

**FEBRUARY 28, 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 February 28, 2024.

The following Board Members were present:

Supervisor: John Syracuse  
Councilwoman: Susan Neidlinger  
Councilman: Peter Robinson

The following Board Members were Absent:

Councilman: Rick Coleman  
Councilman: Robert Horanburg

Others present:

Mike Mills, Water Superintendent, Nicholas Irr, Wastewater Treatment Plant Manager, David Schmidt, Building Inspector/Code Enforcement Officer, Jeffrey Newman, Dog Control Officer, Joseph Flagler, Assistant Dog Control Officer and 2 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.

**MINUTES FILED BY TOWN CLERK**

Town of Newfane Tourism Board Minutes February 6, 2024  
Newfane Golden Agers Minutes, February 22, 2024  
Town Work Session Minutes, December 7, 2023  
Town Planning Board Minutes, January 23, 2024

**APPROVE PREVIOUS MINUTES**

Supervisor Syracuse asked for a MOTION to approve the Minutes of the January 11, 2024, Town Board Work Session. Moved by Councilwoman Neidlinger, second by Councilman Robinson. All present voted Aye. Motion Carried

The Supervisor asked for a MOTION to approve the Minutes of the January 24, 2024, Regular Town Board Meeting as well as the Minutes of the Town Board Work Session from February 8, 2024. Moved by Councilman Robinson, second by Councilwoman Neidlinger. All present voted Aye. Motion Carried

**COMMUNICATIONS AND PETITIONS**

**TOWN/ELLCOTT ROAD/REQUEST TO REDUCE HIGHWAY SPEED**

Town Clerk read the following:

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 45 mph 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. (Original letter and Petition to be filed with the original Minutes.)

The Supervisor requested this be moved to the next Town Board Work Session for discussion. All were in favor.

**TOWN.HIGHWAY/REQUEST FOR PURCHASE/ATLAS COPCO KUBOTA**

Jon Miller, Highway Superintendent, requested to purchase an Atlas Copco Kubota 185 CFM Air Compressor from Admar Construction Equipment & Supplies off a Sourcewell Contract 020923-PWT in the amount of \$24,100.00. Funds will be used from both the Highway and Water Department. The Supervisor entertained a MOTION to approve this request. Motion moved by Councilwoman Neidlinger, second by Councilman Robinson on the question. The Supervisor wanted to inform the Board that he had been working with Jon Miller on this as he has an extreme need for this compressor. They went over the Highway Budget and the Supervisor highly recommends, as the Budget Officer, that this purchase be allowed. The Water/Sewer Department is also in need of this compressor so we will work this out between the departments at a later date.

Hearing no questions the Supervisor entertained a Roll Call Vote:

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

Motion Carried

**TOWN/WATER /SEWER/REQUEST TO REFUND**

The Supervisor offered a MOTION to refund the payment for 2 unused refuse units charged on a parcel that does not require garbage pickup. MOTION made by Councilman Robinson, second by Councilman Neidlinger. All were in favor, no one opposed.

Motion Carried

**MILLER HOSE/ROSTER/ADDITIONS**

The Supervisor offered a MOTION to the Board to allow Norman Taylor and Donald Davey to the Miller Hose Active Roster, effective immediately. MOTION made by Councilman Robinson, second by Councilwoman Neidlinger. All were in favor, no one opposed.

Motion Carried

**OLCOTT FIRE COMPANY/ROSTER/REMOVALS**

The Supervisor offered a MOTION to the Board to remove Victoria Stanton and Simon Lamb from the Active Roster. MOTION made by Councilman Robinson, second by Councilwoman Neidlinger. All were in favor, no one 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, reported they are working on the north side of East Lake Road and hope to get the south side done before the weather turns nice. Dealt with a water main break on Ketchum Avenue, it's been pretty busy. The Supervisor told Mike he received calls from homeowners who really appreciated the crews' hard work to get that main repaired and their water service restored in a timely manner.

Nick Irr, Wastewater Treatment Plant Chief Operator, told the Board everything at the Plant is running well. Compost is available at the Compost Facility. Regarding the construction update, they pulled out a little early this month as they are waiting for parts. They won't be able to resume working until the materials are in.

David Schmidt, Building Inspector/Code Enforcement Officer indicated that there is a lot going on, very busy. He will need to begin the inspections on businesses and churches and there are quite a few of them in Town. He indicated he is trying to work on the list of complaints as quickly as possible to try to get through them, however, the list continues to grow.

Jeff Newman, Dog Control Officer, stated that with the nicer weather they have been a little busy. The mailman was chased down the street on Corwin Avenue and we have our State Inspection with Ag and Markets on March 11<sup>th</sup>. We helped St. Andrew's with their pet food giveaway which was held at the monthly food giveaway here at the Town Hall.

The Tourism Report was given by Councilman Peter Robinson on behalf of Gina Guid-Redden who was not able to attend. There are currently 10,000 followers on the Tourism Facebook page. They have been in communication with local businesses as well as regional tourism organizations planning for the Great North American Solar Eclipse. The booth at the Fishing Expo was a success. It was well attended and approximately 300 Visitor's Guides for 2024 were taken by spectators. The 2024 Event Calendar is full and available on Tourism's website, <https://www.olcott-newfane.com/> The Lakeview Village Fair Shops will be open for the Solar Eclipse event. The bathrooms have been opened and they are ready to greet all our tourist friends.

**NEW BUSINESS**

**TOWN/RESOLUTION NO. 3-2024/AMENDING TOWN 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. The Supervisor entertained a MOTION to approve the Resolution Amending the Town of Newfane Work Rules. Motion made by Councilwoman Neidlinger, second by Councilman Robinson. All were in favor, no one opposed.

Motion Carried

**TOWN/RESOLUTION NO. 4-2024/ FAIR HOUSING PLAN/DESIGNATING OFFICERS**

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 Supervisor shall be designated as the Section 3 Officer for the Town of Newfane for the 2024 Fiscal Year, and be it further RESOLVED, that Supervisor 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.

The Supervisor entertained a MOTION to adopt the Resolution. Motion made by Councilwoman Neidlinger, second by Councilman Robinson on the question. Hearing no questions, all were in favor, no one was opposed.

Motion Carried

**PAY BILLS**

The Supervisor entertained a MOTION to approve the payment of claims totaling \$1,537,582.14, bills paid in February, 2024, Vouchers #34579-34774, as audited by the Supervisor and Department

Heads and as per Abstract Sheets dated 02/28/2024 which will be filed with the official record.

General Fund .....	\$ 89,450.83
Highway Fund .....	\$133,464.21

Water Fund .....	\$ 48,080.77
Sewer Fund .....	\$ 178,077.36
Lighting District .....	\$ 11,987.23
Refuse District .....	\$ 131,443.36
Fire Prevention District ....	\$ 4,075.00
Trust & Agency .....	\$ 3,716.54
Capital Projects .....	\$ <u>937,286.85</u>
<b>TOTAL APPROVED .....</b>	<b>\$1,537,582.14</b>

Motion made by Councilwoman Neidlinger, second by Councilman Robinson. All were in favor, no one was opposed.

Motion Carried

**PUBLIC COMMENTS**

Brian Hellner, 2653 Fuller Road, Newfane, NY, thanked the Board for their efforts in becoming more transparent with open government and meeting laws, expressed his disappointment with given email addresses for the Board rather than their cell phone numbers for contact information and is hopeful that, should the Town approve the Constable position, more help will be available to the Code Enforcement Department in resolving complaints.

Larry Dormer, 6072 Exchange Street, Newfane, NY, asked if in addition to the posting in the Newspaper for Planning and Zoning Board meetings it could be placed on the website. In his opinion, very few people are getting a newspaper anymore. Not just the Notice but what type of business will be conducted at the Meetings. The Supervisor is hoping that as we move forward all that information will be placed on the website for the public to see. The goal is to become as informative and transparent as is possible and practical.

**ANNOUNCEMENTS/COMMENTS FROM THE BOARD**

Supervisor Syracuse announced the next Work Session is Tuesday, March 14<sup>th</sup>, 2024 at 6:30 PM in the Town Hall, Board Room. The next Town Board Meeting will be Wednesday, March 27, 2024 at 7:00 p.m.

There are still tickets available for the Bicentennial Dinner on Saturday, March 23<sup>rd</sup> at the Olcott Fire Hall

**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 7:48 p.m.

Respectfully submitted,

Donna M. Lakes  
Town Clerk

Next Regular Town Board Meeting March 27th, 2024