** – RFQ’s have been sent out on AG protection plan

**NEW BUSINESS**

**Approval - Engineering Services Contract Renewal 2025:**

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the proposed contract renewal with Wendel WD Architecture, Engineering, Survey & Landscape Architecture, PC for engineering services for 2025, subject to the terms set forth in the resolution and authorizing the Supervisor to execute the agreements.

(Resolution) Izydorczak-Absent, Dugan -Aye, Burke-Aye, Jendrowski-No, Mutter-Aye Carried  
 Councilman Jendrowski stated that his vote was no reflection on Justine but was an “attention getter”.

**Approval – LIST EMS Trailer Mutual Aid in DLAN:**

A motion was made by Councilman Mutter, seconded by Councilman Burke approving the recommendation of the Public Safety Committee to make the emergency services trailer available for mutual aid on DLAN at times there is no anticipated need in the Town, subject to the terms set forth in the resolution.

Conversation ensued regarding how we would obtain an intermunicipal agreement at the time of an emergency.

The board voted to table the above resolution pending more investigation into agreements.

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

**Approval- Amended JMF Intermunicipal Agreement:**

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving the proposed, amended JMF agreement subject to the terms set forth in the resolution and authorizing the Supervisor and Highway Superintendent to execute the agreements.

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

**Approval – Award of Building & Assessor’s Dept Enclosure Project:**

A motion was made by Councilman Burke, seconded by Councilman Mutter awarding the enclosure project in the Building & Assessor’s office to Rehwaldt Builders, Inc. for \$12,000 and authorizing the Supervisor to take all steps necessary to ensure the project is completed.

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

**Approval- Extension of 6-month Moratorium on Wind Energy Projects:**

A motion was made by Councilman Mutter, seconded by Councilman Burke approving an extension on the six-month moratorium on the application for and construction and installation of wind energy projects within the Town ending on July 16, 2025.

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

**Approval- Extension of 6-month Moratorium on Battery Energy Storage:**

A motion was made by Councilman Jendrowski, seconded by Councilman Burke approving an extension on the six-month moratorium on battery energy storage system projects within the Town ending on July 16, 2025..

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

**Approval- 2025 Organizational Meeting:**

A motion was made by Councilman Mutter, seconded by Councilman Burke approving scheduling the organizational meeting 2025 for December 30<sup>th</sup> at 7:00pm.

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

**Approval- Lateral Restriction Hardship Application- 13868 Indian Falls Road:**

A motion was made by Councilman Mutter, seconded by Councilman Burke approving the application for a lateral restriction exception hardship at 13868 Indian Falls Road in water district 10 as submitted by owner(s) Brian Bergman.

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

**Motion – Accept Auctions International Final Bids:**

A motion was made by Councilman Mutter, seconded by Councilman Burke to accept the final bids from Auctions International as follows:

1996 New Holland 5640 Power Star Tractor - \$14,200

500kw Pad Mount Transformer - \$10,800

Izydorczak-Absent, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Mutter- Absent  
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 Dugan to adjourn the regular meeting at 8:20pm.  
Izydorzak-Absent, Dugan-Aye, Jendrowski-Aye, Burke-Aye, Mutter-Aye Carried

**Respectfully Submitted,**  
Jennifer L. DiChristina, Town Clerk