

**OCTOBER 23, 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 October 23, 2024.

The following Board Members were present:

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

Others present:

James J. Sansone, Town Attorney, Mike Mills, Water Superintendent, David Schmidt, Building Inspector/Code Enforcement Officer, Nick Irr, WWTP Chief Operator, Mary Zeller, Confidential Secretary to the Supervisor, Jo Ann Harris, Assistant to the Assessor, Gina Guido-Redden, Tourism Committee and 5 residents.

**CALL TO OPEN THE PUBLIC HEARING**

The Supervisor called the Public Hearing to order at 6:30 p.m. He announced, for the record, the Notice of Public Hearing had been posted and published announcing the Public Hearings of Town Board Town of Newfane for Local Law #6, to over-ride the tax levy limit established pursuant to General Municipal Law 3-c, commencing January 1, 2025, to present and review the budget for the fiscal year commencing January 1, 2025, to present the salaries of certain public officials for the 2025 Budget, and to review amounts to be raised by taxation of Special Districts to be held at the Town Hall, 2737 Main Street, Newfane, New York on October 23, 2024, at 6:30 p.m. (prevailing time). For the record, the Town Clerk presented the Town Board Members with an original Affidavit of Posting from the Union Sun & Journal evidencing publication along with the Notice published in the newspaper pursuant to the provisions of Article 12 of the Town Law.

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 four (4) separate public hearings at the Town of Newfane Town Hall, 2737 Main Street, Newfane, NY, on the 23rd day of October 2024, at public hearings commencing at 6:30 P.M., as follows:

1. To consider the adoption of Local Law #6, to over-ride the tax levy limit established in General Municipal Law Section 3-c commencing January 1, 2025
2. To hear any person in favor of or against the preliminary budget for the fiscal year commencing January 1, 2025,
3. Pursuant to § 108 of the Town Law, the proposed 2025 salaries of the following public officials, as follows: Councilmembers (4) \$7,313.00 each, Town Supervisor \$50,151.00, Town Clerk \$47,936.00, Town Highway Superintendent \$80,000.00, Receiver of Taxes \$10,346.00, Town Justices (2) \$26,229.00
4. To review the amounts to be raised by taxation in Special Districts, as follows:  
Newfane Water District \$1,157,977.00 Newfane Sewer District \$1,563,592.00, Newfane Light District \$82,500.00, Newfane Refuse District \$846,568.00, Newfane Fire District \$1,031,941.00

The texts of the proposed Local Law and 2025 Budget are on file in the Town Clerk's Office, where they may be examined during regular business hours.

**ALL PARTIES IN INTEREST AND CITIZENS WILL BE HEARD AT THE PUBLIC HEARINGS TO BE HELD AS AFORESAID**

The Supervisor stated that the Hearing in the said matter was now open. The first item, for the purpose of conducting a Public Hearing in relation to a Local Law to Override Tax Levy Limit, to present and review the 2025 Budget to present the salaries of certain Public Officials and to review the amounts to be raised by taxes in Special Districts. The Supervisor asked if there were any interested people present who desired to be heard.

Brian Hellner, 2653 Fuller Road, asked why we are overriding the tax levy and what do we stand to lose by doing so? The Supervisor indicated that the Town held a Public Vote for the LOSAP (Length of Service Aware Program), which was passed by the Town Voters, as well as the Capital Improvement Project currently going on at our Wastewater Treatment Plant for those residents that have sewer, in addition to the Contract in the refuse district, have all caused us to be significantly

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PUBLIC HEARING cont.

over and there is no way that we are able to cut \$268,000.00 out of the Budget. Mr. Hellner asked what we are losing by going over the Tax Cap as far as the State is concerned and the Supervisor replied he is not aware of anything being lost and feels the Bookkeepers would have brought that to his attention if there were some type of penalty. Mr. Hellner was looking through the pages of the Budget and also asked where the salaries were contained in the Budget, also the stipends, he asked if there are job descriptions for the Highway Superintendent, the Town Clerk and also for the Supervisor. The Supervisor explained to Mr. Hellner where all these numbers can be found and indicated that those job descriptions are contained in the Town Law. Mr. Hellner asked about the \$35,000.00 Dollars for the summer program. The Supervisor indicated that over the last two years we had been sending the money to the school to run the program and this year we are taking it back. We will be working with individuals from the school as well as the county to employ the individuals needed to run the program. Mr. Hellner asked why the Budget is not on the website. The Supervisor indicated that our publication states that a copy of the Budget is available at the Town Clerk's Office. The Supervisor further stated to Mr. Hellner that any questions he has had have always been addressed, the Supervisor indicated that he has met with Mr. Hellner on numerous occasions over various different concerns and has always had an open-door policy with him as well as any residents that wish to have conversations. The Town Council has increased their meetings to twice a month, the first meeting being a Work Session where we openly discuss matters. The public is welcome and encouraged to attend these meetings and are welcome to ask questions as well as provide input. We discussed the Budget openly at our last Work Session and feel we are trying our best to provide as much transparency as we possibly can.

For the benefit of several residents who just joined the meeting the Supervisor reread the entire Notice of Public Hearing which included all four items being heard this evening. The Supervisor again offered to anyone in the audience that wished to speak on any of these items. No one came forward. After offering one last time with no individuals wishing to speak the Supervisor declared the Public Hearing closed.

The Public Hearing was closed at 6:47 p.m.

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REGULAR BOARD MEETING

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Councilwoman: Susan Neidlinger  
Councilman: Peter Robinson  
Councilman: Rick Coleman  
Councilman: Robert Horanburg

Others present:

James J. Sansone, Town Attorney, Mike Mills, Water Superintendent, David Schmidt, Building Inspector/Code Enforcement Officer, Nick Irr, WWTP Chief Operator, Mary Zeller, Confidential Secretary to the Supervisor, Jo Ann Harris, Assistant to the Assessor, Gina Guido-Redden, Tourism Committee and 13 residents.

#### **PRAYER & PLEDGE**

The 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**

Tourism Board Minutes October 1, 2024

#### **APPROVE PREVIOUS MINUTES**

September 25, 2024, Town Board Meeting Minutes

The Supervisor entertained a MOTION to approve the September 25, 2024, Town Board Meeting Minutes. Motion made by Councilman Horanburg, second by Councilwoman Neidlinger on the question. All were in favor, no one was opposed.

Motion carried

### **COMMUNICATIONS AND PETITIONS**

#### **TOWN/ASSESSOR/BUILDING INSPECTOR/RESIGNATION CONNIE S. KYLE**

The Town Clerk read a letter from Connie S. Kyle, Park Time Clerk to the Assessor and the Building Inspector as follows: Dear John Syracuse, Please accept this letter as my formal resignation from my position as Assessor/Building Inspector Clerk at Newfane Town Hall effective December 31, 2024. I appreciate you giving me the opportunity for the last two years to be part of the Newfane Town Hall team. I have learned so much from working here. Sincerely, Connie S. Kyle.

The Supervisor entertained a MOTION to approve the letter of resignation from Connie S. Kyle. Motion made by Councilman Coleman, second by Councilman Horanburg on the question. All were in favor, no one was opposed.

Motion carried

### **RECOGNITIONS & AWARDS**

#### **TOWN/SUPERVISOR/KNEELAND/BAEHR/GILSON/MILLS**

The Supervisor stated that there were some very special individuals with us that have served admirably for a number of years within this Town of Newfane. They have demonstrated the love of their community for serving, specifically as we speak to the members of the Planning Board and the Zoning Board, for probably cumulatively the number of years that we are celebrating our Bicentennial. The men tendered their resignations/retirements, and we felt as a Town Board that is important that we recognize and celebrate what they have done for this great Town of Newfane over the years. The Supervisor asked Deputy Supervisor Rick Coleman to join him on the floor for a presentation to these special individuals. The Supervisor recognized Phil Baehr with appreciation for your outstanding leadership, dedication and selfless service to the Town of Newfane. A plaque was presented with recognition as well as the Bicentennial Coin as a reminder that his work was not done in vain and that we are very appreciative of all the work you have done for us during your 40 years of service. The next dedication was presented to Oliver "Oakie" Kneeland with appreciation for your outstanding leadership, dedication and selfless service to the Town of Newfane for your 40 plus years of service to this great Town. The next dedication was presented to Francis "Fran" Gilson for your 40 plus years of service not only to the Zoning Board but also as a Republican Chairman and retired Teacher, again, for your outstanding leadership, dedication and selfless service to the Town of Newfane. The next dedication was presented to another gentleman with 40 plus years of service in this community. Someone who has put his blood, sweat and tears, sleepless nights with phone calls on emergencies, water lines breaking at 1:00 in the morning, we are going to miss this guy. The Supervisor asked Mike Mills to come forward. Your dedication of 42 years of outstanding leadership, selfless service, a lot of nights not making it home and your number of years of service with the Miller Hose Fire Company as well. We have big shoes to fill.

### **REPORTS OF COMMITTEES AND DEPARTMENT HEADS**

Nick Irr, Chief Operator of the WWTP, the plant is running well, construction is ongoing, we have the Clarifier installed, we are working on the foundation for the preliminary treatment building. Once the floor is in the equipment will follow, there is still a long way to go. There is still plenty of compost available. David Schmidt, Building Inspector/Code Enforcement Officer, stated he has been trying to find the time to organize a monthly report to present to the Board. While he's not quite there yet, so far this month he issued 24 Building Permits, over 400 phone calls answered and responded to, between 150 and 200 emails received and responded to. There's more that I didn't document, but I thought this would be a start. Mike Mills, Water Superintendent, very busy, we just pressure tested East Lake Road, chlorinated, did a sample test today, will do a sample test tomorrow and put into service so it shouldn't be long before we are up and running. Working on the lines at West Lake Road, at the corner of West Creek Road and 18 we have that set up just have to tie in, we finished the repair and upgrading of the pump station behind the State Farm in Wrights Corners, getting caught up on residential water taps trying to get them set up. He reiterated that they have been very, very busy. Gina Redden, Tourism, Gina stated that the company that was doing the

printing of our Visitor's Guides has been sold to another company and the prices have increased pretty significantly after we

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**REGULAR BOARD MEETING cont**

had already sent out our ad mailings. We have set \$3,000.00 aside to hopefully cover the increase. In February we will be attending the Greater Niagara Fishing Expo. The Tourism Board received a great deal of input from tourists and local business owners with regard to potential improvements to the wayfinding and signage. Janet will be sending the information to the Supervisor and requesting to set up a meeting after that. In response to the feedback provided by the Empire State Office of Economic Development we are trying to exploit all opportunities to grow existing fall events and develop new events. The season at the Lakeview Village Fair Shops went extremely well and 100% of the tenants will be returning next season.

**NEW BUSINESS**

**TOWN/WATER/HIRE MILLER SUPERINTENDENT**

The Supervisor brought forward RESOLUTION #32 -2024, THE TOWN BOARD OF THE TOWN OF NEWFANE (TOWN) AUTHORIZES THE HIRING OF JONATHAN J. MILLER AS TOWN OF NEWFANE WATER SUPERINTENDENT EFFECTIVE NOVEMBER 1, 2024, IN ADDITION TO HIS DUTIES AS DULY ELECTED TOWN OF NEWFANE HIGHWAY SUPERINTENDENT, WHEREAS, the Town will have a vacancy 11/1/24, in the Town of Newfane Water Superintendent position due to the retirement of the current Water Superintendent, and WHEREAS, Town of Newfane Highway Superintendent, Jonathan J. Miller, possesses all the necessary requirements to meet the job description for the Town of Newfane Water Superintendent position, and has expressed a desire to become the Town of Newfane Water Superintendent, for an additional salary of \$30,000.00 per year, with the understanding that he will continue to perform his duties as Town of Newfane Highway Superintendent at the existing budgeted salary rate for the Town of Newfane Highway Superintendent, and WHEREAS, it is in the best interests of the Town to hire the said Town of Newfane Highway Superintendent, Jonathan J. Miller, as Town of Newfane Water Superintendent as outlined above, and NOW THEREFORE, IT IS RESOLVED, the Town does hereby hire Jonathan J. Miller, as Town of Newfane Water Superintendent, at a salary of \$30,000 per year, which is in addition to his duties and budgeted salary rate he receives as the duly elected Town of Newfane Highway Superintendent, and it is further RESOLVED, that in the future, if the said Jonathan J. Miller is, for any reason, unable to perform the duties of Town of Newfane Water Superintendent, the Town Board of the Town of Newfane will take any action it deems necessary and beneficial to the operation of the Town of Newfane Water Department, including the hiring of a new Town of Newfane Water Superintendent, with a compensation rate that will match the budgeted salary rate of the current Town of Newfane Highway Superintendent. The Supervisor entertained a MOTION to approve the Resolution. Motion made by Councilman Coleman, second by Councilman Robinson on the question. The Supervisor stated that this is an opportunity for us to redesign this area, and hopefully mitigate some of the costs involved as everyone knows the stress in the labor market, and we don't have qualified individuals lining up that have proper certifications and qualifications that are required. Jonathan Miller is duly qualified through the County, he has the proper licensing, he's worked with the Water Department for a number of years as well. This Resolution provides an additional \$30,000.00 increase in his salary to do both jobs, the Highway Superintendent and the Water Superintendent. The Supervisor asked for a roll call vote:

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

Aye: 3            Nay: 0

Motion carried

**PAY BILLS**

The Supervisor entertained a MOTION to approve the payment of claims totaling \$1,059,101.99, paid in October, 2024, Vouchers #36637 – 36868, as audited by the Supervisor and Department Heads and as per Abstract Sheets dated 10/22/2024 which will be filed with the official record.

General Fund .....	\$ 83,784.04
Highway Fund .....	\$ 128,362.04
Water Fund .....	\$ 170,131.66

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REGULAR BOARD MEETING cont

Sewer Fund .....	\$ 85,572.36
Lighting District .....	\$ 566.06
Refuse District .....	\$ 68,708.89
Fire Prevention District .....	\$ 290.00
Trust & Agency .....	\$ 3,233.60
Capital Projects .....	<u>\$ 518,453.34</u>
<b>TOTAL</b>	<b>\$ 1,059,101.99</b>

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

Motion carried

**PUBLIC COMMENTS**

Brian Hellner, 2653 Fuller Road, wanted to advise the Board that Julie's Toilets is still in operation, he thanked the Board Members that he spoke with for listening to his concerns, and is further hopeful that something can be done about this situation.

**ANNOUNCEMENTS FROM THE BOARD**

Happy Halloween! The Town Wide trick or treating is October 31, 2024 from 4 p.m. to 7 p.m.

Next Work Session is Thursday, November 14, 2024 at 6:30 p.m.

Next Town Board Meeting is Wednesday, November 20, 2024 at 7:00 p.m.

Newfane PTSA is hosting a trunk and treat, information can be found on facebook and postings in the Town Hall

Holiday Light-Up Parade is December 6<sup>th</sup>, Bill Koller is again in charge of the parade

The Highway Department will be taking down the Veteran's Banners after Veteran's Day and will soon thereafter be putting up the Christmas Lights.

Our Town Assessor, Mary Hastings, will be retiring from the Town effective November 30<sup>th</sup>. She has dedicated 23 years working in the Assessor's Office. She has been working closely with Jo Ann who has been working on her certifications and licensing under the tutelage of Mary Hastings for a few months now. Mary Hastings has been a great Department Head, a great steward as the Assessor who took her job seriously. We are going to miss her as well as her many years of service.

Planning for the future, we are reconfirming some of these job titles as we hire a part time, per diem Assessor until Jo Ann has become certified, as well as the Highway Superintendent who is splitting time.

**ADJOURN**

The Supervisor entertained a MOTION to adjourn. 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

Meeting adjourned at 7:38 p.m.

Respectfully submitted,

Donna M. Lakes  
Town Clerk

Next Regular Town Board Meeting November 20th, 2024 at 7:00 p.m.