

**FEBRUARY 22, 2023****REGULAR MEETING**

The Town Board of the Town of Newfane, Niagara County, New York met at the Town Hall, 2737 Main Street, on February 22, 2023.

The following were present:

Supervisor: John Syracuse  
 Councilwoman: Susan L. Neidlinger  
 Councilman: Troy Barnes  
 Attorney: James J. Sansone  
 Excused: Councilwoman Laura L. Rutland  
 Excused: Councilman Rick Coleman

**PRAÏER AND PLEDGE**

Supervisor Horanburg opened the meeting at 7:00 p.m., 8 residents were present. A prayer was read by the Town Clerk. The pledge of the flag was given.

**APPROVE PREVIOUS MINUTES**

A MOTION was made by Councilwoman Neidlinger, second by Councilman Barnes, to approve the minutes of the January 25, 2023, Regular Meeting as circulated.

All present voted Aye.

Motion carried.

**COMMUNCIATIONS AND PETITIONS**

**MINUTES FILED BY TOWN CLERK**

Town of Newfane Zoning Board of Appeals Minutes, January 17, 2023.

Town of Newfane Work Session, January 10, 2023.

Town of Newfane, Rails to Trails Public Meeting, January 5, 2023.

**TOWN/WATER/SEWER DEPARTMENT/RESIGNATION REINHARDT**

A MOTION was made by Councilman Barnes, second by Councilwoman Neidlinger to accept the registration of Jessica Reinhardt, Water/Sewer Clerk effective February 10, 2023.

All present voted Aye.

Motion carried.

**TOWN/REFUND 10 REFUSE UNITS**

A MOTION was made by Councilman Barnes, second by Councilwoman Neidlinger to refund \$1,933.90 to Bart & Lynn Adams in which they have paid for 15 refuse units on their 2023 county tax bill, the Town assessor has reduced their refuse units to 5, the service address is 6520 Ridge Road, Lockport, New York.

All present voted Aye.

Motion carried.

**TOWN/REFUND SEWER UNIT FEE/SEWER FRONTAGE FEE**

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Barnes to refund \$20.25 which was charged on the 2023 property bill, the fee is no longer being charged to residents who are not connected to the sanitary sewer. The service address is 2496 Transit Road, Newfane, New York.

All present voted Aye.

Motion carried.

**TOWN/HIGHWAY PERMISSION TO PURCHASE TRACTOR WITH BUCKET AND FRONT LOADER**

A MOTION was made by Councilman Barnes, second by Councilwoman Neidlinger to give permission to Highway Superintendent, Jon Miller to purchase a 2023 M6060HDC tractor with bucket and front loader \$50,021.42 and a Land Pride grading scraper \$3,260.62 from Niagara Implement off of a Source well bid. The funds are coming from Highway Superintendent budgeted account Item III 2-5130-02.

All present voted Aye.

Motion carried.

A Roll call vote was taken by the Town Clerk as follows:

Councilwoman Neidlinger: Voted: Aye.

Councilman: Barnes: Voted: Aye.

Supervisor Syracuse: Voted: Aye.

Motion carried.

Councilwoman Rutland – Absent.

Councilman Coleman – Absent.

3 – Ayes. 0 – Nay. 2 – Absent.

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REGULAR MEETING –(con't)

**COMMUNICATIONS AND PETITIONS-continued.****TOWN/ROSTER UPDATE/OLCOTT FIRE COMPANY INC.**

A MOTION was made by Councilman Barnes, second by Councilwoman Neidlinger to add two new Firefighters to the Olcott Fire Company roster as follows: Joseph O'Dell and Simon Lamb.

All present voted Aye.

Motion carried.

**TOWN/REFUND REFUSE UNIT**

A MOTION was made by Councilwoman Neidlinger, second by Councilman Barnes to refund \$161.20 to the service address and mailing address at 2779 Main Street, Newfane, New York. The property has paid for a refuse unit on the 2023 County tax bill and will begin using a dumpster and no longer will need a residential garbage service.

All present voted Aye.

Motion carried.

**TOWN/REFUND 3 REFUSE UNITS**

A MOTION was made by Councilman Barnes, second by Councilwoman Neidlinger to refund 3 refuse units effective 3/1/2023, they will begin to be using a dumpster and no longer need the residential garbage service from the Town of Newfane. The cost of the prorated amount from 3/1/2023 – 12/31/2023 is \$483.60.

All present voted Aye.

Motion carried.

**TOWN/MARINA REFUND DOCK FEES**

A MOTION was made by Councilman Barnes, second by Councilwoman Neidlinger to refund dock fees to Paul Bortnick in the amount of \$1,495.00, 18320 Marcella Road, Cleveland, Ohio 44119.

All present voted Aye.

Motion carried.

**NEW BUSINESS****TOWN/RESOLUTION NO. 3, 2023/AUTHORIZING THE CIRCULATION OF AN RFQ SEEKING QUALIFIED ENGINEERING FIRMS TO PREFORM PLANNING SERVICES FOR NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION ENVIRONMENTAL PLANNING GRANT-CFA PROJECT NO. 118154 AND POSSIBLE FUTURE WATER AND WASTEWATER RELATED PROJECTS.**

A MOTION was made by Councilwoman Neidlinger, second by Councilman Barnes to adopt the following Resolution No. 3, 2023 as follows: A Resolution of the Town Board of the Town of Newfane, Authorizing the Circulation of a Request of Qualifications Seeking Qualified Engineering Firms to Perform Planning Services for New York State Environmental Facilities Corporation Environmental Planning Grant – CFA Project No. 118154 and Possible Future Water and Wastewater Related Projects Whereas, the Town of Newfane has been awarded a New York State Environmental Facilities Corporation Environmental Planning Grant (CFA Project No. 118154) in the amount of \$41,600 with a required local match of \$8,400 to develop an engineering report to perform a system asset management assessment and collection and pump station evaluation; and Whereas, the Town has identified a range of potential future water and wastewater projects that will require the services of a qualified environmental engineering firm to assist in their design and development; and Whereas, the Town Board wishes to authorize the town Supervisor to circulate a Request for Qualifications to qualified engineering firms to provide a scope of the services, experience and expertise related to wastewater and water planning, design, administration, and construction oversight services; and Whereas, the Town Board finds that it is in the best interests of the Town to proceed as indicated in this Resolution and authorize the advertisement and circulation of a Request for Proposal for engineering services to qualified engineering firms for water and wastewater projects planned in the Town; Now, Therefore, Be It Resolved By The Town Board Of The Town Of Newfane, As Follows: Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted, confirmed, and incorporated herein. Section 2. Circulation of RFQ Authorized. The Town Supervisor is hereby authorized to advertise and circulate a Request for

**NEW BUSINESS-continued.****TOWN/RESOLUTION NO.3, 2023/AUTHORIZING THE CIRCULATIONS OF AN RFQ SEEKING QUALIFIED ENGINEERING FIRMS TO PREFORM PLANNING SERVICES FOR NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION ENVIRONMENTAL PLANNING GRANT-CFA PROJECT NO. 118154 AND POSSIBLE FUTURE WATER AND WASTEWATER RELATED PROJECTS.**

Qualifications to environmental engineering firms to solicit proposals for professional services related to the planning, design, administration and construction oversight of various water and wastewater project in the Town of Newfane.

Section 3. Implementation. The Town Supervisor is hereby authorized to take any further action as necessary to implement the purposes of the Resolution. Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

All present voted Aye. (All present signed Resolution) Motion carried.

A roll call voted was taken by Town Clerk as follows:

Councilwoman Neidlinger:	Voted: Aye.	
Councilman Barnes:	Voted: Aye.	
Supervisor Syracuse:	Voted: Aye.	Motion carried.
Councilman Coleman	Absent.	
Councilwoman Rutland	Absent.	

3-Ayes. 0-Nays, 2-Absent.

**TOWN/RESOLUTION NO. 4, 2023/NOTICE OF INTENT TO AWARD REDI OLCOTT HARBOR CONTAINMENT WALLS**

A MOTION was made by Councilman Barnes, second by Councilwoman Neidlinger to adopt the following Resolution No. 4, 2023 as follows: Resolution by the Town of Newfane for Notice of Intent to Award Redi Olcott Harbor Containment Walls:

Whereas, Town of Newfane, (hereinafter called the Town), is proceeding with the construction of containment walls and sheet piling on the West and East side of Olcott Harbor on a project funded by the New York State REDI commission, and Whereas, the schedule for the performance of sheet piling work on the east side of the harbor as soon as possible, is critical to allow completion within scheduled work permit timeframes, and to avoid interference with use of the harbor by various parties, including boaters, fisherman, local businesses, and the like, and Whereas, the Town publicly bid the project and received a low bid from Mark Cerrone in the amount of \$918,310 on February 21, 2023, and, after the bid opening, Cerrone noted the necessity to order the sheet piling as soon as possible for the above reasons, and Whereas, it is in the Town's best interest to issue a notice of intent to award the contract to Mark Cerrone at the Town Board's work session on March 7<sup>th</sup>. Contingent upon formal recommendation of Notice of Award from Town Engineer and Town Attorney, and to authorize Cerrone to commence with ordering of the sheet piling immediately, pursuant to the terms of the contract documents, to facilitate an expedited performance of work on the east side of the harbor to minimize impact to users of the harbor, and Now, Therefore, Be It Resolved, that the Town Board of the Town of Newfane hereby indicates its intent to award the REDI Olcott Harbor Containment Walls project to Mark Cerrone at their March 7<sup>th</sup>, 2023 meeting and hereby authorizes Mark Cerrone to commence with ordering of sheet piling for the project, effective immediately for the reasons hereinbefore set forth. Be It Further Resolved, the Town of Newfane Town Board authorizes and directs the Town Attorney, working with the Town Engineer to finalize all documents required for the Notice of Award on March 7, 2023, and to facilitate ordering of the sheet piling by Mark Cerrone and the Supervisor, and to execute any and all documents and take whatever other actions which may be necessary to give full force and effect to this resolution.

All present voted Aye. (All present signed Resolution) Motion carried.

A roll call vote was taken by the Town Clerk as follows:

Councilwoman Neidlinger:	Voted: Aye.	
Councilman Barnes:	Voted: Aye.	
Supervisor Syracuse:	Voted: Aye.	Motion carried.
Councilwoman Rutland-Absent.		
Councilman Coleman-Absent.		

3 – Ayes. 0 – Nays. 2 – Absent.

NEW BUSINESS- continued.

TOWN/RESOLUTION NO. 5, 2023/THE TOWN BOARD OF THE TOWN OF NEWFANE, AUTHORIZING THE SELECTION OF THE LOWEST BIDDER, KIRK STARKWEATHER, TO REPLACE ROOFS ON TWO (2) BUILDINGS LOCATED ON THE TOWN OF NEWFANE HISTORICAL SOCIETY PROPERTY ON WEST CREEK ROAD NEWFANE, NEW YORK

A MOTION was made by Councilwoman Neidlinger, second by Councilman Barnes to adopt the following Resolution No.5, 2023 as follows: A Resolution of the Town Board of the Town of Newfane, Authorizing the selection of the Lowest Bidder, Kirk Starkweather, to Replace roofs on Two (2) Buildings Located on the Town of Newfane Historical Society Property on West Creek Road, Newfane, New York. Whereas, 2 Structures Located on the Town of Newfane Historical Grounds on West Creek Road are in Much Needed Roof Replacement, and Whereas, these 2 Structures are Known as the "West Red Barns", With One Being an Approximate 70 FT Long Building, and the Other Being an Approximate 72 Ft Long Building, and Whereas, these buildings house a number of historically significant Newfane antiques, such as tractors and farm equipment that require protection from the elements and Whereas, three entities have provided quotes to provide the work to replace these roofs, with Kirk Starkweather being the lowest bidder at the quote of \$24,640.00, and Whereas, it is in the best interest of the Town to select said lowest bidder, Kirk Starkweather, to replace said roofs at said price, and Whereas, the funding for this project is coming from the federal government through the American Recuse Plan. Now, Therefore Be It, Resolved, the Town Board of the Town of Newfane hereby authorizes the Town Supervisor to enter a contract with Kirk Starkweather, in the amount not to exceed \$24,640.00, to replace said roofs. And Be It Further Resolved that the Town Board hereby authorizes its Supervisor to execute any and all other documents and to take any further action necessary to effectuate the purposes of this resolution.

All present Voted Aye. (All present signed Resolution) Motion carried.  
Councilwoman Neidlinger: Voted: Aye.  
Councilman Barnes: Voted: Aye.  
Supervisor Syracuse: Voted: Aye. Motion carried.  
Councilwoman: Rutalnd – Absent.  
Councilman: Rick Coleman – Absent.  
3 – Ayes. 0 – Nays. 2 – Absent.

REPORTS OF COMMITTEES AND DEPARTMENT HEADS

The following Department Heads were in attendance and gave a report on their departments:

Mike Mills, Water/Sewer Superintendent, reported business as usual everything going well.

Nicholas Irr, Wastewater Treatment Plant Operator, reported that the plant is doing good.

Mike Klock, Code Enforcement/Building Inspector, reported everything is going good.

Jeffrey Newman, Dog Control Officer, Excused.

Jon Miller, Superintendent of Highways, Excused.

Nick Glosser, Facilities Director Excused.

Supervisor Syracuse said the Town had a booth at the Fishing Expo in Niagara Falls and it was a great success. A lot of Town of Newfane Visitors Guides were given out.

UNFINISHED BUSINESS - none.

**PAY BILLS**

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Barnes to approve the payment of claims totaling \$1,068,523.32, bills paid in February 2023 as audited by the Supervisor and Department Heads and as per Abstract Sheets dated 02/22/2023 which will be filed with the official record.

General Fund.....	\$ 60,011.89
Voucher #'s 31994-32162	
Highway Fund.....	48,748.71
Voucher #'s 31994-32162	
Water Dist.....	9,638.42
Voucher #'s 31994-32162	
Sewer Dist. ....	60,377.32
Voucher #'s 31994-32162	
Capital Projects.....	9,191.25
Voucher #'s 31994-32162	
Lighting District.....	1,112.28
Voucher #'s 31944-32162	
Refuse District.....	124,954.23
Voucher #'s 31944-32162	
Fire Prevention District.....	752,971.00
Voucher #'s 31994-32162	
Trust & Agency.....	<u>1,518.22</u>
Voucher #'s 31994-32162	
TOTAL APPROVED:	\$ 1,068,523.32
All present voted Aye.	Motion carried.

**ANNOUNCEMENTS/COMMENTS FROM THE BOARD**

Supervisor Syracuse – Next Work Session, Tuesday, March 7, 2023 at 5:30 pm. Topics include Short Term Rentals, Inner Harbor Construction and General Town Business. Also at next month board meeting, March 22, 2023 at 7:00 pm a presentation by CJ Urlaub, Mount St. Mary’s Hospital partnerships, Integration and Care Delivery Niagara County will serve as guest speaker. He will provide update on the new Hospital Catholic Health is constructing in Lockport, New York.

**GENERAL DISCUSSION** – None.

**ADJOURN**

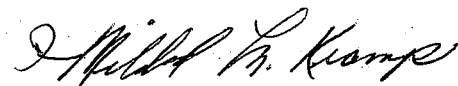
A MOTION was made by Councilman Barnes, seconded by Councilwoman Neidlinger to adjourn the meeting.

All members voted Aye.

Motion carried.

Meeting adjourned at 7:25 p.m.

Respectfully Submitted:



Mildred M. Kramp, RMC, CMC  
Town Clerk

Next Regular Meeting: March 22, 2023, 7:00 p.m.