

**TOWN OF NEWFANE  
TOWN BOARD WORK SESSION 10-10-2023**

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, Councilwoman Neidlinger and Councilman Barnes

Others Present:

Town Attorney, James Sansone, David Schmitt, Code Enforcement Officer/Building Inspector, Michael Klock, Code Enforcement Officer/Building Inspector, and 7 individuals.

The Supervisor welcomed everyone to the Work Session and started the meeting by offering Gina Guido-Redden to come forward to give the Board an update of the happenings at the Lake View Village Fair Shops. Gina thanked the Board and started with exciting news that Brownie's from Wilson will be entering into a long-term Lease to bring their business to the Shops. Brownie's is an established, well-known business that will bring in a huge draw. They will be bringing in all their own equipment as well as installing countertops and other permanent fixtures that will then become property of the Town. Gina told the Board, that in lieu of a field trip, she provided photos to substantiate the degradation and deterioration taking place at the Shops. This included siding, flooring, electrical, drop ceilings, and so forth. Gina proposed a Financial Plan that will hopefully take care to offset the expenses incurred to cover these much-needed repairs. The amperage at the Food Shop also needs to be increased to accommodate the equipment Brownies' will be bringing in and there are also plans to reconfigure the pathway around the food building to make it a smooth walk through with a separate window for handicapped accessibility. By changing the entrance this will not only help with visibility for the food service shop but will also eliminate people standing in front of other shops doorways waiting for their food. The congestion in front of the other shops made it difficult for shoppers to enter and exit those shops. The total cost for the renovations that were discussed is Thirty-two Thousand Three Hundred Fifty Dollars. Gina indicated that they are currently operating under budget. They will have funds left from this year to add to the amount allocated to us in next year's Budget. She is asking for an additional Twelve Thousand Three Hundred Dollars to complete the proposed construction work at the shops. Gina advised the Board that the Health Department has been wonderful working with her and recommended the tile floors would be the best way to go. This work requires the water at the shops to be left on longer than it usually is, however, the water is needed for grouting and other work that involves ceramic tiling the floors. The Supervisor indicated that Mike Mills, Water Superintendent, is on board. Mike will wrap the pipes and keep the water on so the work can be done. The Supervisor made a Motion for the Town to accept the commitment to accept the work plan and contribute Twelve Thousand Three Hundred Dollars for the construction at the Lake View Village Fair Shops. Second by Councilwoman Neidlinger. The Supervisor asked if there were any questions. There Were none. The supervisor asked if all were in favor, all were in favor no one was opposed. The supervisor asked for a roll call vote.

Councilman Barnes:       Aye  
Councilwoman Rutland:   Aye

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

Motion Carried

The Supervisor invited Tom Szulist and his guest, Valentino Dixon, to come forward and speak to the Board about their project. Tom introduced Valentino Dixon as his business partner. Tom indicated that he met him when doing a documentary on How To Grow Cannabis. The gentleman doing his documentary was also doing a documentary with Valentino on how he was wrongfully imprisoned. Tom spoke to the Board about the positive attributes that are derived from the plant. He went into great detail about our bodies' system, how it works, and how it has been proven that Cannabis, when used in the right way, has produced great results in healing the human body. Tom feels that with all the healing power contained in the plants it is a great opportunity for our community to learn and benefit from what he has to offer. Tom has a vision of combining his business with Valentino by expanding his current operation to include a lecture hall and restaurant to hopefully teach people how to prepare healthy foods, change their diets, and live a healthier lifestyle. The Supervisor recommended to Tom that he might want to meet with the Planning and Zoning Boards to get some idea of what he might need to do to prepare and familiarize himself with the building ordinances. Tom told the Board that he will have Federal and State Regulations that will come into play as well. It will take time to get everything in order, so for now, he would just like to get the dispensary up and running in the existing store. Valentino offered a very detailed and emotional story of his life to the Board. He then told the Board that his mother had three separate bouts with cancer. He was taking care of her as she was very weak and needed full-time care. She developed a horrendous skin rash that doctors were failing to effectively treat. He happened to be telling Tom how he was at his wits end and Tom offered for him to try giving his mom CBD Oil. Valentino, being against drugs, was not willing to give this to his mother. After Tom explained how this was not going to get his mother high and all the benefits of the CBD Oil he was willing to give it a go. Within a few days he saw his mother regaining energy. Not long after that she was able to get dressed. The rash, while still ugly, was starting to dry out the blisters and clear up. From there it only got better, and Valentino was convinced of the medicinal purposes people would benefit from this product if used the right way. The Board was thankful to Tom and Valentino for their openness and honesty with regard to the plans they have moving forward.

The next item was the proposed 2024 Budget. The Supervisor asked the Board if they had an opportunity to review the document and if they had any questions. He noted that a correction needs to be made on the bottom of page 17 and the top of page 18 to the current year. All the numbers are proper, it's just the date that needs to be changed. We have again come under the two percent tax cap and the union has tentatively agreed to the proposal we have offered them. The Supervisor is waiting for the final document that is being prepared and will then provide it to the Board Members so they will have a complete package. The Supervisor would like to offer a Motion to set the date for a Public Hearing on the Budget for Thursday, November 9<sup>th</sup> at 6:00 p.m. Motion made by Councilwoman Rutland, second by Councilwoman Neidlinger. Hearing no questions, the Supervisor asked if all were in favor and they answered yes, no one was

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opposed.

Motion Carried

The Supervisor asked David Schmidt and Mike Klock for an update from the Building Department. David advised the Board that from the letters that were sent out from our old list for the Short Term Rentals, 32 Applications were received and paid for and there were 16 that never responded. We don't know if there are any additional names that need to be added to that list at this point. Mike Klock advised that David has been reviewing all the Applications to make sure that all the necessary information is in there for us to move them forward. David will contact the Applicants to set up appointments for us to visit the properties to be sure that all our requirements have been met. Mike advised the Board that the County is back in the business of inspecting so the Applicants will need to work in conjunction with them as well. David advised that only one applicant has done that to date. Once that is complete, we can move them along to the Planning Board. Mike advised the Board that anyone operating after receiving the notice that has not submitted their Application will now be in violation. The Supervisor also announced that David Schmidt has resigned his position as a Zoning Board member and asked the Board if they all felt it was a good time to put out a notice to the Town Residents that there are going to be several positions coming open on the Planning and Zoning Boards. All agreed. The notice will be placed on the front sign, the Town's Facebook page as well as the Town's website. Mike Klock updated the Board on the progress of the Knox Boxes. He thanked Councilman Coleman for all his help coordinating the effort. All the equipment is in and we are setting up a meeting with the Representative from Knox Box to start implementing the equipment and get the system up and running.

The Supervisor told the Board that Brian Sibiga, Wendel Engineering, was not able to be with us tonight. The Wastewater Treatment Plant Capital Project needs to be amended due to a cost increase. We will need to call for a Public Hearing on this matter. Attorney Sansone said that we will need to schedule a Public Hearing to be held at our next meeting. He will prepare the Notice for the Hearing and send it to the newspaper for publication. Motion made by Councilman Barnes, second by Councilwoman Neidlinger to set the Public Hearing for October 25<sup>th</sup> at 7:00 p.m. The Supervisor asked for a roll call vote. (copy of Resolution #47 of 2023 attached)

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

Motion Carried

The Supervisor next addressed the upgrading of security systems through Sonitrol. This would include installing cameras at the Marina, the ADA Restroom, the Town Hall, the Lakeview Village Fair Shops, the Town Hall equipment, and the Highway Department. The Supervisor indicated that he was working with the Court Clerk's to get information from the Office of Court Administration to verify what compliance requirements would be needed. The Supervisor indicated that they are estimating Thirty-one Thousand Four Hundred Dollars for the upgrades.

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The Supervisor wanted input from the Board as to what they thought. He felt it would be more cost effective to stay with Sonitrol rather than reach out to a different company. Councilman Barnes stated that one camera alone can cost two thousand dollars and agreed that it would probably be better to stay with Sonitrol. The Supervisor read off a list of upgrades that need to be done, we are on a dial up system, Councilman Coleman indicated that the system is over ten years old and outdated. The Supervisor indicated that he would get a Resolution together for the next meeting.

The Supervisor stated that he covered what he had on his Agenda and asked the Board if there was anything further they wished to discuss. All were good. The Supervisor entertained a Motion to adjourn. Motion made by Councilwoman Rutland, second by Councilwoman Neidlinger, all were in favor.

Motion carried

Meeting adjourned at 6:50 p.m.

The next Work Session will be held on Thursday, November 9<sup>th</sup> at 5:00 p.m.

Respectfully submitted,



Donna M. Lakes  
Deputy Town Clerk

A meeting of the Town Board of the Town of Newfane, in the County of Niagara, New York, was held at the Town Hall, in said Town, on October 10, 2023.

PRESENT:

Hon. John Syracuse, Supervisor  
Richard Coleman , Councilmember  
Laura Rutland Councilmember  
~~Susan Neidlinger, Councilmember~~  
Troy Barnes, Councilmember

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In the Matter

of the

Increase and Improvement of Facilities of the  
Town of Newfane Consolidated Sewer District No. 1  
in the Town of Newfane, County of Niagara, New York,  
pursuant to Section 202-b of the Town Law.

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**PUBLIC HEARING TO BE HELD ON  
NOVEMBER 25, 2023**

WHEREAS, the Town Board of the Town of Newfane (herein called "Town Board" and "Town", respectively), in the County of Niagara, New York, has, pursuant to Town Law, created the Town of Newfane Consolidated Sewer District No. 1 (the "District"); and

WHEREAS, in August of 2020, the Town Board directed Wendel, competent engineers licensed in New York, to prepare a map, plan and report for a sewer system capital improvements project within the District; and

WHEREAS, in August and September of 2020, the Town approved, through Town Law Section 202-b proceedings and a bond resolution (dated September 23, 2020), the original capital improvements project in the District; and

WHEREAS, the cost of such original project increased from \$3,875,000 to \$8,397,400 due to a modification to the scope of the project and the receipt of higher than expected bids; and

WHEREAS, the Town Board directed Wendel, competent engineers licensed in New York, to prepare a revised map, plan and report (dated July 2021) to reflect additional improvements to the District and the revised cost of the project; and

WHEREAS, in October and November of 2021, the Town approved, through Town Law Section 202-b proceedings and other resolutions and adopted an amending bond resolution on November 17, 2021 (collectively, the "2021 Revised Project"); and

WHEREAS, in 2023, the Town determined that the cost of the 2021 Revised Project will be further increased from \$8,397,400 to \$9,662,000 due to further modification to the scope of the project and the receipt of higher than expected bids; and

WHEREAS, the Town Board has directed Wendel to prepare an addendum to the 2021 revised map, plan and report to include further improvements in the District and to reflect the increase in the estimated maximum cost of the project; and

WHEREAS, such revised map, plan and report amends a certain prior map, plan and report (dated July 2021) for the purposes of (a) modifying the scope of the project, (b) increasing the estimated maximum cost of the project and (c) increasing the amount of bonds (and notes) for the project; and

WHEREAS, such 2023 version of the sewer system capital improvements project will generally consist of improvements to the wastewater treatment plant including, but not limited to, grit system improvements, installation of a new mechanically cleaned bar screen and dual auger washer compactor system, installation of Preliminary Treatment Building and associated concrete tanks and channels, improvements to Secondary Clarifier No. 2, installation of a new air supply blower and associated piping and valves, return sludge pump station improvements, rehabilitation of the wastewater treatment plant outfall, replacement of existing boiler with a new energy efficient boiler and associated controls, new SCADA system, new instrumentation, sitework, and mechanical and electrical systems to support the improvements at the wastewater treatment plant. Further, the capital improvement project will include other such improvements as more fully identified in (or contemplated by) such map, plan and report referred to above, all of the forgoing to include all necessary site work, equipment, apparatus and

other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "District Improvement"); and

WHEREAS, this amendment (a) modifies the scope of the project, (b) increases the cost from \$8,397,400 to \$9,662,000 and (c) increases the aggregate amount of bonds from \$8,397,400 to \$9,662,000; and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map, plan and report (as so further amended) for such increase and improvement of facilities of the District and has estimated the total cost thereof to be an increased estimated maximum amount of \$9,662,000; said cost to be financed by the issuance of serial bonds of the Town in an increased aggregate principal amount not to exceed \$9,662,000, offset by any federal, state, county and/or local funds received; and

WHEREAS, such further revised preliminary map, plan and report (hereinafter referred to as map, plan and report) has not been modified in any material respect other than as described above;

NOW, THEREFORE, BE IT

ORDERED that a meeting of the Town Board of the Town of Newfane will be held at the Town Hall, 2737 Main Street, Newfane, New York, on October 25, 2023 at 7:00 p.m., seven o'clock p.m. (prevailing Time) or shortly thereafter to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the expense of said increase and improvement of the facilities shall be financed by the issuance of serial bonds of the Town in an increased aggregate principal amount not to exceed \$9,662,000, said amount to be offset by any federal, state, county and/or local funds received, and, unless paid from other sources or charges (including, but not limited to, sewer rents), the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and be it

FURTHERED ORDERED that that the Town Board may establish sewer rents as provided in paragraph (l) of subdivision one of Town Law Section 198; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in each newspaper designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than 20 days before the date of such public hearing.

DATED: October 10, 2023

TOWN BOARD OF THE  
TOWN OF NEWFANE

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The adoption of the foregoing Order Calling for Public Hearing was duly put to a vote on roll call, which resulted as follows:

AYES:

Hon. John Syracuse, Supervisor  
Richard Coleman, Councilmember  
Laura Rutland Councilmember  
Susan Neidlinger, Councilmember  
Troy Barnes, Councilmember

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NOES: None

ABSENT: None

The Order Calling for Public Hearing was declared adopted.