

TOWN OF NEWFANE TOWN BOARD WORK SESSION 6-13-2023

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, Councilman Barnes and Councilwoman Neidlinger

Excused: James Sansone, Town Attorney

Others Present:

Jeffrey Newman, Dog Control Officer, Michael Klock, Code Enforcement Officer/Building Inspector, Brian Sibiga, Wendel Engineers and 3 individuals.

The supervisor welcomed everyone to the Work Session and started the meeting with Jeffrey Newman addressing the Board. Jeff advised the Board that there is a Grant that we could apply for, needs to be turned in by the end of June, for bullet proof vests. This Grant is specifically targeted for small towns, with a population with twenty-five thousand. The way the grant works is the Town would pay the full amount up front once the grant is secured and approved. We would then be reimbursed fifty (50%) percent of the cost. This automatically qualifies us for a Federal Grant. We would then submit the required paperwork to the Federal Government, and they would reimburse the Town for the other fifty (50%) percent. Jeff indicated he went to United Uniforms and they are putting together a quote. United Uniforms has worked with other municipalities under this grant and are familiar with how it works. They range between \$300.00 to \$1,000.00 per vest. There have been times that we are placed in uncomfortable situations, and this would be a great opportunity to secure protection in the event of an incident. You may recall the episode with the tractor trailer in the Kenyons Parking Lot. We were called to assist with the dog that was inside the tractor trailer. It was not a safe situation and we needed to fall back and let law enforcement handle it as we were not equipped with proper safety equipment. The Supervisor indicated that stepping up safety has been on the radar over the past year and a half. It's unfortunate but certainly a growing concern. There was discussion amongst the Board Members, and it was their opinion that Jeff proceeds with writing the Grant and obtain the quote from United Uniforms. The Grant is offered every year in June. Start with the Dog Control Officers and Building Inspector since there isn't a lot of time left to submit the Application. We can plan for next June to see if there is a need for other individuals that might have a similar need. Jeff indicated that the second item he wished to talk with the Board about was the need for a transportation vehicle. Every year the Dog Control Officer's vehicles need to be inspected by Ag and Markets. Dogs must be transported safely in a cage inside the vehicle. Dog Crates won't fit inside most vehicles, and they do not allow the cage to be placed in the back of a pickup truck. Jeff presented the Board Members with copies of advertisements from Auctions International for used K9 vehicles that are already fully equipped. There is a wide range in pricing, and some are not very expensive. The Supervisor offered that it does not appear to be cost prohibitive and indicated that perhaps it could be treated as one of our fleet vehicles with regular rotation of oil changes, tires, tire rotations, and maintenance. This would also eliminate the problem of our noncompliance with the USDA inspection as well as the mileage costs to the Town for the

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Officers using their own vehicles for their job. The Supervisor indicated that there is still some fund balance that we could utilize if we are careful and keep it to three to five thousand dollars. Jeff indicated that he was actually bidding on a K9 vehicle. If he had been successful, they would have removed the equipment from it. If a municipality purchased the vehicle, they would leave the K9 equipment in. For the Town to Title the vehicle it would come with everything we need which is another saving. Mike Klock suggested that if the vehicle is going to be here at the Town Hall, he would also use it for Building Department Town business which would eliminate his mileage costs. He also spoke with Jeff about the possibility of him helping out with serving violation tickets which would also be a big help and another saving on liability and mileage. The Town logo would be on the vehicle for added proper identification. The Board gave Jeffrey the go ahead to look for something with a maximum spending of five thousand dollars.

The Supervisor welcomed Brian Sibiga, Wendel Engineering, to speak with the Board. Brian provided information regarding the ongoing discussions for roof repair at the Town Justice Court. There is a portion of grant money that will help with the payment of the repair, and it just made more sense to look for a thirty year fix and do it right rather than to spend money on what might be a ten year fix. The Supervisor advised the Board Members that our bookkeepers suggested specific categories that would be best to use for our unallocated fund balance and roof repair is one of them. Brian stated that the quote he was providing by Tremco Roofing & Building Maintenance is a company that he is familiar with. They have worked with several municipalities, and all were very pleased. The Supervisor stated that he had spoken with several of our local contractors, and they were not interested in the project. The rubber roof is a specialty and not something they are familiar with but were appreciative of the offer to submit a bid. Moving forward we can work on putting funds aside for projects on a yearly basis like this so we are not scraping when projects have reached their lifetimes. Next on Brian's discussion list is the erosion over by the beach. The DEC said it would be ok to place the Jersey Barriers in place for this season. They want them removed at the end of the season as this can only be a temporary fix. With the FEMA money you are looking at a permanent construction wall in between the two piers which will tie in to further plan discussions. A concern was the inability to have the beach open for the weekends and, of course, the festivities over the 4th of July weekend. With the Jersey Barriers in place and proper signage, the beach area will be a little smaller but should be able to be used. Another concern is the amount of money being spent on the beach. Brian pointed out to the Board that even if it was decided to close the beach the poured wall and surrounding area still needed to be protected. Should the water be allowed to continue to erode the beach area, that wall would collapse causing the ground behind it to flush down into the water allowing the erosion to wash away the shoreline. On the other side of the harbor, with regard to the beach berm. We did get quotes back from Cerone on the large stone. The quotes are approximately fifteen to twenty percent higher. Materials have gone up, however, I am interested to see what we paid previously per ton. The money is there for the Berm, however Brian is not happy with the property at the end and we will need to look at that more. We can get the Berm finished and then look at the numbers with what we have left and where we are at. Next was EPG. The Board reviewed the Proposal which had the numbers with the exact amount of the twenty percent match that was previously approved in the grant. We are looking to maximize the amount of work being done as part of this study to also supplement some of the information we will need to do the rate study for the water and sewer system. It's nice that we have multiple things going together. We need a Board action for the Supervisor to sign this form

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for the State that in addition to soliciting, evaluating, and selecting, we need to go through Contract negotiations to hire. We are at that stage that the Board needs to make a Motion to retain Wendel Engineering for the scope of work and the amount contained in the Proposal. Supervisor offered the Board a Motion to enter into the Agreement with Wendel Engineering to accept the Proposal. Motion made by Councilwoman Rutland, second by Councilman Coleman on the question. There was no discussion by the Board Members. Hearing no questions, the Supervisor asked for a roll call vote.

Councilwoman Rutland: Aye

Councilman Coleman: Aye

Councilwoman Neidlinger: Aye

Councilman Barnes: Aye

Supervisor Syracuse: Aye

Motion Carried

Brian Sibiga spoke on a topic that has been an ongoing discussion regarding the outflow at the Wastewater Treatment Plant. None of our local divers had either the equipment or the desire to figure out how to clean it. There is a gentleman from Ohio that we have been speaking with for several months that has the knowledge and skills to do the job. It would cost between four hundred and five hundred thousand dollars to get a barge. He did his research to find a different way to tackle the project and has found a way to clean it, remove the debris, repair any issues, televise it, give us the video inspection, locate everything for one hundred seventy-six thousand dollars. He has agreed to do this for a lump sum. If there is more work than anticipated he will take that risk and honor his quote. Anyone who is familiar with diving and underwater projects will know that there can easily be more than expected on a job of this type. Brian feels that with all others that were offered and denied it would be a waste of time going out to bid on this project. This does fall in the guidelines of the CDBG grant and we have to accomplish work within the grant within certain time periods. This gentleman anticipates a July start date and anticipates a two week completion. Brian will work on getting the paperwork together for consideration at the June 28th Board Meeting. Brian touched on the WIIA grant and spoke on how his is trying to work to tie all the grants in together for our projects. It was identified that the Town needs a capital plan for the sewer system, which is the plant and the sewers that go there, the water system, the highway garage and court area, and to identify what the plan is for the next five years, the next ten years, etc. We have this grant which is a nice chunk for the Sewer Project, NYSERDA would give us approximately twenty-five thousand dollars toward a fifty thousand dollars for a system wide evaluation. The Town's out of pocket cost for all this work would be approximately forty thousand dollars for one hundred thousand dollars' worth of plans. These plans would be used as part of submittals for future grants so we would be paying approximately forty cents on the dollar and using the information to apply for future grants. Brian spoke to the Board regarding his conversations and work with Mike Mills, Water Superintendent, on identifying water line breaks that need to be identified and repaired. He will keep the Board advised.

The Supervisor offered Elaine Ramackers to come forward, she had requested to speak with the Board. Laney is interested in going door to door in the Town selling educational materials. Laney has completed the requirements contained within our Hawker/Peddler License and

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addressing the Board is the final criteria. Laney stated that she offers this program during the college off season. This is her fifth year that she is spending doing this and it helps her with her college tuition. The program is books, apps, and websites that assist families assist their children with the schoolwork. Laney provided the Board with the books and materials she carries and stated that she appeared before the Wilson Board and has been approved in Wilson. She provided a detailed explanation of the program and that most of the contacts she makes is through referrals. The Supervisor read through the requirements for obtaining the License and Laney advised that she has all of them in order. The Supervisor entertained a Motion to allow Laney to be issued the Hawker/Peddler license subject to the Town Clerk receiving all the required documentation being received. Motion made by Councilman Coleman, second by Councilwoman Neidlinger. The Supervisor asked if there were any questions, there were none. The supervisor asked for all those in favor. All were in favor, no one was opposed.

Motion Carried

The Supervisor advised the Board that next up will be four Local Laws for consideration and setting up of Public Hearings. The first is an amendment to the Zoning/Planning Board ways of notifications for Hearings. This along with the three others will be going in front of the Niagara County Planning Board on June 19th and he would like to set the Public Hearings for the next Town Board Meeting. The Supervisor entertained a Motion to place this matter on at 6:00 p.m. for the next Town Board Meeting. Motion approved by Councilwoman Neidlinger, second by Councilwoman Rutland, hearing no questions all were in favor, no one was opposed.

Motion Carried

Next is to set restrictions on artificial lighting and illumination. The Supervisor would like to hold the Public Hearing at 6:15 p.m. on the 28th of June. Motion made by Councilwoman Rutland, second by Councilman Coleman on the question. Hearing no questions, all those in favor say Aye. All were in favor, no one was opposed.

Motion Carried

Next is the Knox Box Rapid Entry System which is highly recommended by our First Responders and our Code Enforcement Officer. The Supervisor asked for a Motion to hold a Public Hearing on the 28th at 6:30 p.m. Motion made by Councilman Coleman, second by Councilman Barnes on the question. Hearing no questions, all those in favor say Aye. All were in favor, no one was opposed.

Motion Carried

Michael Klock, Building Inspector/Code Enforcement Officer, offered the Board the paperwork to substantiate that the quote given previously to purchase the necessary Knox Box equipment in the amount of twenty thousand seven hundred and six dollars has not changed. The Supervisor advised that this has been discussed previously and funds will be taken from the ARPA balance. The Supervisor asked if there were any questions. There were none. The Supervisor requested a roll call vote on a Motion to proceed with the purchase of the Knox Box equipment.

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Councilwoman Rutland: Aye
Councilman Coleman: Aye
Councilwoman Neidlinger: Aye
Councilman Barnes: Aye
Supervisor Syracuse: Aye

Motion Carried

The Supervisor advised the next Local Law is to rezone a property in the Town from Mobile Home Park to Multi-Family Residential District. This project has been discussed previously with the Zoning Board and the Town Board and the Supervisor is requesting to hold a Public Hearing on this matter at 6:45 p.m. on June 28th. Motion moved by Councilwoman Neidlinger, second by Councilman Barnes on the question. Hearing no questions, all those in favor say Aye. All were in favor, no one was opposed.

Motion Carried

The Supervisor wanted to discuss with the Board our Local Law Ordinance, Chapter 187 Lawn Mowing. The Supervisor suggested that the technical portion of the Law needs to be revisited. There are too many complaints coming in for residents not mowing their lawns and this can not continue. We have all we can do with the seasonal employees and our water/sewer department employees to keep up with the property owned by the Town. We need to think about implementing fees that will discourage this behavior and make it more desirable for these individuals to hire a lawn mowing service. The Supervisor indicated there will be more coming on this in the near future. Councilman Coleman expressed his concern with properties in the Town that have an enormous accumulation spread all over their properties. This is a serious danger for our first responders. The Supervisor advised the Board that he is keeping a list of items that will be addressed in the coming months as there are several that need to be addressed and this is one of them. He is trying to tackle them one at a time to be certain they are well thought out and clear as to their intent. Mike Klock indicated that it would be important to address property square footage when calculating fees. For example, a lot in the Town would have a difference in price as a property with acreage. Also, the requirement for back yards, side yards and ditches should be addressed. Making the ordinance clear would assist with enforcement. Mike gave an explanation of the E Codes which are now available on our website. This will be very helpful for our residents as they can now go into the program and search for any topic they have questions on and it can easily be found. He indicated that they are working on getting all the forms on line and would also like to restructure the fees for Building Permits. Right now they are based on estimated value and they should be based on, for example, a garage or a barn, the square footage. This would ensure that the fee would be equal for everyone, The Codes are being updated, the rates are being adjusted and we are looking to conform to State Law on the size of structures requiring permits. Mike stated he now has the ability to track Applications. We will be able to put our Zoning and Planning Board files into the system. The County will call for Reports and I'm sure the Board would like to see the variety of Permits and the total cost to track income.

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The Supervisor read on behalf of Jon Miller, Highway Superintendent, a letter requesting to have his CHIPS account revenue amended. (See letter attached). The Supervisor entertained a Motion to make this budget amendment on the question. Hearing no questions all those in favor say Aye. All were in favor, no one was opposed. The Supervisor called for a roll call vote.

Councilwoman Rutland: Aye
Councilman Coleman: Aye
Councilwoman Neidlinger: Aye
Councilman Barnes: Aye
Supervisor Syracuse: Aye

Motion Carried

Next the Supervisor wanted to advise the Board regarding a Resolution that was passed last year regarding a Bid for brush grinding at the Wastewater Treatment Plant. The bid was for about three days work for sixteen thousand six hundred eighty dollars. Jon Miller and Supervisor when to look at the work and after three days work it didn't look like anything was done. Jon said that it needs to be cleared as the DEC has been hounding us about it. The Supervisor did some research and that job, based on comparison with Erie County, would have been in excess of fifty thousand dollars. The Supervisor provided an explanation of all the work involved and indicated that what he and Jon would like to plan on doing in the future is set aside approximately ten thousand dollars in the yearly budget to get future needed work done.

The Supervisor advised the Board that he was contacted by the school. They are looking to hire several more counselors for the Recreation Program and are requesting to raise our budgeted amount toward the program from thirty-five thousand dollars to forty-eight thousand dollars. The Supervisor left a message with the Budget Officer at the school and after he speaks with the individual will bring more information to the Board.

Councilwoman Neidlinger spoke to the Board on the topic of the Facebook page. There needs to be clarification and policy on what we are agreeing to Post. We have a tourism page for all the businesses in place and we are being asked to post in on Facebook as well. Others are saying their event wasn't posted and they feel they were slighted. It would be nice if we could have a policy in place so we are posting what we should and not offending anyone. Councilman Coleman suggested that Town business announcements and Town events, things directly related to the Town Hall should be placed on and other Forums that are available should be used for the rest. A policy will be worked on to be put in place.

Councilman Neidlinger asked about putting the State approval for the Short Term Rentals in the August Newsletter. Mike Klock said now that the approval has been received we will begin working on setting up the procedural steps to get this going.

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The Supervisor asked the Board Members if they had anything further, all were set. The Supervisor asked if anyone in the audience had questions or input they would like to share. No one had any questions or input.

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

Motion Carried.

Meeting adjourned at 7:05 p.m.

Next Work Session will be held Tuesday, July 11th, 2023 at 5:00 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Donna M. Lakes".

Donna M. Lakes
Deputy Town Clerk

SUPERVISOR
716-778-8531

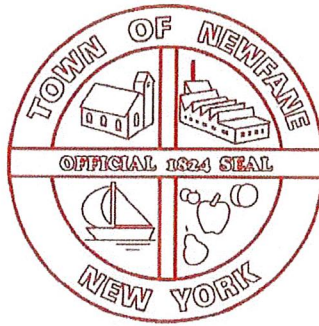
TOWN CLERK
716-778-8822
FAX 716-638-4183

ASSESSOR
716-778-8827

TAX COLLECTOR
716-778-6052

BUILDING INSPECTOR
716-778-5947

WATER/SEWER
716-778-8132



TOWN OF NEWFANE

2737 Main Street
Newfane, New York 14108
FAX 716-638-4261

JUSTICE COURT
2896 Transit Road
Newfane, New York
14108
716-778-9292

HIGHWAY
716-778-8844

WATER/SEWER
MAINTENANCE
716-778-8587

6176 McKee Street
Newfane, New York
14108

TDD 1-800-662-1220

June 12, 2023

Town Board of Newfane
Newfane, NY 14108

Dear Board Members:

I am respectfully requesting to have my CHIPs State Aid revenue account 002-1000-3501 and my Item I expense account 002-5110-0400 amended to reflect the increase in CHIPs funds that I will be receiving in the amount of \$27,459. Account 002-1000-3501 will be amended from \$342,388. to \$369,847. and account 002-5110-0400 will be amended from \$536,000. to \$563,459.

Thank you for your attention.

Sincerely,

Jon Miller
Highway Superintendent

Approved
roll call
w/le
③
6/13/23