



**TOWN OF NEWFANE  
TOWN BOARD MEETING AGENDA  
FEBRUARY 28, 2024 at 7:00PM**

**PRAYER & PLEDGE**

**MINUTES FILED IN THE CLERK'S OFFICE**

TOURISM Committee FEBRUARY MINUTES  
NEWFANE GOLDEN AGERS FEBRUARY MINUTES  
TOWN WORK SESSION DECEMBER 7, 2023 MINUTES

**APPROVE MINUTES**

MINUTES OF JANUARY 11, 2024 WORK SESSION  
MINUTES OF JANUARY 24, 2024 REGULAR BOARD MEETING  
TOWN WORK SESSION FEBRUARY 8, 2024

**COMMUNICATIONS AND PETITIONS**

PETITION TO LOWER SPEED LIMIT, ELLICOTT ROAD  
HIGHWAY SUPERINTENDENT PURCHASE EQUIPMENT  
WATER OFFICE REFUND  
MILLER HOSE COMPANY ROSTER

**DEPARTMENT HEAD REPORTS**

HIGHWAY SUPERINTENDENT JON MILLER  
WATER SUPERINTENDENT MIKE MILLS  
WASTEWATER TREATMENT PLANT CHIEF PLANT OPERATOR NICK IR  
CODE ENFORCEMENT/BUILDING INSPECTOR DAVID SCHMIDT  
DCO JEFFREY NEWMAN  
MARINA / RECREATION DIRECTOR (FISH PARK) NICK GLOSSER  
TOURISM CHAIR GINA GUIDO-REDDEN

**NEW BUSINESS**

RESOLUTION 3-2024 – RE: AMENDING WORK RULES  
RESOLUTION 4-2024 - RESOLUTION ADOPTING A FAIR HOUSING PLAN AND DESIGNATING,  
SECTION 3 AND LABOR STANDARDS OFFICERS FOR THE TOWN OF NEWFANE  
MOTION TO PAY BILLS

**PUBLIC COMMENTS**

**MOTION TO ADJOURN**

**Next WORK SESSION: TUESDAY, MARCH 14, 2024 @ 6:30PM**

**Next Month BOARD MEETING: WEDNESDAY, MARCH 27, 2024 @ 7PM**



# February Meeting

Tuesday, Feb 6, 2024 - 8:38am  
Newfane Town Hall Community Center

## 1. Attendance

### a. Board Members

- Gina Guido-Redden - Chairperson
- Morgan Calhoon
- Christine Kelemen
- Bill Koller
- Barb Miller
- Cate Orr
- Jim Sansone
- Ann Schulze
- Janet Steggles
- Jane Voelpel
- Stella Wilson
  
- Quorum Met (at least 6 members)

### b. Liaisons/Town Hall Representatives

- Karen Young - Lakeview Liaison
- Pete Robinson - Town Board Liaison
- Bill Clark - Town Historian
- John Syracuse - Town Supervisor
- Mary Zeller - Confidential Secretary to the Supervisor

### c. Members of the Public (if applicable) - N/A

## 2. Budget

### a. Review Budget Report - Tourism

- i. Not many expenses yet except music licenses
- ii. Note that some of the musicians on Wednesdays & Fridays are the same but the rate of pay is not the same
  - 1. Approve the Year to Date Report
    - a. Motion: Janet Steggles
    - b. Second: Jim Sansone

### b. Review Budget Report - LKV

- i. NYSEG removed old gas lines and moved current ones out of way
  - 1. Approve the Year to Date Report
    - a. Motion: Janet Steggles
    - b. Second: Jim Sansone

3. Volunteer Hours Review
  - a. 2024 Volunteer Commitments – Please check and if you need hours – please keep the board informed of how you would like to donate hours
4. Old Business
  - a. Fishing Expo - February 15-18, 2024 – review of set up document & shifts
    - a. Thursday (12pm – 8pm) - Karen and Kris (Gina and Eoin to set up in morning)
    - b. Friday (12pm – 8pm) – Gina and Eoin
    - c. Saturday (9am - 2pm) – Ann and Martin
    - d. Saturday (2pm – 8pm) – Cate and Christine
    - e. Sunday (9am-3pm) – Janet and David
  - b. Sign installation for back of caboose update – Stella – spoke with John Syracuse – seasonal workers will help with scraping and painting back of Caboose this spring before hanging the sign. Other sign location at the marina still to be determined
  - c. Sign installation for back of LKV arch updates – No update but Karen will reach out to Mark Weld to get a status update on the project.
5. New Business
  - a. Tourism Guide Distribution process review and sign up – there is a sign up sheet with cases of guides at Town Hall to sign up on and list where you are taking the cases. Karen will create a list of other places we need to deliver to that people can sign up to take them
  - b. Tourism Table at the Sunday Concert Series sign up – Contact Jane to sign up to “work” the table.
  - c. Ideas for effective process for obtaining current URLs for all local businesses for use on the website – will add a spot on Visitor Guide Ad letters to submit websites
  - d. BCI – AAA Distribution option - Dawn will send our Visitor Guides to AAA offices along the East Coast that request them from her order form. We will be billed monthly for shipping & handling up to whatever dollar amount we would like to budget for.
    - i. Motion by Jane Voelpel to designate \$300 to participate in the program.
    - ii. Second by Barb Miller
6. Social Media Update – Karen Young – Visitor Guide ads are up and have been running all month so our traffic has increased as a result. Top 3 posts: DW’s Clam Shack, Lighthouse Motel, and Brownies. We are almost up to 10,000 followers on our FB page.

7. Lakeview Village Update – Karen Young – Parking lot across from shoppes to be paved this Spring. Some shoppes will be open for Polar Bear Sunday, all shoppes will be open Eclipse weekend (Saturday, Sunday, & Monday), and our season starts May 4 & 5 (weekends only until Memorial Day when we are open 7 days a week). The shoppes are fully rented again (10 years in a row).
8. Town Hall Tourism-Related Updates – Bill Clark
  - a. Polar Bear Swim – no more Polar Bear Queen but there will be a costume contest with a possible parade from Lions Pavilion to the beach
  - b. Bicentennial Banner to be hung on trestle on Route 78
  - c. Met with the county about signage at the new bandstand in Krull Park. Looking for grants to get some historical interpretive signs to put in park
  - d. Planning board is reviewing short term rental applications – many owners reporting that they are renting to families and groups, not necessarily fishermen.
9. Public Comments – N/A
10. Adjourn at 9:55am
  - a. Motion: Barb Miller
  - b. Second: Jane Voelpel

Newfane Golden Agers Feb. 20, 2024  
Community Center 10:00

President Milford Wilson led us in  
the Pledge to Our Flag and singing  
God Bless America.

Secretary Shirley Linnenbank read  
minutes of previous meeting.

Treasurer Donna Stabler read  
her report.

Sunshine Lady Linda Harrington  
hasnt sent any get-well cards.  
Good humor Barbara Johnson  
read several new possible laws  
that would be good for us  
senior citizens.

Linda Hedley asked for volunteers  
to help at our Pot of Gold  
March 14<sup>th</sup> meeting. We should  
be gathering items to bring to  
the sale (no clothes please).

Trip Lady Ela Orłowski has  
a few spots left for the  
Sprague Maple Farms, March 12  
and the Theodores Millard and  
Lidell's trip, April 17 left. And  
she is working on some new trips.  
Food truck will be here this  
Saturday the 24<sup>th</sup>.

Split cost was \$13.00 each to  
Theresa Butner and Heing Markert.  
Meeting adjourned  
Lunch

Entertainment was Story Teller  
Laura who in a Celtic style  
sang of Spring Time. We  
sang of the Red Red Robin.  
April Showers and other songs  
with her.

Shirley Linnenbank

**TOWN OF NEWFANE  
TOWN BOARD WORK SESSION  
DECEMBER 7, 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 John Syracuse at 5:04pm

**Town Board Members Present:** Supervisor John Syracuse, Rick Coleman, Troy Barnes, Sue Neidlinger, Laura Rutland

**Others present:** Building Inspector/Code Enforcement Officer David Schmidt, Town Attorney Jim Sansone, Jeremy Irwin, Sadie & Brian Gunby, Larry Dormer, David LeGault, Bethany Maclam and Sarah Levin

Supervisor Syracuse welcomed all to the December Work Session. Councilwoman Laura Rutland made motion approve the November 9, 2023, Work Session minutes and Councilman Rick Coleman seconded. Mary Zeller noted a date correction on page 5, "next work session is 12-7-23". All agreed and motion passed with correction.

There were 3 Resolutions on the table for tonight and Supervisor Syracuse and Attorney Jim Sansone agreed that the numbered order needed to change to keep things in perspective with the given resolutions.

- **RESOLUTION #59-2023** Negative Declaration Resolution Amendment to Chapter 255 Water Code Law
  - Councilwoman Sue Neidlinger made a motion to accept Resolution #59-2023 and Councilman Troy Barnes seconded it. A Roll Call vote was made:
    - Councilman Troy Barnes - Aye
    - Councilwoman Sue Neidlinger - Aye
    - Councilwoman Laura Rutland - Aye
    - Councilman Rich Coleman - Aye
    - Supervisor John Syracuse - Aye
  - Resolution #59-2023 Passed
- **RESOLUTION #60-2023** Resolution to Authorize the Passing of Local Law Amending Section 255-18 of the Code for the Town of Newfane, to redefine double check valve assembly, acceptable, and to require the installation of expansion tank onto the water service line all Customer's water lines
  - Councilman Rick Coleman made a motion to accept Resolution #60-2023 and Councilwoman Laura Rutland seconded it. A Roll Call vote was made:
    - Councilman Troy Barnes - Aye
    - Councilwoman Sue Neidlinger - Aye
    - Councilwoman Laura Rutland - Aye
    - Councilman Rick Coleman - Aye
    - Supervisor John Syracuse - Aye
  - Resolution #60-2023 Passed
- **RESOLUTION #61-2023** Conveyance of Lakeview Cemetery, Olcott, New York to the Town of Newfane, New York. Discussions on this resolution were held at previous Work Sessions.
  - Councilwoman Sue Neidlinger made a motion to accept Resolution #61-2023 and Councilman Troy Barnes seconded.
  - Bethany Maclam, Lakeview Cemetery Representative, and Sarah Levine, Senior Accountant of the NYS Division of Cemeteries were invited to come up front.

- Informative discussion took place:
  - Lakeview Cemetery is a Historical Cemetery, going back to the Civil War. Since 2016, it has been “bleeding money” as they are out of spaces to sell plots and that is a cemetery’s only means of income. They cannot make any more money. What appears to be "open spots" are "Pauper's Graves", no head stones.
  - The State has stepped in and there are two options when no more plots can be sold.
    - “A Conveyance” of the cemetery property to the Town it resides in, voluntarily, transferring to the Town, the property and any funding that may be available, so that the Town can now maintain the cemetery. It will be allowable for the Town to use any existing funds, approximately \$30,000, for the maintenance of said property.
    - “Abandonment”, where the Cemetery Board just walks away from the duties of the cemetery. No money will be transferred. The Town ends up with the property to care for.
  - Bethany Maclam stated that they are just “one big snowstorm away from bankruptcy.” If we literally have a big storm that brings down trees and branches and does damage within the cemetery, then that can destroy the funding that they are allowed. Right now, the cemetery is “pristine.” The funds that they will be giving the Town will last 15-20 years to keep it maintained.
  - As a Board, they would not accept Abandonment, as they want to continue to do the maintenance there, however, per the State, they can no longer call themselves a “Board.”
  - NYS Cemetery Law states that it is a Non-For Profit organization. The 10% Lot Sales and the \$35.00 internment are allocated to funding. They have been out of lots to sell for 10 years. A permanent Maintenance fund can only be used as operating funds, (not maintenance) and at this point there are no funds to bring in. The interest being earned is not enough to survive on.
  - Lakeview Cemetery currently has 20 lots pre-sold, but that is the last of them. Public fund-raising has helped raise funds for the maintenance of the cemetery for the last 10 years.
- The Cemetery must be voluntarily Conveyed to the Town along with the current funds that can be used for maintenance, as they will become "unrestricted funds." Other funds can continue to come in to support the Cemetery even though it is in the Towns ownership. Currently there are 2 separate Trusts that are being used that will be transferred to the Town and held separately.
  - There is currently a Personal Will, and there is no restriction on the money that can be used, but it's for maintenance of 2 family plots.
  - One is in a CD for the Clark Family and the interest can be used for maintenance, but not the principle, so that the CD keeps earning interest.
- Sarah Levine, Senior Accountant, for the Cemetery, will supply auditing paperwork for all involved. Beth stated that they want to “manage the cemetery before it manages us!”
- As for the Town, there is no liability needed on anything, as it will be maintained per the cemetery way, on a volunteered basis right now. It is better to take on as a volunteer basis right now, rather than go through abandonment. They have insurance but do not have an Attorney. Jim Sansone stated that it is a transfer of property, not a purchase. He stated that we may need a Permissive Referendum in the Resolution and he will check into this, but it will not hold us up.
- The Lakeview Cemetery had a special Lot Meeting in October to see if anyone objected to the Conveyance and there were no objections.
- Discussion closed and a Roll Call vote was made:
  - Councilman Troy Barnes - Aye
  - Councilwoman Sue Neidlinger - Aye

- Councilwoman Laura Rutland - Aye
  - Councilman Rich Coleman - Aye
  - Supervisor John Syracuse - Aye
  - Jim Sansone stated this passes with the caveat of the possibility of the Permissive Referendum.
- Resolution #61-2023 Passed

Supervisor Syracuse asked Sadie Gunby and her dad, Brian, to come up and talk about the letter that she submitted to him a few months ago, regarding the need for a Dog Park here in Newfane. The Supervisor has previously made the Town Board aware of this letter and has done some investigating on his own. He did ask Sadie how she came up with this idea. She drew up a wonderful map and diagram for the Dog Park. She stated that many people around Newfane walk more than one dog at a time and that a spot to allow them to run would be great. The closest Dog Park is in Wilson, and it's a little hard to get to, as it is not accessible on foot. So having something here in Newfane, in town, would be great!

- Supervisor Syracuse mentioned that he has spoken to the Recovery Center of Niagara, and they are very interested and willing to allow the property to the south of the Recovery Center, known as 6037 Ketchum Ave., that is at the end of Maple Ave, to be used as this possible Dog Park. The Supervisor has met with Joe Chales from the Recovery Center.
- He stated that he and the Board would like to work with her for fund raising, connect her to the SPCA so that they are aware of this. She will need to find people to help start this and work together to complete this project. Special fencing will be needed as well. There are a lot of options out there to make this project successful! A Field Trip to the Wilson Dog Park, to check it out may need to take place. A teacher has even stated that Community Involvement is now being considered as Regents credits for upcoming students. This is the perfect opportunity and could help her further herself in schooling!
- Laura Rutland asked if she has friends that are interested in helping with the Dog park and Sadie said "Yes!" Laura also mentioned the Lions Club would be a wonderful organization to reach out to and they would be very helpful. It was the "Leo's" group that installed all the "Poop Bag Stations" or waste bags, all around Newfane. Sadie and her dad both stated that Sadie had just participated in a Leo's Club gathering the day before at school. Sadie has already been recruiting family and friends for this idea!
- Sadie is naming the park after her previous dog that has passed...Harper. (Harper Park)

The Board thank them both for coming and presenting this idea to the Town! It is a wonderful idea, Sadie! Great job!

Supervisor Syracuse next brought up an item presented to him by Highway Superintendent, Jon Miller. He has been renting a 2023, large excavator for the continued Berm Project in Olcott, on the west beach and he would like to purchase it. It can accomplish many different jobs, and his men are used to working with it. The rental company has credited any rental payments already made and will use it as a down payment in hopes of selling this to the Town. The Supervisor has already spoken with Carl Witmer, at Dresher & Malecki, and he verified that we do have the appropriate funding to allow this purchase. This would come from the 2024 Budget, as there are unused funds that can be rolled over to the coming year. The original cost is \$225,000 and the offer submitted is \$211,000, which they are still working on. \$52,000 additional for a mowing attachment, that will make the mowing and ditching more efficient. The Town Highway dept also received a \$50,000 SAM Grant in September, that could be applied to this purchase. (Those funds were for the Road Widener, which is now paid off.) There are currently surplus funds too, that can be applied to this purchase. The 2024 Budget has \$156,396 in the Equipment line and there is \$50,000 unused funds in the 2023 budget that can be rolled over. The Highway Budget has \$23,000 that is leftover in the OT budget line, that can be used as well. The total is \$279,000 to \$280,000 and we will only need \$265,000.



The HGWY Dept has a yearly payment of 71K which matures in 2028. Jon Miller feels that using his entire equipment line for this, this year is a good decision. Town Council stated that he has never steered them wrong.

- The Supervisor stated that he will have a Resolution ready for the January 2024 Meeting for purchasing this excavator. They reviewed the memo submitted by Jon Miller.
  - Councilwoman Laura Rutland made a motion for the Highway Superintendent to move forward with the purchase of this excavator, including excavator. Councilman Rick Coleman seconded.
  - A Roll Call vote was made:
    - Councilman Troy Barnes - Aye
    - Councilwoman Sue Neidlinger - Aye
    - Councilwoman Laura Rutland - Aye
    - Councilman Rich Coleman - Aye
    - Supervisor John Syracuse - Aye
  - Motion Passed.

Supervisor Syracuse reviewed the upcoming NIACAP Contract for 2024. We continue to support the Niagara County Action Program, as we have in years past.

- The board agreed to allow John to sign it and the \$2,500 will be sent in after the first of the year.

Supervisor Syracuse read aloud new appointments that are to be made.

- Megan Snyder has submitted her request to take on the Fire Prevention Board Secretary position, effective, January 1, 2024.
  - Supervisor Syracuse made a motion to accept her request and appoint Megan Snyder as of January 1, 2024.
  - Troy Barnes made a motion to accept this request.
  - Rick Coleman seconded.
  - No questions, All in favor.
  - Motion Passed

Regarding the Zoning Board of Appeals, Supervisor Syracuse read the appointments that are to be made as of today, December 7, 2023.

- Jeremy Irwin and Charles W. Maynard are effective immediately, December 7, 2023, and they will need to report to the Clerk's office as soon as possible to sign their oath.
  - Sue Neidlinger made a motion to accept these two appointments.
  - Laura Rutland seconded.
  - Motion was carried and passed.
- Daniel Whorley will be replacing Robert Horanburg after the first of the year, as Robert is now on the Town Board, effective January 1, 2024.
  - Sue Neidlinger made a motion to accept this appointment.
  - Troy Barnes seconded.
  - Motion passed.

David LeGault from Securitas (Sonitrol) was invited forwarded to speak on the current quotes for updating the security cameras in the Town. Unfortunately, the quotes that were previously submitted were inaccurate and incomplete. He is embarrassed and apologized with deep regret. The new system upgrade that Securitas/Sonitrol had came with "bugs" in it, causing inaccurate pricing on the quotes. There are 3 things that took place:

- 1.) David mentioned the new quoting tool at Securitas, runs differently than he had previously used, did not include the labor and of course, that needs to be added.

- 2.) The Network Video Recorders (NVR) that record from the camera, are now selling their hard-drives separately, basically all-a-cart, they are no longer included in the NVR. Hard drives are needed.
- 3.) He also missed a needed NVR in pricing.

They do use Source-Well, which provides lower cost in goods, but because of this jump in pricing, David worked with Securitas and they did waive the labor charges on these quotes, they will absorb these charges due to their mistake, except for two sites that require a lot of labor for new installs. They will not be making any money, but they will not lose any money either. Because of these additions, they are adding \$15,766.33. This offer will not last too long though, per David. If time passes and new contracts will have to be written, then labor WILL be added into the pricing. Supervisor Syracuse made mention that the previously submitted quotes were now "Null and Void" as far as the Town is concerned and "we will let this information settle for now." David mentioned that holding off may change the labor fees, depending on how long we wait.

- David mentioned that the past contract was not under Source-Well, so we have been paying more.
- He likes the Town and feels good about the pricing he was doing, priding himself on the pricing, but obviously now there is a change, and he genuinely feels terrible. But by using Source-Well he is saving the Town \$231.39 on services per month, over-all with the 60 month contract it is \$13,883 savings. This will not change with whichever way the Town goes.
- Supervisor Syracuse stated he wants to step back and reassess the plans and rethink what is REALLY needed around the Town. Wipe everything out and restart the process.
  - David stated that the Company (Securitas) will void the previously signed contracts.
- David also stated that the Lakeview Village Shoppes (LVS) have NOT been signed, so some of the work will be considered Change Orders, but LVS will be a new contract. As would the WWTP and Compost Plant.
- The Town is now looking at \$56K, which is a lot higher than initially quoted.

Regarding New Building/Planning Code Fees: Supervisor Syracuse and Building Inspector, David Schmidt and former Building Inspector, Mike Klock, have spoken in regard to the Building Planning Code fees that have been talked about. A Planning and Zoning discussion that took place today made progress with things that have been charged over the years. These fees need to be updated to the times.

The Supervisor has spoken with Zoning Board members, and Marcy Ferington, wants to stay on and he let her know that training is necessary, as the State law says it is a must and the Town Law does not want to opt out of this, as training is important.

- Town Attorney, Jim Sansone stated that he can set "a basic primer" list for the Zoning Board, so that the entire Board has all the same training right from the start here at the Town, and then formal training needs to be done. It needs to be reviewed and with what issues have come about, formal training will help cover a lot of things and what evidence is needed in preparing the decisions that come about at Zoning Board meetings.
- Councilman Troy Barnes and Supervisor Syracuse both agreed that when the right training happens, the right decisions will be made and explained, backed up, carried through. Then the proper files can be closed and put away.
- Notifications will go to everyone on the Zoning and Planning Boards. The Fire Departments Chiefs, Assessor, Building Inspector and Clerks office all get notified of these decisions, and the Town Clerk will get all these things in order as Custodian of the records.
- For publications of meetings, Jim Sansone will still be doing the publications to the newspaper. We can also post it on the Town website, electronic sign for the public's knowledge. "When it goes from application, to Board, to Building Inspector, to Assessor, to Attorney, etc....everyone is knowledgeable with the same information."

- Sue Neidlinger brought up that the Planning and Zoning Boards should have the same announcement prior to the meeting that notifies the Public on the Speaking decorum, that the Town Board hears. All were in agreement.

The Supervisor asked Jim Sansone about discussions on Litigation, and he advised to go into Executive Session. Sue Neidlinger made a motion and Rick Coleman seconded.

- All were in favor and The Work Session went into Executive Session at 6:19pm. It ended at 6:53pm and all guests were invited back into the Work Session.

Sue Neidlinger inquired about Sara Capen and any news with the Rails to Trails. Supervisor Syracuse stated Shawn Foti is currently in Albany, but he and the County are looking at the Rails to Trails program, and he will follow-up with Shawn when he returns from Albany.

Laura Rutland made a motion for the meeting to adjourn, and Rick Coleman seconded. All in favor, motion passed. Meeting ended at 6:55pm.

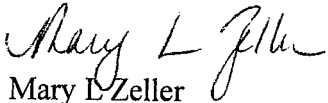
A quick verbal note was made by Supervisor Syracuse to appoint Bill Koller to the Zoning Board effective January 1, 2024, replacing outgoing Donna Lakes.

- Laura Rutland made the motion.
- Sue Neidlinger seconded it.
- All in favor, Motion passed.

Sue Neidlinger made a motion to adjourn, and Rick Coleman seconded. All in favor. Motion passed. Meeting adjourned at 6:59pm.

The next Work Session will be held on Thursday, January 11, 2024 at 5:00pm.

Respectfully submitted,



Mary L Zeller

Confidential Secretary to the Supervisor

## **TOWN OF NEWFANE**

### **TOWN BOARD WORK SESSION January 11, 2024**

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 John Syracuse at 5:04pm

#### **Town Board Members Present:**

Supervisor John Syracuse, Councilwoman Sue Neidlinger, Councilman Robert Horanburg, Councilman Peter Robinson

#### **Excused Board Member was:**

Councilman Richard Coleman

#### **Others Present:**

David Schmidt - Building Inspector, Donna Lakes -Town Clerk, Jim Sansone - Town Attorney, Rosemary Sansone, Jeff Neuman-Dog Warden, Joe Flagler - DCO assistant, and Larry Dormer

#### **Guests:**

UB Clean Energy Coordinator, Jason Kulaszewski; Solar Simplified Representatives - Sasha Lukovenko, Kim Danna

Meeting Called to order at 5:04pm.

Motion to approve the December 7, 2023 Work Session minutes was made by Sue Neidlinger and seconded by Robert Horanburg. Passed.

Jason Kulaszewski from UB, works with NYSEDA and other State groups to offer the incentive to work with Solar Companies for savings for the homeowners and the towns involved. Duffy Johnson from Porter and also the Town of Hartland recommended them to contact Newfane and come and discuss the savings and service that can occur with using their services.

Presentation for a Community Solar project by Solar Simplified took place with a PowerPoint for all to view. (Printed PP report attached.) Sasha Lukovenko, who is VP Sales & Marketing, led the presentation and answered any questions that arose. He also introduced Kim Danna, Community Relations, who also stated that both Porter and Youngstown use this Municipality Program.

- They stated “Why it's important” to work with them.
- They shared the Community Benefits.
- Community Solar is a State-run program, without homeowners or business having to install solar panels.
- Discounts will happen for those that sign up - they will see a 10% savings on their utility bill.

- The Town will also receive \$50 per homeowner/business that signs up and can use those funds at their discretion. These come from Civic Funds as a one-time payment.
  - As an example: Lancaster/Depew has over 700 customers and the Town has \$35,000 in funds.
- See PowerPoint for details.
- Energy is produced by solar farms not a 3rd party supplier.
- National Grid customers can participate. The utility company (NG) cannot own the energy source.

John asked if they would come back and do open meetings/seminars. Businesses and homeowners can participate.

Jason K from UB stated that the Regional Institute with Erie-Niagara County has worked with him before. So working on this level with the Town would not be an issue. He helped us change Street lights to LED lights. Explained there's a "Tier Level" for communities. We would be considered a small Town. They provide technical assistance and explain the NYSEERDA program and get points for additional points which = additional grant funding to be applied to any sustainability projects.

- Newfane is considered a "Disadvantage Community" which allows us to gain more grant funds' by NYS.
  - Based on the Power Plant closing
  - Elderly Residents
    - The State wants 35-40% funding to go to disadvantaged Communities

Jason offered his help to get this program off the ground if we are interested. Even if we do not go with Solar Simplified. He is available to help. He answered a few questions from the Board and asked the public for any questions.

- It was asked if we would receive another bill and the answer was "No". We would see the discount on our National Grid bill as an itemized line and discounts.

Sasha continued to explain:

- Other vendors are already working on getting customers.
- They reiterated that they are not a 3rd party supplier.
- Very easy for homeowners and businesses to sign up online. People can cancel any time after 90 days.
- People will see a 10% savings.

John thanked them all for all their information.

Supervisor Syracuse then read a note from Sadie Gunby. She thanked the Board for allowing her to speak last month & for their help to move forward with "Harper's Park." John then mentioned that the Recovery Center has 2 lots that are accessible along Ketchum Ave. They are willing to work with the Town and the idea of this project moving forward.

John invited Dog Control Officers Jeff Newman and Joe Flager to the table to share what is going on so far this year. The DCO's number of calls has gone up quite a bit. Jeff stated he may not answer his phone immediately because of his duties at the office of the Sherriff. He can't answer until his break, but by the time he calls people back, most people will have found their dogs and dogs will find their way home. His

department continues to work on a Vehicle for the DCO's with an enclosed area for dogs. There are vehicles through the Sheriff's office, and they have Newfane as #1 on their list for used vehicles.

- The Town Board and DCO Newman explained the contact process of working through himself and the other two DCO's.
- Sue mentioned how important it is to have an article in the Town paper explaining all that they go through, and how important it is to have people get their dogs licensed.
- The Supervisor said that they have been working with Ag and Markets right along for the dogs and the kennels.
- DCO's have First Aid Kits / Badges / Vests because of a grant, are all on hand now.
- The DCO Vehicle would stay at the Town garage so that the marked vehicle stays there. They can get the dogs back to the kennel at McKee St. this way too. Upgrades have been made at the kennel.

The Supervisor re-addressed the Town Constable idea. They are looking at whittling down initial submission of the Constable Law.

- Jim Sansone suggested one centralized place where these complaints come in. Whoever gets a call should go through the Code Enforcement officer, David Schmidt. Make it a process with continuity.
- The Supervisor mentioned that their side arms would need to be certified with NYS and that the Town Insurance Co. knows that they are carrying, which will be protection for them and the Town. Joe Flager stated that even retired officers get certified once a year.
  - These certifications would be on file at the Town.

As far as Peace Officers or Constables are concerned, the training for these positions would come through the Sheriff's office. Jim Sansone will be putting something together so that the Board can read through it and really go over it. It was mentioned that these guys know how to de-escalate certain situations and that is a good thing.

Sue Neidlinger mentioned that this need goes beyond just dogs sometimes, as we live in an area with a lot of livestock. She has an ongoing spreadsheet who owns horses, goats, and livestock, etc. If anyone knows of people with farm animals, please have them contact her so she can keep an accurate list.

The Supervisor asked what days were good for Work Sessions, as he would like to set a set schedule for them. It was decided that the 2nd Thursday of the month, at 6:30pm for Work Sessions would be a set date moving forward.

Code Enforcement Officer David Schmidt passed out paper's that he has run across and is updating. The first page is an old document for Building Permits and attached are the new "revised" version that he is working on. He would like the Boards input.

- David went through and explained things, so people could understand the Building Permit process better.
- The 2nd sheet is the actual Building Permit. He checked with all depts on what they would like to see on the application.
- David continued and asked to look at the new pricing for different projects he has come up with. The original was from 2010 and he compared it to area towns around here (but not Lewiston). He needed to update pricing and not put a cap on anything.

- Sue Neidlinger made a motion to accept updated fees from Building Inspector.
- Robert Horanburg seconded.
- Motion carried.
- Robert noted that it should read “See page 2” rather than ‘see back page’ as the original copies read.
- The Supervisor mentioned he would put a Resolution together for the new Building Fees.

Town Clerk Donna Lakes stated that Robin Bower has been studying to take the Notary Public exam, and she would like to cover the costs for this. Supervisor Syracuse mentioned that this is something that is covered under the Clerks Budget and there is no need to seek permission if she, as the Town Clerk, deems so. (see attached memo)

- Robert Horanburg made a motion to accept the Clerks request.
- Pete Robinson seconded.
- Motion Passed.

Referring back to the Dog Control Officers / Code Enforcer’s, Robert Horanburg asked who is qualified for these positions?

- Jim Sansone suggested to talk our Insurance Agent about insurance in regard to the DCO’s and Code Officers.
- Pete Robinson explained the "Private Contractor" idea for Code Enforcement Officers and the liability of having the DCO / Peace Officers create a Policy for these “Constables" for Town Insurance. We are all Town Employees and covered under Town Insurance. If the Constables are acting as part of the Town, then the firearms & insurance will all be ready to go.
- Robert Horanburg asked what kind of Policy has been established for the chain of command for the DCO's - but the Board cleared it by stating that the order of listings is on Website for contacting:
  - Jeff Newman is Dog Control Officer is 1st
  - Ken Nerber, DCO Assistant, 2nd
  - Joe Flagler, DCO Assistant, 3rd

Jim Sansone will take the Constable ordinance over to the Sheriff’s office so they can review it. Pete Robinsor suggested every town should have Constables and they are covered under the color of the town law.

2024 Budgets will be given to the new Board members.

Pete Robinson made a motion to adjourn.

Sue Neidlinger seconded.

Motion passed. Meeting adjourned 6:41pm.

Respectively Submitted,

Mary L Zeller  
Confidential Secretary to the Supervisor

JANUARY 24, 2024

REGULAR MEETING

The Town Board of the Town of Newfane, Niagara County, New York, met at the Town Hall, 2737 Main Street, Newfane, New York, on January 24, 2024.

The following Board Members were present:

Supervisor: John Syracuse  
Councilman: Rick Coleman  
Councilwoman: Susan Neidlinger  
Councilman: Peter Robinson  
Councilman: Robert Horanburg

Others present:

Michael Mills, Water Superintendent, Nicholas Irr, Wastewater Treatment Plant Operator, David Schmidt, Building Inspector/Code Enforcement Officer, Jeffrey Newman, Dog Control Officer/Enforcement Officer, Joseph Flagler, Assistant Dog Control Officer, Charles Maynard, Zoning Board Member, Gina Guido-Redden, Tourism Committee, along with 5 residents.

**PRAYER & PLEDGE**

Supervisor called the meeting to order at 7:00 p.m. A prayer was read by the Town Clerk and the Pledge to the flag was given.

**APPROVE PREVIOUS MINUTES**

A MOTION was made by Councilman Coleman, second by Councilman Robinson, to approve the Minutes of the December 29, 2023, Regular Meeting.

All present voted Aye.

Motion Carried

*amended*  
The Supervisor asked for a MOTION to approve the Minutes of the Town Board Reorganizational Meeting held January 4, 2024, on the question. Moved by Councilwoman Neidlinger, second by Councilman Horanburg. The supervisor indicated that on the question we need to make 2 amendments to the Minutes. The first one being, Moley Industries was inadvertently left off the Blanket Purchase Order as a vendor that was presented for approval. Moley Industries now appears on the amended Blanket Purchase Order. The second is in number 41 on the Meeting Minutes. The amount of \$79,000.00, (\$47,400.00 Water and \$31,600.00 Sewer) appears on that Blanket Purchase Order presented but was read and approved as \$47,000.00 Water and \$31,600.00 Sewer. These amendments do not change the total of \$79,000.00 which was approved at the Reorganizational Meeting. The Supervisor asked for a MIOTION to approve the amending of the Minutes with the change in the vendor and the amount of \$47,400.00 as it appears on the revised Blanket Purchase Order.

Motion moved by Councilman Robinson, second by Councilman Coleman. Hearing no questions to the amendments on the Blanket Purchase Order or the amendment to change the Minutes of the Reorganizational Meeting the Supervisor called for a Roll Call Vote.

A Roll Call Vote was taken by the Town Clerk as follows:

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

5 - Aye      0 - Nay

Motion Carried

**COMMUNICATIONS AND PETITIONS**

**MINUTES FILED BY TOWN CLERK:**

Town of Newfane Tourism Board Minutes January 9, 2024

**TOWN/RENEW MOBILE HOME PARK LICENSE FOR 2024**

Newfane Country Estates LLC., 2329 Lockport Olcott Road, Newfane, NY  
Newfane Country Estates South LLC., 6021 Ketchum Avenue, Newfane, NY



JANUARY 24, 2024

REGULAR MEETING continued

Olcott Country Estates, 1643 Lockport Olcott Road, Olcott, NY

TOWN/HIGHWAY SUPERINTENDENT APPOINT SOLES/NANKEY FOR 2024-2027 TERM

Highway Superintendent, Jonathan Miller, requested the re-appointment of Steve Soles as Deputy Highway Superintendent and the re-appointment of Julie Nankey as Highway Clerk for his term of January 1, 2024, through December 31, 2027.

TOWN/HIGHWAY SUPERINTENDENT/2024 ADVOCACY DAYS

Highway Superintendent, Jonathan Miller, requested permission to attend the 2024 Advocacy Days, (Local Roads Are Essential), on March 5<sup>th</sup> through March 6<sup>th</sup> in Albany, New York, at a cost not to exceed \$500.00 for room, food, and bus ride.

TOWN/ JUSTICE BARNES APPOINT GARY GARLOCK

Town Justice, Bruce M. Barnes, respectfully requested the re-appointment of Gary Garlock as his Justice Court Clerk effective January 1, 2024.

TOWN/SUPERVISOR APPOINT MARY ZELLER CONFIDENTIAL ASSISTANT

Town Supervisor, John Syracuse, formally requested the re-appointment of Mary L. Zeller to the position of Confidential Assistant to the Town Supervisor, effective January 1, 2024, at a pay rate of \$24.25 per hour.

FISCAL/ANNUAL/ACCEPT AUDIT 2023 JUSTICES BARNES/BOUDEMAN

Councilman Coleman and Councilwoman Neidlinger reviewed the 2023 financial records of Judge Bruce Barnes and Judge Scott Boudeman of the Newfane Justice Court on January 19, 2023. During this audit they found all records to be orderly and correct. All deposits and anything dispersed were made in a timely and efficient manner. All records were complete, neat, and orderly.

At this time the Supervisor made a **MOTION** to move the entire slate as presented by the Town Clerk. Motion made by Councilman Horanburg, second by Councilman Coleman on the question. Hearing no questions, the Supervisor asked all those in favor to say Aye. All were in favor, no one was opposed.

Motion Carried

REPORTS OF COMMITTEES AND DEPARTMENT HEADS

The following department heads were in attendance and gave a report on their department.

Mike Mills, Water/Superintendent, stated everything is going good despite everything being messy and sloppy due to the weather. He indicated they were working on finishing up a water main break in Burt on Center Street which has now been finished, and working on finishing up the water taps and then break until spring.

Nick Irr, Wastewater Treatment Plant Chief Operator, indicated that all our contractors started full-time on Monday. They got the service road put in going around the back of our building, they have the new concrete floor poured in the basement, the blower has been installed and the new Permits start next month so we are working on getting them all in place.

David Schmidt, Building Inspector/Code Enforcement Officer indicated that since October he has taken over 300 phone calls, over 150 emails, he has 400 Permits sitting in the office that he needs to figure out the status of, i.e. whether they are open or closed, and also working on the everyday things such as complaints as best that I can. David indicated that he has also begun to work on investigating the "zombie" homes (vacant homes). He tracked down one owner which resulted in the property being cleaned up and subsequently sold. Another one I saw driving by and sent them a letter. I heard back from them, and they indicated they will get it cleaned up and will be selling it. David indicated that he will continue working on them as well.

Jeff Newman, Dog Control Officer, stated it's January, so it's been pretty quiet. Jeff indicated the call volume will go up and the weather gets nicer. Jeff reported that they are getting their vests in, they had a training session the prior weekend for several hours and worked on the computer together, so they are all on the same page.

Gina Guido-Redden presented a Tourism Report to the Town Council. Gina covered all the bullet points in detail, paying special attention to the 2024 Visitor's Guides that are finished, printed, and out for distribution, The Lakeview Village Shoppes are already filled up and the events are already in place for the 2024 season. The Tourism Board has registered for a booth at the 2024 Expo held at the Niagara Falls Convention Center, as well as helping to organize the Bicentennial Kick-Off dinner. The free movie nights are also already in place that are being held at the Carousel Park. All of this event information, and more, can be found on their [www.olcott-newfane.com](http://www.olcott-newfane.com) website.

**NEW BUSINESS**

**TOWN/RESOLUTION NO. 1 – 2024/AUTHORIZING THE FILING OF A LOCAL LAW WITH THE SECRETARY OF STATE AMENDING SECTION 184 THE TOWN CODE OF THE TOWN OF NEWFANE, PASSED ON SEPTEMBER 12, 2023.**

WHEREAS, a Town Board meeting was held on September 12, 2023, during which a Local Law was passed making various amendments to Section 184 of the Newfane Town Code, and NOW THEREFORE, BE IT RESOLVED THAT, the Newfane Town Clerk is hereby directed forthwith to file said Local Law with the Secretary of State.

The Supervisor asked for a Motion to adopt the Resolution. Motion made by Councilman Coleman, second by Councilwoman Neidlinger.

A roll call vote was taken by the Town Clerk.

- Councilwoman Neidlinger: Aye
  - Councilman Robinson: Aye
  - Councilman Horanburg: Aye
  - Councilman Coleman: Aye
  - Supervisor Syracuse: Aye
- 5 – Aye      0 – Nay

Motion Carried

**TOWN/RESOLUTION NO. 2 – 2024/AUTHORIZING THE FILING OF A LOCAL LAW WITH THE SECRETARY OF STATE TO REZONE 6520 RIDGE ROAD LOCKPORT, (TOWN OF NEWFANE) NY FROM MOBILE PARK DISTRICT (MHP) TO MULTI-FAMILY RESIDENTIAL DISTRICT (R-2) UNDER THE TOWN OF NEWFANE ZONING ORDINANCE, PASSED ON SEPTEMBER 12, 2023.**

WHEREAS, a Town Board meeting was held on September 12, 2023, during which a Local Law was passed to rezone 6520 Ridge Road, Town of Newfane, NY from Mobile Home Park District (MHP) to Multi-Family Residential District (R-2) under the Town of Newfane Zoning Ordinance, and NOW THEREFORE, BE IT RESOLVED THAT, the Newfane Town Clerk is hereby directed forthwith to file said Local Law with the Secretary of State.

The Supervisor asked for a Motion to adopt the Resolution. Motion made by Councilman Robinson, second by Councilman Horanburg.

A roll call vote was taken by the Town Clerk.

- Councilwoman Neidlinger: Aye
  - Councilman Robinson: Aye
  - Councilman Horanburg: Aye
  - Councilman Coleman: Aye
  - Supervisor Syracuse: Aye
- 5 – Aye      0 – Nay

Motion Carried

**TOWN/PLANNING BOARD/APPOINT PAUL CONRAD**

The Supervisor asked for a MOTION to approve the re-appointment of Paul Conrad to the Town of Newfane Planning Board, seven year term, effective January 1, 2024 through December 31, 2030. Motion made by Councilman Coleman, second by Councilwoman Neidlinger. All were in favor, no one was opposed.

Motion Carried

**TOWN/APPOINT RECORDS OFFICER/DONNA LAKES**

The Supervisor asked for a MOTION to appoint Donna M. Lakes as Records Officer pursuant to New York State Department of State Committee on Open Government Regulations. Motion made by Councilwoman Neidlinger, second by Councilman Robinson. All were in favor. No one was opposed.

Motion Carried

**TOWN/JUSTICE COURT CLERKS/APPROVE STANDARD WORK WEEK**

The Supervisor asked for a MOTION to approve the standard work week for the Newfane Town Justice Court Clerks from 30 hours per week to 35 hours per week. This is basically an administrative correction. The Justice Court Clerks have been working 35 hours per week for years. This is simply being done to formally recognize the hours of their standard work week and bring it current. Motion made by Councilman Horanburg, second by Councilman Coleman. All were in favor. No one was opposed.

Motion Carried

**PAY BILLS**

The Supervisor entertained a MOTION to approve the payment of claims totaling \$927,802.59, bills paid in January, 2024, Vouchers #34354-34496, as audited by the Supervisor and Department Heads and as per Abstract Sheets dated 01/23/2024 which will be filed with the official record.

General Fund .....	\$ 48,351.17
Highway Fund .....	\$306,958.28
Water Fund .....	\$101,742.43
Sewer Fund .....	\$ 48,395.40
Lighting District .....	\$ 771.18
Refuse District .....	\$ 2,799.10
Fire Prevention District ....	\$ 4,158.05
Trust & Agency .....	\$ 996.98
Capital Projects .....	<u>\$413,630.00</u>
TOTAL APPROVED .....	\$927,802.59

Motion made by Councilman Coleman, second by Councilman Horanburg, All were in favor, no one was opposed.

Motion carried

**PUBLIC COMMENTS**

Brian Hellner, 2653 Fuller Road, congratulated the two new Town Board Members and asked if their information will be available for contact purposes. Mr. Hellner indicated that he is seeing improvement in updating our website and is very appreciative. Mr. Hellner, referring to the January, 2024 Re-Organizational Meeting Minutes, asked if the Registrar of Vital Statistics, Budget Officer and Ditching Coordinator have always been separate appointments. The Supervisor replied that they have. Max Russell, 2206 Hess Road, asked what Resolution No. 1 of 2024 referred to. It was explained that it placed the Highway Superintendent in charge of decisions regarding mowing and fees, and includes the ability to hire outside contractors to mow lawns, taking the burden off our Water/Sewer Department to maintain peoples' lawns. Max also expressed his appreciation on the attention that is being placed on ditching. Not only from the agricultural perspective but also from private homeowners who are experiencing serious issues. Max graciously offered to help the Board in any way he could.

**ANNOUNCEMENTS/COMMENTS FROM THE BOARD**

Supervisor Syracuse announced the next Work Session is Thursday, February 8<sup>th</sup>, 2024 at 6:30 PM in the Town Hall, Board Room. The next Town Board Meeting will be Wednesday, February 28, 2024 at 7:00 p.m.

Councilwoman Neidlinger announced that she has sent out Membership information for the Newfane Business Association. She will also be looking for information on one of our students who is being recognized for an award. Also, there are tickets available for our Bicentennial Dinner being held March 23, 2024 at the Olcott Fire Hall.

**JANUARY 24, 2024**

**REGULAR MEETING continued**

The Supervisor also advised that we have Miller Hose Installation Dinner on Saturday, January 27<sup>th</sup>, 2024 and the Olcott Fire Company Installation Dinner on Saturday, February 10<sup>th</sup>, 2024.

**ADJOURN**

The Supervisor entertained a MOTION to adjourn. Motion made by Councilwoman Neidlinger, second by Councilman Robinson. All were in favor, no one was opposed.

Motion carried

Meeting adjourned at 7:31 p.m.

Respectfully submitted,

Donna M. Lakes  
Town Clerk

Next Regular Town Board Meeting February 28, 2024

**TOWN OF NEWFANE**  
**TOWN BOARD WORK SESSION February 8, 2024**

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 John Syracuse at 6:32pm.

**Town Board Members Present:** Supervisor John Syracuse, Councilwoman Sue Neidlinger, Councilman Rick Coleman, Councilman Robert Horanburg and Councilman Pete Robinson

**Others Present:** David Schmidt - Building Inspector, Jim Sansone - Town Attorney, Jeff Newman & Joe Flagler - DCO's, Larry Dormer and Thomas Tedesco, US&J.

Supervisor Syracuse received a request to return a Security Deposit from Crystal Branch, New Life Reclaimed Furniture owner, in the Lakeview Village Shoppes. The Security Deposit is \$640.00. The Shoppe passed final inspection and the request was submitted and approved by Gina Guido-Redden, LVS President.

- Rick Coleman made a motion to return the Security Deposit
- Sue Neidlinger seconded.
- Passed. Motion carried. A check will be sent out this month.

The Supervisor presented to the Board that the Town again enters into contract with Municipal Solutions for financial guidance for the year. They help with Federal Grant writing, financial papers, BAN set-ups, etc. and work closely with Wendel.

- \* Sue Neidlinger made a motion to enter into contract with Municipal Solutions for 2024.
- Robert Horanburg seconded.
- A Roll Call vote was taken.
- Sue Neidlinger - AYE
- Robert Horanburg - AYE
- Rick Coleman - AYE
- John Syracuse - AYE
- Passed. Motion Carried.

The Supervisor then addressed the proposed current draft of Local Law for Town Constables and wanted to review it with the Board. He invited the Dog Control Officers into conversation. The proposed Constable Law, pursuant to the Section 2.10, subdivision 1 of the Criminal Procedure Law of the State of New York, and Section 20, subdivision 1b of the Town Law the State of New York, is to perform such special duties in the Town of Newfane as allowed by law, of Section 3 of the State of NY designated Town Constables, also known as Peace Officers. The powers and duties of the Constables are first and foremost to act as DCO's pursuant to Section 113 of the NYS Ag & Market law. Other duties that they will be asked to perform are set forth in Town Law sections 20 and 39, and Criminal Procedure Law, section 220 of the State of NY. The Building Inspector will guide them and let them know what requests are in need of them.

(Copy of Proposed Law attached.)

Supervisor Syracuse read through sections of proposed law. Working with Building Inspector / Code Enforcer is key. We have established individuals ready to work in this position, "to keep the peace." The Supervisor asked for feedback from the Board.

According to the DC Officers, the Dog Control reports that are given by them need to be logged in and they would do the same with the Constable reports. They log them in on the computer but don't store reports electronically. Discussion took place on this. Scanning in their reports is an option that is available.

The Supervisor also mentioned that the Sheriff's department has a vehicle ready and compliant for the DCO qualifications with that vehicle. They are preparing paperwork to the Legislature for the Town of Newfane to purchase it. The Town has been on their used vehicle list since the fall. This will cut back on individual vehicle inspections and guys mileage when they have used their own vehicle. It was asked about Insurance coverage with the DCO's and Constables using the vehicle and their different duties -are they covered? They will reach out to the Insurance Agent.

- Jim Sansone mentioned that this needs to be presented at a Board meeting and then will have to sit for 7 days. Jim will get the necessary wording together that is needed to proceed.
- Pete Robinson asked if there were any recertifications that were needed with State. Do we need to make the difference between DCO's and Peace officers? Explanation was given by Town Attorney that Constables were never in our Town Law, so this needs to just to be passed by the Town. There is clearly a difference between POLICE OFFICERS and PEACE OFFICERS that are performing the Town duties.
  - Outlined in "3-C" would be the duties.
  - Section "2.10" does not recognize them as Constables, so by passing a Town Local Law this would establish them.

Board agreed it will be taken to the next step.

Supervisor Syracuse shared that the Town Work Rules are being worked on and clarified they are not Union related at all. He has been reviewing them with HR.

- Paid Holidays, added bereavement, added Vacation Notices need to be submitted to the Dept Head or Supervisor.
- Legacy costs that will not affect the budget.
- There are wordings that need to be updated.
- Clarified Personal Days for Hourly / Salary employees.
- Elected Officials aren't affected.
- Regarding wording in Sick Leave and Dr. notes that are required after 3 consecutive days of absence, "SHALL" will replace the wording of "may" and will be submitted to Supervisor or their Dept. Head.

• He wants to update notifications for absentees, including call / text options. He does refer to the Niagara County Civil Service for progression.

Other areas that we reviewed were:

Dress code.

- Added Cybersecurity policy.
- Town Retirees
  - Insurance for Retirees, covered for Employee retainage and stewardship benefits were reviewed. Thinking of Employees, and community / taxpayers. Resolution will be needed to Amend work rules moving forward.

• With all the corrections that have been made, it was entertained to make a motion to adopt work rules.

- Councilman Rick Coleman made the motion.
- Peter Robinson seconded.
- Passed. Motion carried.

Supervisor Syracuse commended David Schmidt, Building Inspector, for working with an individual, in regard to an ongoing issue. Progress is being made.

Town Attorney Jim Sansone stated how presenting a Local Law works. The Local Law needs to be prepared, then presented to the Town Board, and public. It needs to sit on the table for one week, (7 days), for public review. Then they can schedule a Public Hearing to move forward.

Building fees need to be reviewed after being presented to the Board last month. David has done his homework to update some much-needed fees through the Building Department.

Sue Neidlinger and John Syracuse will start to again pursue Rails to Trails.

The Supervisor asked if there were any questions from the Public.

- Will Constables be bothered at 3am for STR nuisance calls?
  - The Supervisor responded that the Sheriff's department would probably be the 1st contact for nuisance calls and the Town follow up is morning.
- Discussion on Town Employees sick days and how they are handled. Work Rules were reviewed.
- Concern over the portable water that comes into the Wrights Corners Mobile Home Community came up.
  - The Supervisor explained that the Town water delivery has been inspected by the Water Dept Head & consulted the owners on how to upgrade the water service inside the park. Town is not responsible for "inside the park." Legislator Foti has gotten involved, as has the State. The Lawyer for the MHP has met with the town officials on this matter. The MHP residents have met with the Board and worked with them in the past.

A motion to adjourn was made by Robert Horanburg.

Seconded by Richard Coleman.

Meeting was adjourned at 7:37pm.

Respectively submitted,

Mary Zeller

Confidential Secretary to the Supervisor

February 12, 2024

Town of Newfane Supervisor John Syracuse and Town Board Members

2737 S. Main Street

Newfane, NY 14108

Dear Supervisor John Syracuse and members of the Town Board of Newfane:

As residents of Ellicott Road in Newfane we are asking the town to consider lowering the speed limit from 55mph to 45mph on our road as per the attached petition.

Over the last several years we have noticed an increase of drivers in excess of 55mph.

Since this is a residential area with many families of small children it would make sense to have a lowered speed limit as do other residential areas around the Newfane/Lockport area.

Thank you in advance for your consideration of this matter.

Sincerely,

Mr. and Mrs. James Fetes

7046 Ellicott Road

Lockport, NY 14094

716-868-3573



As residents of Ellicott Road in Newfane we are asking the town to consider lowering the speed limit from its current 55mph to 45mph

Name:

Address:

Marie Fetes	7046 Ellicott Rd
Mary Stupa	7157 Ellicott Rd
Don Stupa	7157 Ellicott Rd
JAMES FETES	7046 ELLICOTT RD.
DAVID BICKER	7055 ELLICOTT RD.
Suzett Bicker	7055 Ellicott Rd
LAWRENCE JOSEPH	7053 ELLICOTT RD
Seth Joseph	7056 Ellicott Rd
Christina Joseph	7056 Ellicott Rd
Erika Joseph	7043 Ellicott Rd
Jessica Oswald	7083 Ellicott rd
Ken McGrother	7150 Ellicott Rd
Wade Joseph	7056 Ellicott Rd

Dated February 12, 2024

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

February 21, 2024

Town Board of Newfane  
Newfane, NY 14108

Dear Board Members:

I am respectfully requesting permission to purchase an Atlas Copco Kubota 185 CFM air compressor from Admar Construction Equipment & Supplies off of Sourcewell contract 020923-PWT in the amount of \$24,100.00. Funds will be used from both the Highway and Water Departments.

Thank you for your attention.

Sincerely,

Jon Miller  
Highway Superintendent

SUPERVISOR  
778-8531

TOWN CLERK  
778-8822

ASSESSOR  
778-8827

TAX COLLECTOR  
778-6052

BUILDING INSPECTOR  
778-5947

WATER/SEWER  
778-8132



## TOWN OF NEWFANE

2737 Main Street  
Newfane, New York 14108  
FAX 778-7178

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

HIGHWAY  
778-8844

WATER/SEWER  
MAINTENANCE  
778-8587

6176 McKee Street  
Newfane, New York 14108



TDD 1-800-662-1220

February 28, 2024

To The Honorable Town Board:

The following property has paid for 2 refuse units on their 2024 county tax bill. We are asking permission to refund \$386.02 for the 2 garbage units for this parcel. This is a garage and does not generate garbage. Effective 1/1/2025, the Town Assessor has removed the 2 garbage units from this parcel permanently. A copy of the paid 2024 tax bill is attached.

Service Address: 2171 Transit Rd., Newfane

Mailing Address: Wieslaw J. Walawender  
PO Box 163  
Newfane, NY 14108

Thank you for your consideration in this matter.

Sincerely,

Lori Daniels  
Water/Sewer Dept.  
Clerk

## Collection: Town &amp; County 2024

Fiscal Year Start: 1/1/2024

Fiscal Year End: 12/31/2024

Warrant Date: 12/12/2023

Total Tax Due (minus penalties &amp; interest) \$0.00

Entered	Posted	Total	Tax Amount	Penalty	Surcharge	Via	Type
1/31/2024	1/31/2024	\$1,803.71	\$1,803.71	\$0.00	\$0.00	Mail	Full Payment - Multi-Payment

Tax Bill #	SWIS	Tax Map #	Status
003938	292800	26.00-1-7.112	Payment Posted
Address		Municipality	School
2171 Transit Rd		Town of Newfane	Newfane 05

## Owners

Walawender Wieslaw J  
PO Box 163  
Newfane, NY 14108

## Property Information

Roll Section: 1  
Property Class: Sm park gar  
Lot Size: 5.00

## Assessment Information

Full Market Value: 201000.00  
Total Assessed Value: 104500.00  
Uniform %: 52.00

Description	Tax Levy	Percent Change	Taxable Value	Rate	Tax Amount
2024 County Tax	91208488	1.9000	104500.000	10.08199400	\$1,053.57
New fire protect	782745	2.0000	104500.000	1.79028900	\$187.09
Newfane light	82500	0.0000	104500.000	0.19493500	\$20.37
Newfane refuse	0	0.0000	2.000 Units	193.01000000	\$386.02
County water dist	5599727	1.9000	104500.000	0.79845200	\$83.44
Water district	0	0.0000	0.000	0.00000000	\$73.22

Total Taxes: \$1,803.71

Estimated State Aid - Type	Amount
County	55687429.00
Town	578941.00

## Mail Payments To:

Terri Iannucci  
Receiver of Taxes  
2737 Main Street Newfane, NY 14108



# MILLER HOSE COMPANY, INC.

February 11, 2024

To Whom It Concerns;

Please accept the following letter as notification to make the following changes to the active roster of Miller Hose Fire Company, Inc. effective immediately.

We are adding to active membership, Norman Taylor and Donald Davey. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads 'Alexis M. Marvin'.

Alexis M Marvin  
Secretary  
Miller Hose Fire Co. Inc.

**Newfane Fire Department**  
PO Box 99 • Newfane, NY 14108  
(716) 778-8870 • (716) 778-9141  
[www.MillerHose.org](http://www.MillerHose.org)

*This institution is an equal opportunity provider and employer.*

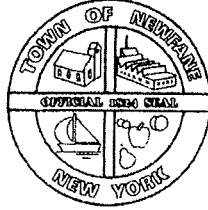
SUPERVISOR  
778-8531

TOWN CLERK  
778-8822

ASSESSOR  
778-8827

BUILDING INSPECTOR  
778-5947

WATER/SEWER  
778-8132




**TOWN OF NEWFANE**  
2737 Main Street  
Newfane, New York 14108  
FAX 778-7178

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

HIGHWAY  
778-8844

WATER/SEWER  
MAINTENANCE  
778-8587

6176 McKee Street  
Newfane, New York 14108

 TDD 1-800-662-1220

**RESOLUTION NO. 3 -2024  
FEBRUARY 28, 2024**

**RESOLUTION AMENDING TOWN OF NEWFANE WORK RULES**

**WHEREAS**, the Town of Newfane Town Board has taken action to review, update, and amend the Town of Newfane Work Rules 2024, now therefore be it

**RESOLVED**, The Town of Newfane Town Board hereby approves the amendments made to the attached work rules titled Town of Newfane Work Rules 2024

**John Syracuse, Supervisor**

\_\_\_\_\_

**Richard Coleman, Councilman**

\_\_\_\_\_

**Robert Horanburg, Councilman**

\_\_\_\_\_

**Sue Neidlinger, Councilwoman**

\_\_\_\_\_

**Peter Robinson, Councilman**

\_\_\_\_\_

**DATED: February 28, 2024**

# **TOWN OF NEWFANE WORK RULES**

**2024 REVISION**

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# **TOWN OF NEWFANE WORK RULES**

## **EMPLOYMENT PROCEDURE**

Applicants are interviewed and selected by the Department Head to whom they will report and the Town Supervisor and approved by the Town Board, and are selected based on their qualifications, including education and experience.

In personnel practices, it is the Town's intent to comply with all applicable Federal, State, County and Town programs concerned with nondiscrimination in matters of race, creed, color, national origin, age, sex, or religion. New hires are required to fill out the Employee's Federal and State Withholding Exemption Certificates (W-4 and IT-2104), Criminal History Record Check Application (for all full-time positions), and all other forms required.

## **PERSONNEL INFORMATION**

A permanent record, reflecting an employee's history with the Town of Newfane is maintained in the Supervisor's Payroll Clerk's Office, including any pre-employment and medical examination records. Any change in an employee's marital status, address, telephone number, number of dependents, withholding exemptions, or other pertinent information will be reported as soon as possible to the Payroll Clerk.

## **PROBATIONARY PERIOD**

New employees shall serve a probationary period of 90 days of active service during which they may be disciplined or terminated within the discretion of the Employer without recourse. This period permits the employee to determine their suitability to the job, environment, and their ability to perform under actual working conditions. It also permits the department head to appraise the employee and their work record. (Board Action 7-26-89).

## **WAGE POLICY**

Paychecks are issued every two weeks, on Wednesdays, for 26 weeks of the year. If a payday falls on a holiday, checks will be issued the preceding day. Paychecks will be distributed to the employee by the Department Head, may be picked up at the Payroll Clerk's Office if the employee does not work on pay day, or mailed to the employee's address on file.

If a paycheck is picked up by any other person other than the employee, a signed written authorization slip must be presented to the Payroll Office or the employee's Department Head. The Town of Newfane does not cash checks. If there are any questions relating to a paycheck, the employee must contact either the Department Head or the Payroll Clerk. If there is an error, it will be corrected no later than the following pay period that the error was found.

Employees will be hired at \$2.00 below the top rate in the job classification in which they were hired for. The employee will receive a \$.50 cent increment every six (6) months until they achieve the top rate in their respective job classification. These increments are subject to department head and town board approval, based on acceptable work performance.

If an employee is upgraded in a classification, their rate of pay will start at the \$.50 cent increment that is above their current pay rate, and again receive a \$.50 rate increase every six (6) months until they achieve the top rate in their respective job classification. This again is subject to department head review.

**RETIREMENT SYSTEM & SOCIAL SECURITY**

The Town of Newfane is covered under the New York State Employees Retirement System. Full Time employees must fill out necessary applications provided by the Payroll Clerk’s office. The retirement system plan provides supplementary income to the Federal Social Security benefits.

Effective January 1, 1977, all full-time employees’ positions classified as competitive or non-competitive must join the New York State Retirement System and contribute to Social Security. Part-time employees have the option to join.

Anyone hired on 4/1/12 or beyond will be a member of Tier VI (6) NYS Employees Retirement System.

**PAID HOLIDAYS**

The following is a list of holidays throughout the calendar year that will be recognized by the Town of Newfane as holidays for Full Time non seasonal hourly rate employees. If any of the following holidays fall on a Sunday, the next day thereafter shall be observed. If any of the following holidays fall on a Saturday, they shall be observed the previous Friday.

- |                 |                  |                        |
|-----------------|------------------|------------------------|
| New Year’s Day  | Independence Day | Thanksgiving Day       |
| Presidents’ Day | Labor Day        | Day After Thanksgiving |
| Good Friday     | Columbus Day     | Christmas Eve Day      |
| Memorial Day    | Veterans Day     | Christmas Day          |
| Juneteenth      |                  | (2) Floating Holidays  |

Any new hires must complete the ninety (90) day probationary period before becoming eligible for a paid holiday. (Effective 7/26/78).

**BEREAVEMENT**

In the event of death in an active employee's immediate family, the employee shall be allowed five (5) working days of paid bereavement leave for the death of a spouse, parent, step-parent, child, or step-child. In the event of the death of a family member listed below, three (3) working days of bereavement will be allowed. Employees will be paid for services they attend on future dates in cases of cremation or delayed interment. Such days will be part of the maximum of five (5) days as stated above and three (3) days for the family members listed below.

- |                       |                              |                              |
|-----------------------|------------------------------|------------------------------|
| Grandparent           | Grandchild                   | Current Spouse’s Parent      |
| Brother               | Sister                       | Current Spouse’s Grandchild  |
| Step-Brother/Sister   | Half Brother/Sister          | Current Spouse’s Grandparent |
| Brother/Sister In Law | Current Spouse’s Step-Parent |                              |

## VACATIONS

The vacation shall extend throughout the entire calendar year to ensure having an adequate staff during the year. When practical, the employee will be given an opportunity to take up to two (2) weeks of their vacation during the summer months if they wish, but it may be necessary for those employees entitled to more than two (2) weeks to take a portion of their vacation at other times during the year. It is required that each office has only one person off at a time. If a conflict should arise, wherein more than one employee requests the same time off, seniority will prevail. Full consideration will be given to meeting preference for vacation time off, but the needs of the town come first. The employee should notify the department head and/or Supervisor at least seven (7) days in advance or as soon as possible of their desired vacation period. (Board Action 7-26-89).

Vacations are not accumulative and must be taken during the employee's eligibility year when due. If not taken, the vacation days are lost, no payment will be made. The vacation period shall be from the date of employment to the anniversary date and from the anniversary date to the next anniversary date thereafter.

Full-time and Salaried Employees (Permanent and Seasonal Part-time and Elected Officials are excluded) shall earn vacation time as follows:

- Employees will earn five (5) working days of annual vacation after completion of one (1) year of service up to three (3) years;
- Employees will earn ten (10) working days of annual vacation after completion of three (3) years of service up to five (5) years;
- Employees will earn fifteen (15) working days of annual vacation after completion of five (5) years;
- Employees will earn one (1) additional vacation day (for a total of sixteen (16) days of annual vacation) after completion of eleven (11) years of service and each completed year of service after that as follows:
  - 12 years - 17 days; 13 years - 18 days; 14 years - 19 days;
- Employees will earn a maximum of twenty (20) working days of annual vacation after completion of fifteen (15) years of service;
- After 25 years of service employees will earn one (1) additional vacation day for each year up to 30 years and 5 weeks maximum vacation;
- Employees hired on or after 01/01/2025 will earn a maximum of fifteen (15) days, after five (5) years of service.

Vacation pay will be based on the employee's normal wage or salary. No vacation will be accumulated or paid prior to one (1) year of continuous service. No vacation will accumulate while an employee is absent on leave with one half (1/2) pay or without pay or under disciplinary punishment involving loss of work time.

Should the employee resign and give proper notice, they would receive vacation pay based upon the amount of unused vacation the employee earned. Resignation of employment within one (1) year of their starting date, an employee can receive no vacation pay regardless of amount of notice given. A terminated employee shall receive no vacation credit for the year in which the termination takes place.

## **PERSONAL DAYS (Previously known as PAID ABSENCE)**

All permanent full-time and part-time hourly and Salaried employees (excluding Elected Officials) who have completed their ninety (90) day probationary period shall be credited with three (3) personal days per year of employment (one and a half personal days for permanent Part-Time). Permanent part-time hourly employees hired on or after 1/1/2025 do not qualify for Personal day credits.

If any employee does not use the three (3) personal days (one and a half days for Part-Time employees) credited to them prior to their anniversary date, the employee will be paid the unused personal time in the first pay period following the employee's anniversary date. If employment is terminated before such date; at which time, the employee will receive compensation for personal days remaining.

Paid personal time may not be used in less than fifteen (15) minute increments.

## **CREDITED SICK LEAVE**

All full-time hourly and Salaried employees (Excluding Elected Officials) who have completed their ninety (90) day probationary period shall be credited with one (1) sick leave day per month if active full-time service, up to a maximum of 150 days.

All permanent part-time employees who have completed their ninety (90) day probationary period shall be credited with 3.5 hours credited sick leave.

Sick leave credits may not be used in other than fifteen (15) minute increments.

Sick leave credits may only be used for personal or dependent illness or attendance at personal dentist and doctor appointments.

An employee may exercise a medical leave to donate blood. These leaves may be used up to three (3) hours per year and will be charged to the employee's sick leave accrual.

After three (3) consecutive days of sick leave, employees shall be required to provide a note from their Health Care Provider to the Department Head.

After the maximum credited sick time is reached, no more sick leave credit may be earned by the employee except to the extent of restoring credit subsequently drawn used for sick leave and thereby building up accruals again to the appropriate number of maximum days. Calculations of sick leave shall be based on each employee's anniversary. The unit for computation of sick leave shall not be less than one-half day.

Credits cannot be earned for the period an employee is on leave of absence without pay or under disciplinary punishment involving the loss of work time or employees who are considered on one half pay. For calculation of sick leave credit, the time recorded on the payroll at the full rate of pay shall be considered as time "served by the employee" (Board action 10/11/89).

For retirement purposes only, the employer will grant to a retiring employee who has accumulated unused sick days, compensatory time off computed on a ratio four (4) days compensatory time off for every ten (10) days of unused sick leaves up to a maximum of sixty (60) days compensatory time off (e.g., 150 days divided by  $10 \times 4 = 60$  days).

**CREDITED SICK LEAVE (continued)**

Compensatory time off pursuant to this provision will be granted only to a retiring employee and only upon the employee having a fixed date for retirement, having submitted all necessary documents to the New York State Retirement System to implement his or her retirement on the date fixed, and upon acknowledgment by the New York State Retirement System to implement his or her retirement on the date fixed, and upon acknowledgment by the New York State Retirement System that the retirement of the said employee is fixed to commence upon the date of retirement specified.

Any compensatory time off due to an employee pursuant to this provision shall be fully depleted prior to the date fixed for retirement or such compensatory time off shall be forfeited.

**EXTENSION OF SICK LEAVE**

After insurance benefits have been used at the discretion of the Department Head and approval of the Town Board, permanent employees may also be granted sick leave with one-half pay for three (3) months after three (3) years of Town Service after all paid absence and vacation credits have been used. If they still have unused sick credits, an additional period of three (3) months of leave at half-pay may be granted with the approval of the Department Head and the Town Board. Leave not exceeding eleven (11) months without pay may be granted in the case of employees who have served continuously for at least one (1) year in the Town Service.

No sick leave without pay of more than eleven (11) months shall be granted unless the department head has obtained prior approval for such an extension from the Niagara County Civil Service Commission.

It will be necessary for the employee who is requesting additional sick leave to furnish both the department head and the Town Board with a documented medical certificate.

Consideration is to be given to each employee's sick leave situation where a question of extended absence is involved. Proper steps are taken through existing means to adjust all such cases in the light of the particular facts surrounding them.

An employee shall make their formal request for one-half pay sick leave directly to the Department head, Supervisor, and the Town Board, along with a certificate from their personal doctor. The Town board and Department Head will then confer and then the Town Board shall notify the employee in writing of the approval or disapproval of the request.

**LEAVE OF ABSENCE**

Leaves of absence are granted by the Town Board only under the following conditions: education, maternity, military, or authorized personal business. Leaves of absence shall be granted to protect your continuity of service and eligibility for benefits on return to work. Employees' benefits are not paid or accumulated during leaves of absence, nor is time out for such leaves counted in determining total years of service. In no case should any total continuous leave of absence without pay exceed one (1) year without the approval of the Supervisor and Town Board.

### **LEAVE OF ABSENCE (continued)**

If an employee is on a leave of absence for any reason, he/she may be required at the discretion of the Town Board to pass a pre-employment physical examination given at no expense to the employee before being permitted to return to work. No leave of absence is official until approved by the department head, the Supervisor and Town Board.

### **LAYOFFS**

All full-time employees shall be laid off or terminated in the inverse order of original appointment in the department. No full-time employees shall be laid off until all probationary or part-time employees have been laid off in the inverse order of original appointment in the department.

### **MILITARY LEAVE**

A full-time employee who enters the military service of the United States will be granted a special leave of absence. All military service shall count as town service if the employee reports back to work within 90 days of their discharge. No re-enlistment into the Armed Forces shall serve as a leave of absence; the employee's records would be terminated. Upon request, a full-time employee will be permitted to take their annual military or reserve training without loss of pay, vacation time or other rights. Per state law, "Town employees compensated on an hourly or per diem basis are entitled to their regular compensation while attending training camp or otherwise engages in the performance of ordered military duty."

### **JURY DUTY**

A regular part-time or full-time employee summoned for jury duty as certified by the Clerk of the Court shall be paid by the Town of Newfane their rate of pay for normal hours worked per day for a maximum of ten (10) workdays every two (2) calendar years. As a condition of such pay, the employee must notify the Department Head and/or Supervisor that they have been called to serve as a juror and must report back to work on any day that they are excused from jury duty before noon.

In the event an employee is summoned for jury duty extending beyond ten (10) days or more within two (2) calendar years, must notify the Department Head and Supervisor, and receive approval by the Town Board.

### **ABSENTEEISM AND TARDINESS**

The employee is paid only for their time worked. The employee shall be docked for all tardiness more than eight (8) minutes and payroll is deducted to the nearest fifteen (15) minutes of an hour. Town work requires that employees attend regularly and report promptly for duty scheduled. If an employee is ill, he/she must contact their department head as soon as possible before their shift starts, via text or phone call. Unless the department head is notified, according to this rule, the Department Head must report an employee absent without the right to paid absence pay. Excessive absences and tardiness occurrences are grounds for disciplinary action, up to and including termination at the discretion of the Department Head.

### **DRESS CODE**

All employees shall be dressed in clothing suitable for a business casual setting and the duties within the position held. Clothing shall be neat, clean and in good repair. All clothing will be modest in appearance.

## **CYBER SECURITY POLICY**

Although the use of personal cellphones and other smart devices may be authorized to have on your possession, while working all devices should be turned off or set to silent or vibrate mode during meetings, conferences and in any circumstance where incoming calls may be disruptive.

### **PERSONAL CELLPHONE & OTHER SMART DEVICES**

While at work, employees are expected to exercise discretion in using personal devices. Excessive personal calls during the workday can interfere with employee productivity and be distracting to others. Employees are encouraged to make any personal calls or texts during nonwork time when possible and to ensure that friends and family members are aware of the Town of Newfane, NY's policy.

There is to be no social media posts (Facebook, snapchat, TikTok, etc.) made during work hours.

Town of Newfane, NY will not be liable for the loss or damage of personal cellphones or smart devices brought into the workplace.

### **COMPANYPROVIDED CELLPHONES & SMART DEVICES**

When job duties or business needs demand, the Town may issue a business cellphone or smart device to an employee for work-related communications. Personal use of company-owned cellphones or smart devices should be kept to a minimum and any personal expenses incurred above normal company charges must be approved by the Town prior to expense.

Employees in possession of Town-owned cellphones and smart devices are expected to protect the equipment from loss, damage, or theft. Upon termination of employment, or at any time on request, the employee may be asked to produce the phone for return or inspection. An employee may purchase said equipment at a Fair Market price determined by the IT Department.

### **SAFETY ISSUES FOR CELLPHONE USE**

All employees are expected to follow applicable local, state, and federal laws and regulations regarding the use of cellphones at all times.

Employees whose job responsibilities include regular or occasional driving and who are issued a cellphone or smart device for business use are expected to refrain from using their phone while driving; use of a cellphone while driving is not required by the company. Safety must come before all other concerns.

Regardless of the circumstances, including slow or stopped traffic, employees are required to use hands-free operations or pull off to the side of the road and safely stop the vehicle before placing or accepting a call.

Employees are encouraged to always keep their eyes on the road while driving. Special care should be taken in situations where there is traffic or inclement weather, or the employee is driving in an unfamiliar area.

Hands-free equipment may be provided with Town-issued phones or smart devices to facilitate the provisions of this policy and if no hands-free application is provided employee is not to engage in cellphone or smart device use until they are safely pulled over with the vehicle in park.

Reading or sending text messages while driving is **strictly** prohibited.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

## **CYBER SECURITY POLICY (continued)**

### **VIDEO OR AUDIO RECORDING DEVICES**

The use of a camera or other video or audio recording-capable devices on company premises is prohibited without the express prior permission of Department Head or Town Supervisor and of the person(s) subject to recording. Video or audio recording in restrooms and/or locker rooms is strictly prohibited.

### **CONSEQUENCES FOR VIOLATORS**

Employees violating this policy will be subject to discipline, up to and including termination of employment.

### **NYS SEXUAL HARASSMENT PREVENTION COMPLIANCE**

The Town of Newfane requires all Town employees to complete an annual harassment training course. This training course is available online and all employees will receive an email with the link and instructions. For employees that may have limited computer access, there will be a laptop made available to use in the Town Hall Conference Room.

### **HEALTH INSURANCE**

The Town will provide all full-time (hourly or salary) employees with the opportunity to receive single or family coverage, as appropriate, through the health insurance the Town provides. The Town will contribute one hundred (100%) percent of the cost of such coverage on behalf of the full-time employees hired on or before December 31, 2001. Full-time employees hired on or after January 1, 2002, the Town will contribute one hundred (100%) percent cost of single coverage and seventy (70%) percent of such cost for family or 2 persons. After five (5) continuous years of full-time employment, from the employee start date, Town will pay one hundred (100%) percent health insurance coverage. Full-time employees hired on or after January 1, 2025, the Town will contribute one hundred (100%) percent of the cost of single coverage and seventy (70%) percent of such cost for a family or 2 persons. After five (5) continuous years of full-time employment, from the employee start date, the Town will pay ninety (90%) percent health insurance coverage for any family or 2 person plans.

When any employee is hired, and if the application for health insurance is turned in within the first thirty (30) days of hire, the employee's coverage will be picked up the next month following date of hire.

All full-time (hourly or salary) employees who do not elect coverage are eligible for an annual stipend of one thousand (\$1,000) dollars. This stipend will be paid at the end of the health contract year. Partial years will be pro-rated monthly.



## **HEALTH INSURANCE** (continued)

For Health Insurance purposes, Justice of Peace and Town Supervisor are considered full time. Part-time hourly (including elected officials) are not eligible for health insurance. (*Amendment 12/28/2012*)

Any previous full-time employee with five (5) continuous years' employment can participate in the Town health plan and must pay one hundred (100%) percent of the cost.

Town employees hired before January 1, 1978, with fifteen (15) years seniority, the Town will pay entire health insurance benefits (including spouse) until death of employee. The surviving spouse must pay fifty (50%) percent of appropriate coverage.

Town employees hired on or after January 1, 1978, upon their retirement with fifteen (15) years of service, the town will pay seventy-five (75%) percent of the cost; with twenty (20) years of service the Town will pay one hundred (100%) percent of the cost. (Spouses included)

For employees hired on or before December 31, 2001, who retire from the Town with twenty (20) years of full-time continuous service, and are eligible to receive New York State Retirement Pension, the Town will pay the health insurance premium for single or two (2) person plan, covering employee and spouse only, until the retiree is eligible for Medicare. Retirees eligible for Medicare Part B must apply for and maintain such coverage to be eligible for supplemental health insurance paid by the Town until death.

For employees hired on or after January 1, 2002, who retire from the town with twenty-five (25) years of full-time continuous service and are eligible to receive New York State Retirement System Pension, the town will pay the health insurance premium for a single plan until the retiree is eligible for Medicare. Retirees eligible for Medicare Part B must apply for and maintain such coverage to be eligible for supplemental insurance paid by the Town until death (NOTE: no coverage for spouse).

A current spouse of a deceased employee hired before January 1, 2002, who reached twenty (20) years seniority with the Town will pay fifty (50%) percent of health insurance expense. A current spouse of a deceased employee who has reached fifteen (15) years seniority with the Town will pay sixty-seven (67%) percent of health insurance expense. This benefit will terminate with death of spouse or if spouse should remarry.

If there is a change, such as marriage, divorce, or Medicare eligible, employee must submit a change request form into the health insurance provide within thirty (30) days before or after effective date of change, the new rate will become effective the following month. Otherwise, there is a ninety (90) day waiting period. All forms are available at the Supervisor's (Payroll) Office.

## **D.B.L. COVERAGE**

The Town will carry a D.B.L. Policy for the employees after four (4) consecutive weeks of employment (not necessarily the same employer) that will pay them approximately fifty (50%) percent of their gross pay for 26 weeks beginning with the 8th day of sickness or accident on or off the job. The employee has the option to use their accumulated sick days for the first 7 days not covered. The employee may also elect to use one-half (1/2) a sick day (if they have any) to supplement their disability pay.

## **LIFE INSURANCE**

The Town will provide a fully paid Five Thousand Dollar (\$5,000.00) life insurance policy for our permanent full-time employees while in service after 90 days of employment. At retirement or termination, the employee will have the option to pick up the policy themselves. The policy will be effective 60 days from the date of hire.

## **PROCEDURES FOR SETTLING DISPUTES**

Any dispute or problem, or recommendation, relating to employment with the Town will be handled in an orderly manner. The first step to a truce should be to discuss the matter with the employee's Department Head, should a problem arise. If the situation involves an incident which happened, this should be presented to the Department Head in writing within three (3) days of the occurrence of the incident. The immediate Department Head will respond in writing to bis/her employee's problem or complaint within three (3) days after receiving it.

If the response of the immediate Department Head is not satisfactory, the problem should be reported to the Supervisor in writing within three (3) days after the answer from the employee's Department Head was received. The Supervisor will then answer the employee's problem in writing within three (3) workdays after receiving it.

If the response from the Supervisor still does not, to the employee's satisfaction, settle the issue, it may be presented, in writing, to the Town Board within three (3) days after the answer from the Supervisor is received. The Town Board will then schedule a meeting within five (5) days of all parties involved in the problem. Within five (5) workdays after that meeting, the answer of the Town Board will be forwarded in writing.

## **WORK RULES AND REGULATIONS**

Rules and Regulations are necessary to ensure the efficient operation of the Town. The following rules and regulations must be observed by all employees.

Infraction of any of the list of rules will be sufficient grounds for disciplinary action, ranging from an oral warning to immediate dismissal, depending on the seriousness of their offense:

1. Gambling, canvassing, soliciting for donations, selling merchandise, or distribution of unauthorized printed material on the Town Hall complex.
2. Any act of dishonesty, such as falsifying material on an application for employment or making false claims for sick leave.
3. Failure to perform work in a satisfactory manner.
4. Frequent tardiness from work or excessive absenteeism
5. Overstaying lunch periods or rest periods.
6. Possessing, opening, or drinking alcoholic beverages on duty or reporting to work under the influence of alcohol, drugs, or in an unsafe condition.
7. Immoral conduct or indecency, including sexual harassment and/or creating a hostile work environment.
8. Physical fighting or assaulting any person on Town Hall complex at any time,
9. Insubordination (refusing or deliberately failing to carry out instructions of the department head or Supervisor).

## **TOWN OF NEWFANE- WORK RULES REVISION II**

### **HEALTH INSURANCE**

The Town will provide all full-time employees with the opportunity to receive single or family coverage, as appropriate, through the health insurance the Town provides. The Town will contribute one hundred (100%) percent of the cost of such coverage on behalf of the full-time employees hired on or before December 31, 2001. Full time employees hired on or after January 1, 2002, the Town will contribute one hundred (100%) percent cost of single coverage and seventy (70%) percent of such cost for family or 2 persons. After five (5) continuous years of full-time employment, from the employee start date, Town will pay one hundred (100%) percent health insurance coverage.

All full-time employees who do not elect coverage are eligible for an annual stipend of one thousand (\$1,000.00) dollars. This stipend to be paid at the end of the health contract year. Partial years to be pro-rated monthly.

All part time elected officials will pay five (5%) percent of any plan they choose.

Coverage to include single, two (2) person or family. Such employees working past age sixty-five (65) must take senior coverage 'With five (5%) percent factor to include Medicare Part B Expense. For health insurance purposes. Justice of Peace and Town Supervisor are considered full-time. Part-time hourly (not elected) are not eligible for health insurance. After five (5) years' continuous service the Marina Director can purchase single coverage for fifty (50%) percent of the cost. After ten (10) years' continuous service the Town will pay one hundred (100%) percent for single coverage only.

Any previous employee with five (5) years continuous employment participate in the Town health plan and must pay one hundred (100%) percent of the cost.

For employees hired on or before December 31, 2001) who retire from the Town with twenty (20) years of full-time continuous service, and are eligible to receive New York State Retirement Pension, the Town will pay the health insurance premium for a single or two (2) person, covering employee and spouse only, plan until the retiree is eligible for Medicare. Retirees eligible for Medicare Part B must apply for and maintain such coverage to be eligible for supplemental health insurance paid by the Town until death.

For employees hired on or after January 1, 2002, who retire from the Town with twenty-five (25) years of full-time continuous service and are eligible to receive New York State Retirement System Pension the Town will pay the health insurance premium for a single plan until the retiree is eligible for Medicare. Retirees eligible for Medicare Part B must apply for an maintain such coverage to be eligible for supplemental insurance paid by the Town until death. (NOTE: no coverage for spouse)

Town employees hired before January 1, 1978, with fifteen (15) years seniority, the Town will pay entire health insurance benefits (including spouse) until death of employee. Surviving spouse must pay fifty (50% percent of appropriate coverage.

Town employees hired on or after January 1, 1978, upon their retirement with fifteen (15) years of service, the Town will pay seventy-five (75%) percent of cost; with twenty (20) years of service the Town will pay one hundred (100%) percent of the cost.

A current spouse of a deceased employee hired prior to January 1, 2002, who reached twenty (20) years seniority with the Town will pay fifty (50%) percent of health care expense. A current spouse of a deceased employee who has reached fifteen (15) years seniority with the Town will pay sixty-seven (67%) percent of health care cost. This benefit will terminate with death of spouse of if spouse should remarry.

When any employee is hired and if the application for health insurance is turned in within the first thirty (30) days of hire, and if the employee is presently covered under that particular insurance coverage, then employees coverage will be picked up the next month following date of hire. If employee does not carry that particular health insurance coverage, the is as waiting period of at least ninety (90) days and employee will be picked up the following month from their ninety (90) days.

If there is a change, such as marriage, or Medicare, and employee must submit a change request form into the health insurance provider within thirty (30) days before or after effective date of change, the new rate will become effective the following month. Otherwise, there is a ninety (90) day waiting period. All forms are available at the Supervisors Office.

## **TOWN OF NEWFANE - WORK RULES REVISION III**

### **HEALTH INSURANCE**

The Town will provide all full time employees with the opportunity to receive single or family coverage, as appropriate, through health insurance the Town provides. The Town will contribute one hundred (100%) percent of the cost of such coverage on behalf of the full time employees hired on or before December 31, 2001. Full time employees hired on or after January 1, 2002, the Town will contribute one hundred (100%) percent cost of single coverage and seventy (70%) percent of such cost for family or 2 persons. After five (5) continuous years of full time employment, from employee start date, Town will pay one hundred (100%) percent health insurance coverage.

All full-time employees who do not elect coverage are eligible for an annual stipend of one thousand (\$1,000.00) dollars. This stipend to be paid at the end of the health contract year. Partial years to be pro-rated monthly.

All part time elected officials will pay five (5%) percent of any plan they choose. coverage to include single, two (2) person or family. Such employees working past age sixty-five (65) must take senior coverage with five (5%) percent factor to include Medicare Part B Bxpen.se. For health insurance purposes, Justice of Peace and Town Supervisor are considered full time. Part time hourly (not elected) are not eligible for health insurance. After five (5) years continuous service the Marina Director can purchase single coverage for fifty (50%) percent of the cost. After ten (10) years continuous service the Town will pay one hundred (100%) percent for single coverage only. The Marina Director is not eligible to apply for the annual stipend.

Any previous employee with five (5) years' continuous employment can participate in the Town health plan and must pay one hundred (100%) percent of the cost.

For employees hired on or before December 31, 2001, who retire from the Town with twenty (20) years of full time continuous service, and are eligible to receive New York State Retirement Pension, the Town will pay the health insurance premium for a single or two (2) person, covering employee and spouse only, plan until the retiree is eligible for Medicare. Retirees eligible for Medicare Part B must apply for and maintain such coverage to be eligible for supplemental health insurance paid by the Town until death.

For employees hired on or after January 1, 2002, who retire from the Town with twenty-five (25) years of full-time continuous service and are eligible to receive New York State Retirement System Pension. the Town will pay the health insurance premium for a single plan until the retiree is eligible for Medicare. Retirees eligible for Medicare Part B must apply for an maintain such coverage to be eligible for supplemental insurance paid by the Town until death. (NOTE: no coverage for spouse)

Town employees hired before January 1, 1978, with fifteen (15) years seniority, the Town will pay entire health insurance benefits (including spouse) until death of employee. Surviving spouse must pay fifty (50% percent of appropriate coverage.

Town employees hired on or after January 1, 1975, upon their retirement with fifteen (15) years of service, the Town will pay seventy-five (75%) percent of cost; with twenty (20) years of service the Town will pay enc hundred (100%) percent of the cost.

A current spouse of a deceased employee hired prior to January 1, 2002, who reached twenty (20) years seniority with the Town will pay fifty (50%) percent of health care expense. The current spouse of a deceased employee who has reached: fifteen (15) years seniority with the Town will pay sixty-seven (67%) percent of health care cost. This benefit will terminate with death of spouse of if spouse should remarry.

When any employee is hired, and if the application for health insurance is turned in within the first thirty (30) days of hire, and if the employee is presently covered under that particular insurance coverage, then employee's coverage will be picked up the next month following date of hire. If an employee does not carry that particular health insurance coverage, the is as waiting period of at least ninety (90) days and employee will be picked up the following month from their ninety (90) days.

If there is a change, such as marriage, divorce, or Medicare, employee must submit a change request form into the health insurance provider within thirty (30) days before or after effective date of change, the new rate will become effective the following month. Otherwise, there is a ninety (90) day waiting period. All forms are available at the Supervisors Office.

**TOWN OF NEWFANE  
WORK RULES**

I hereby acknowledge that I have received and read a copy of the Town of Newfane Work Rules.

These Work Rules supersede any previous rules adopted and may be amended at any time by the Town Board.

If the Work Rules are amended, employees will be advised and are expected to abide by them.

Date:

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Print Full Name:

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Signature:

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*A copy of this form will be placed in the employee's personnel file.*

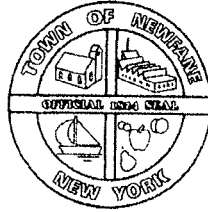
SUPERVISOR  
778-8531

TOWN CLERK  
778-8822

ASSESSOR  
778-8827

BUILDING INSPECTOR  
778-5947

WATER/SEWER  
778-8132




**TOWN OF NEWFANE**  
2737 Main Street  
Newfane, New York 14108  
FAX 778-7178

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

HIGHWAY  
778-8844

WATER/SEWER  
MAINTENANCE  
778-8587

6176 McKee Street  
Newfane, New York 14108

 TDD 1-800-662-1220

**RESOLUTION NO. 4 -2024  
FEBRUARY 28, 2024**

**RESOLUTION ADOPTING A FAIR HOUSING PLAN AND  
DESIGNATING SECTION 3 AND LABOR STANDARDS OFFICERS  
FOR THE TOWN OF NEWFANE**

**WHEREAS**, the Town of Newfane is a recipient of Community Development Block Grant (CDBG) funding through the United States Department of Homes and Community Renewal, administered by the New York State Governor's Office for Small Cities; and

**WHEREAS**, the rules and regulations governing the Community Development Block Program require that the Town be responsible for taking specific actions to affirmatively further fair housing (AFFH) practices in the Town; and

**WHEREAS**, the rules and regulations governing the Community Development Block Program require that the Town be responsible for ensuring compliance with Section 3 of the Housing and Urban Development Act of 1968, as amended, including the appointment of a Section 3 Officer to oversee compliance; and

**WHEREAS**, the rules and regulations governing the Community Development Block Program require that the Town be responsible for ensuring compliance with Davis Bacon and Related Labor Standards Acts including the appointment of a Labor Standards Officer to review and/or oversee compliance;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that it is the policy of the Town to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, handicap or disability, or familial status or national origin, and that discrimination in the sale, rental, leasing, financing of housing to be used for construction of housing, or in the provision of brokerage



services, because of race, color, religion, ancestry, sex, national origin, handicap or disability, is prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Housing Law); and be it further

**RESOLVED**, that the Town will undertake the following AFFH actions within one (1) year of the award of CDBG funds:

1. Display fair housing posters and distribute fair housing materials prepared by New York State, the municipality, U.S. Department of Housing and Urban Development (HUD), or fair housing organizations to community residents, landlords, real estate professional and lenders;
2. Elected officials, municipality staff in charge of planning, zoning, building, housing, community and economic development, and their third-party consultants attend an online fair housing training seminar; and be it further.

**RESOLVED**, that David Schmidt shall be designated as the Section 3 Officer for the Town of Newfane for the 2024 Fiscal Year; and be it further

**RESOLVED**, that David Schmidt shall be designated as the Labor Standards Officer for the Town of Newfane for the 2024 Fiscal Year; and be it further

**RESOLVED**, that the positions of Section 3 Officer and Labor Standards Officer shall be renewed annually.

**RESOLVED**, that this resolution will be deemed the Town's Fair Housing Plan.

**RESOLVED**, that the Town Board may, on its own initiative or on petition, amend, supplement, or repeal the provisions of this resolution in conformity with applicable rules and regulations and in their interpretation and application, the provisions of this resolution shall be held to be minimum requirements, adopted for the promotion of the public health, morals, safety, or the general welfare. Whenever the requirements of this resolution are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the highest standards, shall govern; and be it further

**RESOLVED**, that this Resolution shall take effect immediately.

**John Syracuse**, Supervisor

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**Richard Coleman**, Councilman

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**Robert Horanburg, Councilman**

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**Sue Neidlinger, Councilwoman**

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**Peter Robinson, Councilman**

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**DATED: February 28, 2024**