

TOWN OF NEWFANE

TOWN BOARD WORK SESSION 7-11-2023

The Town of Newfane Town Board Work Session was held in the Town Hall, 2737 Main Street, Newfane, NY. The Session was called to order by Supervisor Syracuse at 5:00 p.m.

The following Board Members were present:

Supervisor Syracuse, Councilwoman Rutland, Councilman Coleman, and Councilwoman Neidlinger

Absent: Councilman Barnes

Others Present:

Town Attorney James Sansone, Michael Klock, Code Enforcement Officer/Building Inspector, and 1 individual.

The supervisor welcomed everyone to the Work Session and started the meeting by letting the Board Members know that he was just finishing up working with Attorney Sansone on a long awaited Easement for the Berm. The Supervisor offered Attorney Sansone to bring the Board up to speed on a status. Attorney Sansone asked the Board to recall a while back when he was working on obtaining an Easement from the homeowners surrounding the Berm in Olcott. There were several individuals that refused to sign. One of the owners will never sign, however, the other homeowner who refused to sign has since conveyed the property to her son, who has a whole different idea about this Easement. Unfortunately, by the time this happened, the window of opportunity had closed to jump in on signing an Easement to have work done at that location. Attorney Sansone had a conversation with Brian Sibiga, Wendel Engineering, who advised Attorney Sansone that the work was completed under budget and there was enough left over funding included in the grant to be able to get that work done. Attorney Sansone worked with the Attorney for the homeowner, Attorney Jon Wilson, and the Easement for that parcel is now complete.

The Supervisor spoke with the Board Members regarding the Local Law, Property Maintenance, Chapter 184. He wanted to address Section 184.3 regarding Mowing. He indicated that he would like to work with Attorney Sansone and Mike Klock to amend some of the language. This Local Law has not been revisited since 2014 and he feels some of the language needs to be brought to more current times. A few examples are; notice, who can be utilized to provide the service, the Town's out of pocket fees associated with having to perform the service, and other language contained in the Law that needs to be looked at. Attorney Sansone will work on updating the Ordinance and will put a rough draft together for the Board to look at.

The Supervisor next advised the Board that the ADA Restroom at the end of Ontario Street is non-compliant regarding the electrical in the utility closet. The electrical box failed inspection as it is too close to the water and is not compliant in New York State. After reaching out to two electricians,

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Derrick Gerling agreed to do the work to bring it into compliance. We have been going back and forth with Severson and WSP, who is the Consultant on this project, and who rejected Mr. Gerling's original cost proposal. Mr. Gerling's quote was \$4,925.00. That amount is now going to be a credit to us upon completion, being reflected in the final payment. That money will stay in our REDI Account. The work needed required the electric to run from the pole, under a paved road and over to the meter. The cost for this work was just under \$10,000.00. The Supervisor wanted to bring the Board up to speed as he plans to prepare a Resolution for the next meeting and wanted a clear understanding of what transpired.

The Supervisor advised the Board that the Open Air Bar has approached him requesting the Town's help. The Community Days and Bike Night events spread outside the boundary of coverage for their Liquor License. Patrons are not allowed to walk off the property with an alcoholic beverage to support Vendors along the street as well as in the Town's parking lot. Rodney has the approval of the State Liquor Authority to receive an event permit which would expand the boundary and his insurance would cover the Town as an additional insured in the amount of One Million Dollars and include the parking lot as an addition for the event. The Councilmembers recall doing this in the past when Bike Night went up and down Main Street. They didn't see this as a problem.

The Supervisor advised the Board Members that we are aggressively pursuing Grants for Waste Water Treatment Plant. With New York State coming out with the Climate Leadership, the Green initiative that the voters passed the Referendum on, there are billions of dollars out there. He has been working with Municipal Solutions, Brian Sibiga from Wendel Engineering, Niagara County Health Department, and other principals, to expand their scope of work to apply for this Water Quality Program. In addition to the WIIA Grant that we already have them working on, I've asked them to undertake another shot at another grant. We have been researching and gathering information, unfortunately, using the beach closings as part of this hardship. By speaking with the Niagara County Health Department this falls under the Clean Water. The application and the process is to be billed at \$160.00 with a minimum fee of \$4,500.00 which the Supervisor feels is well worth it. The Supervisor just wanted to provide the Board with that information for consideration and hopes to have the Boards' approval to enter into an agreement to expand their scope of work.

The Supervisor advised the Board that he had received several calls regarding Elaineey Ramackers (Laney). Laney came before the Board at the June 13th Work Session to request a Hawker Peddler Permit for the purpose of selling educational books. The Supervisor reiterated that prior to the June meeting he had contacted other municipalities that Laney had received permission in. He did not receive one negative comment from any of them. The Board decided that since there were only a few days left on her Permit they would not pull it at this time.

Councilman Coleman advised the Board that he has received multiple calls concerning golf carts, ATV's, dirt bikes and things like that, going down the sidewalks. Councilman Coleman said he has been referring them to the Sheriff's Department. Discussion revealed that everyone is

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noticing this and it appears to be happening throughout the Town. Currently the Board Members receiving calls and complaints are referring them to the Niagara County Sheriff's Department non-emergency number.

Mike Kloch advised the Board that at the Planning Board meeting, Ontario Shores Credit Union was approved for construction to almost double the size of the existing structure. He received the plans and Architectural Designs which he will begin reviewing. They are anticipating being in the ground in August.

The Law regarding the Short Term Rentals has been passed. The Planning Board will begin working on composing the Application in preparation of the upcoming Special Exception Use Hearings. More information will be coming as to the established procedure and requirements for owners and operators of Short Term Rental properties. Discussion was started with the direction the Board would take to address violations and complaints of residents affected by the Short Term Rentals. Research will begin on what will be necessary to have individuals with proper qualifications appointed with the appropriate title to be in compliance to issue violations. Public information will begin to be provided to alert all those Short Term Rental property owners what they will need to do to begin their Application process and what supporting paperwork will need to be submitted to the Building Inspector's Office to begin their compliance procedure.

The Supervisor met with a group of disabled individuals, Paul Beakman, who is the is the Chairperson of their group was in attendance. We will begin looking into making sure that our properties are ADA Compliant.

Councilman Coleman advised the Board that he is again receiving calls from residents complaining about recycling pickup. If the members of the Board don't mind, he would like to tackle this issue directly with Modern. All were in favor and appreciative.


The supervisor asked for a Motion to adjourn. Motion made by Councilwoman Neidlinger, second by Councilwoman Rutland. All were in favor, no one was opposed.

Motion Carried.

Meeting adjourned at 6:30 p.m.

Next Work Session will be held Tuesday, August 15th, 2023 at 5:00 p.m.

Respectfully submitted,


Donna M. Lakes
Deputy Town Clerk