

**MARCH 27, 2024**

**PUBLIC HEARING**

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

The following Board Members were present:

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

Others present: James Sansone, Town Attorney, Michael Mills, Water Superintendent, David Schmidt, Building Inspector/Code Enforcement Officer, Mary Zeller, Confidential Secretary to the Supervisor, Troy Barnes, Zoning Board Chairman, Gina Guido-Redden, Tourism Committee, Thomas Tedesco, US&J and 6 residents.

The Supervisor opened the Public Hearing at 6:45 p.m. by reading the Notice of Public Hearing as follows: **NOTICE OF PUBLIC HEARING TOWN BOARD TOWN OF NEWFANE. NOTICE IS HEREBY GIVEN**, that, pursuant to Municipal Home Rule Law of the State of New York, and General Municipal Law of the State of New York, the Town Board of the Town of Newfane, will hold a Public Hearing at the Town of Newfane Town Hall, 2737 Main Street, Newfane, NY, on the 27<sup>th</sup> day of March, 2024, at a Hearing commencing at 6:45 p.m., to consider the adoption of a proposed Local Law creating the position of Town Constable in the Town of Newfane, NY. The text of the proposed Local Law is on file in the Town Clerk's Office, where it may be examined during regular business hours. **BY ORDER OF THE TOWN BOARD**

The Supervisor opened the floor to any individual wishing to speak on the proposed Local Law. Dan Paul, residing at 6075 Exchange Street, expressed his concern regarding having a police force to act on selective enforcement of our laws as well as the issue of them being armed. He does not feel we need military style enforcement in our little town. He agrees with following the rules but not handled in this fashion. The Supervisor thanked Mr. Paul for his input and offered anyone else the opportunity to speak. There were no others from the audience wishing to speak.

The Supervisor Closed the Public Hearing at 6:50 P.M.

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**REGULAR BOARD MEETING**

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Others present: James Sansone, Town Attorney, Michael Mills, Water Superintendent, David Schmidt, Building Inspector/Code Enforcement Officer, Mary Zeller, Confidential Secretary to the Supervisor, Troy Barnes, Zoning Board Chairman, Gina Guido-Redden, Tourism Committee, Thomas Tedesco, US&J and 9 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 WITH THE TOWN CLERK**

Town Board Work Session Minutes, February 8, 2024

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**REGULAR BOARD MEETING cont.**

Town of Newfane Tourism Committee Minutes March 5, 2024  
Zoning Board of Appeals Minutes, February 20, 2024

**MISCELLANEOUS FILED WITH THE TOWN CLERK**

Notice of Liquor License Renewal for Mariners Landing, Inc.

**APPROVE PREVIOUS MINUTES**

Supervisor Syracuse asked for a MOTION to approve the Minutes of the February 28, 2024, Town Board Meeting. Moved by Councilwoman Neidlinger, second by Councilman Coleman on the question. Hearing no questions, all were in favor, no one was opposed.

All present voted Aye.

Motion Carried

**COMMUNICATIONS AND PETITIONS**

**TOWN/WWTP/REQUEST HIRE SUMMER HELP/NICHOLAS**

The Town Clerk read correspondence from Nicholas Irr, Chief Operator of the Wastewater Treatment Plant, requesting to hire Christopher Nicholas to work as Summer Help at the Wastewater Treatment Plant. Job duties will consist of building and grounds maintenance at the WWTP, Pumping Stations and Compost Plant. Pay to start at \$17.00 per hour, beginning on May 6, 2024, and ending in September.

Supervisor Syracuse asked for a MOTION to approve the request to hire Christopher Nicholas for Summer Help. Moved by Councilman Horanburg, second by Councilman Robinson on the question. Hearing no questions, all were in favor, no one was opposed.

All present voted Aye.

Motion Carried

**TOWN/HIGHWAY/REQUEST TO ATTEND HIGHWAY SUPERINTENDENT SCHOOL**

The Town Clerk read correspondence from Jon Miller, Highway Superintendent, respectfully requesting permission to attend 2024 Highway Superintendent School in Ithaca, NY, on June 2 – June 5, 2024, with the cost not exceeding \$800.00 for registration, hotel and food. Supervisor Syracuse asked for a MOTION to approve Highway Superintendent Jon Miller's request. Moved by Councilman Coleman, second by Councilman Horanburg on the question. Hearing no questions, all were in favor, no one was opposed.

All present voted Aye.

Motion Carried

**TOWN/SUPERVISOR/RECAP OF AMBULANCE USE/MILLER HOSE/OLCOTT FIRE CO.**

The Supervisor offered a recap for the Newfane Residents on the status of the proposal for Miller Hose Fire Company and Olcott Fire Company to begin billing for ambulance services. This is something allowed by law and is perceived to be a win/win for the Fire Companies as well as the public. The Supervisor invited personnel from the Fire Companies to come and speak about the process they are hoping will be implemented. Michael Miller, Olcott Fire Company, explained that Governor Hochul passed a law in 2022 allowing Fire Companies to bill for ambulance services. While other Fire Companies implemented the billing service they wanted to wait and see how it would all play out. With the rising costs of material, gas, mileage, etc., they are looking at a soft billing option. Essentially, if you are a Town of Newfane Resident the Insurance Company will be billed. They will not charge a co-pay and if the resident does not have insurance, they will pay nothing. In the past, the hospitals would help by restocking the medical supplies for the ambulance for the patient that was brought in, that is no longer happening. Shannon Coleman, Olcott Fire Company, also reiterated that supplies were depleting prior to covid, however, when covid hit they were getting no help from the hospitals. The cost of medical supplies greatly increased and became difficult to get. The Supervisor indicated that if we do not have the aid of our volunteers, causing a private ambulance company to respond, there will be no forgiveness on the billing. It is becoming clear that this would be the way to keep our volunteers and assist our residents. All funds received for ambulance services by the local Fire Companies goes right back into the EMS Service.

**REPORTS OF COMMITTEES AND DEPARTMENT HEADS**

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

Water Superintendent, Mike Mills, indicates that there is a lot going on with the water line sizing and what they are made of. We have about 4,000 services in Town, and with the work of Wendel Engineering, we have it narrowed down to about 2,000. The water department is going door to door, leaving letters at residences, that they need to schedule appointments for the guys to get into the homes to check for lead. Mike Mills indicated in his 23 years here he has only seen 1. He understands why the State is doing this, but it is a lot of additional work on the staff and needs to be

done by October of 2024. In addition to that we have more water taps and are trying to finish the East Side of Route 18 and working on Lake Road plans.

The Chief Operator of the WWTP, Nick Irr, advised that there is compost available to the Town Residents at no charge. The workers are back at the plant and are continuing work on the upgrades. He is working on straightening out an issue with disinfecting as our chlorine limits have been lowered.

Gina Guido-Redden, Tourism Committee, advised they are getting ready for the eclipse. Almost all of the businesses that are closed on Mondays will be open, the shops at Village Fair will be open, Gina thanked Mike Mills for getting the bathrooms in Olcott open for them. The companies that do rental tracking show our projections for 2024 have increased greatly and we have new businesses popping up in Olcott and Newfane which we are really excited about.

David Schmidt, Building Inspector/Code Enforcement Officer, advised now that the weather is getting warmer it's getting busier. The Short Term Rentals are coming along, the tiny homes are starting to come in and he is down to one more certification and he will no longer need assistance in signing off on any paperwork.

**NEW BUSINESS**

**TOWN/RESOLUTION NO. 6 – 2024/CONTRACT WITH SONITROL**

WHEREAS, the Town of Newfane is desirous to upgrade its current 3G monitoring system which is out of date, and also desires transition to 5G system, and WHEREAS, this new 5G monitoring system will provide upgrades to most cameras and their location along with further upgrades from the antiquated “dial-up” mode, to a more efficient “internet-enhanced” program, and WHEREAS, the Town of Newfane will also provide new surveillance monitoring systems at our Wastewater Treatment Facility located at 6349 E Lake Road, Olcott, NY 14126, and WHEREAS, this resolution replaces and rescinds Resolution No. 49-2023 and Resolution No. 58-2023, and now therefore be it RESOLVED, that the Town Board of the Town of Newfane approves four (4) contracts attached hereto and does hereby direct the Town Supervisor to enter into said contract, and be it further RESOLVED, the funds used to pay for these goods and services will come from the dollars ascribed from ARPA.

Motion made by Councilman Horanburg, second by Councilman Robinson to approve the Resolution with four (4) Contracts attached thereto.

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. 7 – 2024/OLCOTT/JAZZ FESTIVAL**

WHEREAS, Olcott Beach is a major tourist area in the Town Of Newfane, due to its location on Lake Ontario, and the many attractions it offers tourists, such as being a premier fishing location in New York State, being the location of the Olcott Beach Carousel Park, having the most beautiful park in Niagara County, a freshly sanded beach with lifeguards for swimming, numerous bed and breakfasts, many cottages and motels for tourists and fishermen, fine restaurants, the location of the Lakeside Village Shoppes, a unique and vibrant shopping center; and WHEREAS, Olcott Beach has many events in the summertime to attract tourists and citizens of the community, in order to bolster the businesses of Olcott Beach and the Town of Newfane in general, and thereby improve the economy of the area; and WHEREAS, the “Olcott Beach Jazz Trail” is a jazz festival to be held on September 1, 2024 in various locations in Olcott Beach, which will bring thousands of people to Olcott Beach, which will help the businesses and enhance the economy of same; and WHEREAS, it is in the best interests of the Town of Newfane to sponsor this jazz festival; NOW, THEREFORE, BE IT RESOLVED, that the Town of Newfane does hereby sponsor the jazz festival called the “Olcott Beach Jazz Trail”, to be held on September 1, 2024, at various locations at Olcott Beach; and BE IT FURTHER RESOLVED, that the Town of Newfane selects James J. Sansone, as an independent contractor to organize said jazz festival, to serve without compensation or fee, and does hereby authorize James J. Sansone to select a committee to assist him in this endeavor, and further authorizes him to take any and all actions necessary, on behalf of the Town, including the closing and blocking of streets and /or sidewalks, the placing of bands, food trucks, signs or any other items necessary for the proper operation of the festival onto the sidewalk, street, and road rights of way of

the Town the obtaining and hiring of performers, and the obtaining of funding for said festival, towards the successful accomplishment of same.

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

Motion Carried

TOWN/SUPERVISOR/RESOLUTION NO. 8 – 2024/ APRIL FAIR HOUSING MONTH

WHEREAS, the Fair Housing Act was passed in April 1968 and prohibits discrimination in housing due to race, national origin, religion, sex, familial status, disability status, etc.: and WHEREAS, the Town of Newfane understands the importance of acting to further fair housing in the community: NOW, THEREFORE, be it RESOLVED as follows: 1. The Town Board designates April as Fair Housing Month 2. The Town Board has designated the Code Enforcement Officer to act as the Fair Housing Officer.

The Supervisor entertained a MOTION to approve the Resolution. Motion made by Councilman Horanburg, second by Councilman Robinson. All were in favor, no one opposed.

Motion Carried

TOWN/SUPERVISOR/INTER-MUNICIPAL AGREEMENT/DOG CONTROL VEHICLE

The Supervisor entertained a MOTION allowing him to enter into the Inter-Municipal Dog Control Officer Vehicle with Niagara County. Motion made by Councilman Coleman, second by Councilman Robinson on the question. There were no questions, all were in favor, no one opposed.

Motion Carried

PAY BILLS

The Supervisor entertained a MOTION to approve the payment of claims totaling \$1,219,621.61, bills paid in March, 2024, Vouchers #34832-35039, as audited by the Supervisor and Department Heads and as per Abstract Sheets dated 03/26/2024 which will be filed with the official record.

General Fund .....	\$ 72,956.82
Highway Fund .....	\$ 58,562.38
Water Fund .....	\$ 26,862.07
Sewer Fund .....	\$ 74,468.10
Lighting District .....	\$ 7,506.03
Refuse District .....	\$ 68,157.49
Fire Prevention District ....	\$ 774,537.00
Trust & Agency .....	\$ 2,688.28
Capital Projects .....	\$ <u>133,883.44</u>
TOTAL APPROVED .....	\$1,219,621.61

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

Motion Carried

PUBLIC COMMENTS

Stephen Goodman, 3098 Lockport Olcott Road, Newfane, NY, thanked the Supervisor and Town Board for a wonderful Bicentennial kickoff dinner. This was the start of many events scheduled throughout the year and a wonderful time was had by all. He expressed his concern for traffic safety along Route 18 at Krull Park. He realizes that it is not a Town issue, rather a state and county issue, however, he feels that it is a safety issue for pedestrians trying to cross Route 18 from one side of the part to the other. He also stated that he is hoping the “Rails To Trails” project is still moving forward. The Supervisor gave an overview of the status. Stephen also commented that a

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REGULAR BOARD MEETING cont.

Kayak Launch at the Marina would be most helpful for individuals who are not in a physical condition to launch without assistance.

Max Russell, Hess Road, Appleton, suggested that perhaps a good first step to pedestrian safety on Route 18 at Krull might be a pedestrian crosswalk. This would certainly help, especially during large events where traffic is at a premium with a large number of pedestrians crossing back and forth from the north and south and visa versa.

**ANNOUNCEMENTS/COMMENTS FROM THE BOARD**

Supervisor Syracuse announced the next Work Session is Thursday, April 11th, 2024 at 6:30 PM in the Town Hall, Board Room. The next Town Board Meeting will be Wednesday, April 24th, 2024 at 7:00 p.m.

The Supervisor also agreed with Stephen Goodman that the Bicentennial Kickoff Dinner was a success. It was well represented, tickets were sold out, the food was great, music and dancing was enjoyed by all, he just wished there was more time to spend with all the people.

**ADJOURN**

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

Motion carried

Meeting adjourned at 8:15 p.m.

Respectfully submitted,



Donna M. Lakes  
Town Clerk

Next Regular Town Board Meeting April 24th, 2024, 6:30 p.m.