

Newstead Town Board Meeting – September 14, 2026

A public hearing was called to order by the Newstead Town Board on September 14, 2026, 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
Mike Coutu – Deputy Attorney
Justine Seefeldt – Town Engineer
Gary Baehr – Highway Superintendent
Jennifer DiChristina - Town Clerk

Roll Call was taken with all board members present.

The Supervisor called public hearing #1 to order at 7:25pm for site plan approval at 13061 Main Road for Hume Construction to construct a 40' x 80' 3,200 sq. ft. building in the C2 zone.

The Clerk read proof of publication. The Supervisor explained that the Planning Board recommended this and Erie County Planning and Erie County Water had no comments. She then 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 7:27pm. Carried Unanimously

The Supervisor called public hearing #2 to order at 7:27pm for proposed Local Law #3 entitled “Amendment to the Code of the Town of Newstead Placing a Twelve-Month Moratorium on the application for and Construction of Data Centers within the Town”.

The Clerk read proof of publication. The Supervisor explained that Erie County Planning supports the moratorium. She then opened the floor for public comment and asked if there was anyone in attendance that was against the moratorium. No one spoke.

Barry Butski, 5951 Cummings Road asked what happens when we get to the end of the moratorium. The Supervisor explained that the board could extend the moratorium if they felt they had not made all the amendments to the code that were necessary.

Amanda Johnson, 163 East Avenue, Lori Reiner, 31 Randy Drive, and Debbie Leising, 11 Indianola Avenue all thanked the board for listening to their concerns and being proactive.

Stan Serwon, 5759 Davison Road asked if the public would have a say if the moratorium ended and someone wanted to put a data center in. He was told yes; there would be a public hearing.

Councilman Dugan did again stress how important it is for people to reach out to their county and state officials as that is where changes can be made.

There being no further comments, a motion was made by Councilman Dugan, seconded by Councilman Mutter to close the public hearing at 7:39pm. Carried Unanimously

The regular meeting was called to order by the Newstead Town Board on September 14, 2026, at 7:39pm at the Newstead Town Hall.

Councilman Jendrowski led the pledge to the flag.

Minutes from the regular meeting held on August 24, 2026 were presented. A motion was made by Councilman Dugan, seconded by Councilman Mutter to accept as presented.

Carried Unanimously

Agenda Changes - A motion was made by Councilman Burke, seconded by Councilman Jendrowski to remove item I from the agenda.

Communications – The Town Clerk presented the following correspondence:

A letter was received from Fred Pask asking to be reappointed to the Board of Assessment Review.

A letter was received from Mary Nanni resigning from her position on the Ethics Committee.

A letter was received from the Akron-Newstead Food Pantry thanking the recreation department for their \$1,130 donation raised by their 2026 Fun Run.

A resolution was received from the Town of Orchard Park approving their opposition to the creation of a County Planning Board or Commission.

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

Work Session: no work session was held last week due to the holiday. At the August 31st work session, the 2027 budget was discussed and an executive session on contractual items.

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 September 14, 2026. Carried Unanimously

Approval of Bills – Councilman Mutter reported that the Abstract(s) from Batch(es) #2701/2702 was reviewed with the previously un-audited vouchers and everything was found in order. Abstract Batch(es) #2701/2702 was presented for payment. Vouchers on this abstract(s) numbered 980-1061, totaling \$240,012.41. Councilman Burke seconded to approve payment as follows:

Abstract Batch(es) #2701/2702
General Fund (A)-\$83,988.98
General Fund- Outside Village (B)-\$123.10
Highway: Outside Village (DB)-\$106,640.02
CAP-Water-Scotland (HS)-\$433.67
CAP-Water-Koepsel (HW)-\$1,910.86
CAP-Water-Draper (HW01)-\$170.76
CAP-Water-Cedar (HW02)-\$208.70
CAP-Water-Knapp (HW03)- \$1206.15
Refuse (SR)-\$36,183.98
Sewer #1 Fund (SS)-\$1,628.99
Sewer District #2 (SS02)-\$165.39
Sewer District #3 (SS03)-\$176.37
Consolidated Water (SW00)-\$29.50
WD10(SW10)- \$7,145.94
Total: \$240,012.41

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS:

Highway – several projects are in the works and the road work scheduled has been delayed due to the weather but is still on track to being done on time.

Assessor - a report was presented by the Assessor and read by the Supervisor as follows: I have just completed next year’s processing of splits and merges. I will start exemption processing next week as well as updating new construction files. School bills will be going out shortly which is a good time to send the exemption renewals to property owners. 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:

Jerome Kostanciak	12722 Stage Rd	Siding
Donald Garwol	11956 Buckwheat Rd	Roof
Richard Abraham	6767 Cedar St	Roof

Howard Rew	6789 Cedar St	Roof
James Hemphill	12673 Clarence Ctr Rd	Roof
Raymond Seguin	7589 Greenbush Rd	Roof
Ronald Hunter	252 Golden Pond Est	Roof
The Liptak Family Trust	11127 Howe Rd	Roof
Josh Lawncare & Landscape	8265 Cedar St	IG Pool
Philip Whiting	12865 Carney Rd	IG Pool
Great Pumpkin Farm	11167 Main Rd	Haunted Forest
Raymond Braun	11891 Main Rd	Rock N Blues Car & Bike Show
Arrowhead Timberlodge	12292 Clarence Ctr Rd	Fireworks 9/4/2026
Theresa Bernacki	8171 Greenbush Rd	Windows
Robert Monkelbaan	11495 Miland Rd	Windows
LC DJ Industrial Park	13558 Bloomingdale Rd	Int Remodel (Commercial bldg)
Nathan Dawydko	11720 Hunts Corners Rd	Rebuild porch
5720 Cummings Rd Inc	Leisurewood Campground	Deck
Dome & Home LLC	13440 Steiner Rd	Deck
Robert Daniel	11481 Rapids Rd	Shed
Ryan Mackenzie	4811 North Millgrove Rd	Pole Barn
CMK Builders Inc	11645 Clarence Ctr Rd	SFH
L&L Consolidated LLC	11825 Stage Rd	SFH
Ronald Gabbey	4085 South Newstead Rd	Shed
Mark Young	12391 Hunts Corners Rd	Covered Patio w/basement
Derrick Schwab	7429 Sandhill Rd	Garage into living space
Kenneth Matthies	7828 Fletcher Rd	Windows
Oasis Homes of WNY	11154 Stage Rd	SFH
5720 Cummings Road Inc	Leisurewood Campground	Deck
Rusty Roehling	6063 Cummings Rd	Pole Barn
13634 Main Road Corp	13090 Main Rd	Pole Barn
Akron Community Pharmacy	12983 Main Rd	Fall Fest
Brian Hennessy	10975 Keller Rd	Roof & Siding

Town Clerk – Tax bills will be mailed tomorrow (September 15th). Lisa and I would like to thank Julie and Katie in the Building & Assessors office for their help in stuffing envelopes.

Town Attorney(s) – nothing at this time

COUNCILPERSONS:

Jendrowski – nothing

Dugan – nothing

Burke – nothing

Mutter – phone conversation with Kathy Capan regarding the Celebration Committee, spoke with the emergency manager regarding an issue, and working on the contract renewal with Twin City Ambulance.

Supervisor – I attended the September Supervisor’s meeting in East Aurora, attended an Association of Erie County Governments tour of the new Bills stadium, attended the Association of Towns monthly Supervisor’s meeting, attended the annual Drescher & Malecki Supervisor’s roundtable with Colleen & attended the 25th anniversary of 9/11 memorial event in Clarence. I also continued to work on the 2027 budget with Colleen. This afternoon I gave the Town Clerk and the board members a copy of the tentative budget. The Supervisor then read her 2027 budget message.

UNFINISHED BUSINESS:

Buildings – the town clerk’s window replacement project is on Wednesday.

Planning – nothing new to report

Water/Sewer – nothing new to report

Grants – the NYS BRICKS grant has finally been released for 2027, and Nathan Taylor & I have begun work on our application for the Community Center project.

NEW BUSINESS:

Approval- Adopt Local Law #3 – 12 Month Moratorium on Data Centers:

A motion was made by Councilman Burke, seconded by Councilman Jendrowski approving a twelve-month moratorium on the review and processing of applications for Data Center Projects within the Town to allow the Board an opportunity to review the Town’s Code and make amendments as it deems necessary.

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

Carried Unanimously

Approval-Site-Plan Approval – 13061 Main Road, Hume Construction & Hume Architecture:

A motion was made by Councilman Mutter, seconded by Councilman Jendrowski approving the proposed site-plan for the construction of a 40’x80’, 3,200 sq. ft. to operate as the base of operations for Hume Construction and Hume Architecture to be located at 13061 Main Road in the C2 zone and subject to the terms set forth in the resolution.

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

Carried Unanimously

Approval- Erie County SPCA Contract Approval:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan, approving the contract with the Erie County SPCA with a term covering October 1, 2026 through September 30, 2027 and authorizing the Supervisor to execute the contract.

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

Carried Unanimously

Approval – Library Grant Funds & CDBG Budget Amendment:

A motion was made by Councilman Dugan, seconded by Councilman Mutter approving a budget transfer for unused grant money from 2025 which was not accounted for in the 2026 budget as well as proceeds from a 2026 CDBG grant for new tables and chairs at the Senior Center as follows:

Increase Revenues - \$20,311.00 – fund A2770 – Unclassified Revenues

Increase Appropriations - \$20,311.00 – fund A7410.4 – Library – Contractual

Increase Revenues - \$9,500.00 – fund A2770 – Unclassified Revenues

Increase Appropriations - \$9,500.00 – fund A7610.2 – Programs for Aging – Equipment

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

Carried Unanimously

Approval – Authorize Surplus Highway Equipment for Auction:

A motion was made by Councilman Burke, seconded by Councilman Mutter declaring the Tarco Highlander sanders as surplus equipment and approving the auction of same through Auctions International.

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

Carried Unanimously

Public Hearing - CDBG Grant Funding for 2027:

A motion was made by Councilman Mutter, seconded by Councilman Burke approving the calling of a public hearing on September 28, 2026 at 7:10pm to hear comments for use of potential funds received from the Erie County Community Development Block Grant and authorizing the Supervisor to publish notice of hearing in the Akron Bugle.

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

Carried Unanimously

Public Hearing - Site Plan Revision – 13800 Siehl Rd – LV&L Resort/Sleepy Hollow:

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the calling of a public hearing on the site plan revision application for LV&L Resort/Sleepy Hollow Campground to construct a 34' x 64', 2,176 sq. ft. open air pavilion for recreational use located at 13800 Siehl Road in the RVP zoning district with the hearing to be held on September 28, 2026, at 7:15pm and authorizing the Clerk to publish legal notice in the Akron Bugle.

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

Carried Unanimously

Motion – Authorize Highway Superintendent to submit OGS Mini-Bid:

A motion was made by Councilman Burke, seconded by Councilman Mutter authorizing the Highway Superintendent to submit an OGS mini-bid to request bids for a new truck, with reservation of the authority of the Town Board to approve the purchase upon review of the bid results.

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

Approval- Reappoint Fred Pask, Board of Assessment Review:

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the reappointment of Fred Pask to the Board of Assessment Review ending on 12/31/2031.

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 2026-27 winter season.

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

Carried Unanimously

Motion- Lateral Restriction Hardship Application:

A motion was made by Councilman Burke, seconded by Councilman Mutter approving the application for lateral restriction exception hardship at 11154 Stage Road in WD #10 for Oasis Homes, 6880 Maple Road in WD #10 for J. Castiglia, and 12058 Main Road in WD #10 for D. Klein.

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

Privilege of the Floor/Question Period: Stan Tatara, 4865 Schutt Road asked about the upcoming hearing regarding the demolition of properties on Schutt Road. The Town Attorney explained that it is not a public hearing and will not be open to public comment. The meeting itself is, however, open to the public.

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