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TOWN OF NEWFANE

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TOWN OF NEWFANE TOWN BOARD WORK SESSION FEBRUARY 13, 2025 Meeting

Town Board Members Present:

John Syracuse, Councilwoman Sue Neidlinger, Councilman Pete Robinson

Excused Members were:

Councilman Robert Horanburg, Councilman Rick Coleman

Others present:

Jim Sansone - Town Attorney, David Schmidt – Building Inspector/CEO, Larry Dormer, Michelle Phillips, Jessica Reinhardt and Max Russell

The meeting was called to order at 7pm.

Supervisor Syracuse asked for the Minutes from the January 9, 2025, Work Session to be approved.

- Councilwoman Sue Neidlinger made the motion to approve these minutes.
- Councilman Pete Robinson seconded.
 - The Supervisor made a couple of amendments from the Draft version, just for clarity.
- All were in favor of these amendments and Motion passed.

Supervisor Syracuse brought up the presented Local Law, calling for the 2025 Temporary Moratorium Law on Battery Energy Storage System Facilities. Last month a group of representatives from the Town, Nouryon Chemical, Wendel Engineers and others had a great catch-up meeting regarding Solar discussions. It was advised that the Town have a Local Law pertaining to this specific subject of Battery Energy Storage. The Supervisor read through the Local Law in entirety (see attached). A Public Hearing is required to present Local Laws.

- Pete Robinson made a Motion for a Public Hearing to be held Wednesday 2/26/25 at 6:45pm, just prior to our February monthly meeting.
- Sue Neidlinger seconded the motion.
- All were in favor and Motion passed.

Resolution #3-2025 AUTHORIZING THE PURCHASE OF A FISH CLEANING UNIT FOR USE AT THE OLCOTT MARINA, FROM QUALITY MACHINE & MANUFACTURING was presented.

- Sue Neidlinger made a Motion to accept Resolution #3-2025.
- Pete Robinson seconded.
 - The Supervisor stated that a RFP was done and only 1 bid was received. There will be cost mitigation due to a \$50,000 SAM Grant that we received working with now Assemblyman Paul Bologna.
 - The Fish Cleaning Station brings in a good number of people, resulting in Town revenue, which last year was approximately \$10,000.
- A Roll call vote was taken:
 - Councilwoman Sue Neidlinger - AYE
 - Councilman Pete Robinson - AYE
 - Supervisor Syracuse - AYE
- All were in favor and Motion passed.

Resolution #4-2025 AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH A CONTRACTOR WITH THE WINNING BID, PURSUANT TO A BID PROCESS FOR THE INSTALLATION OF A FISH GRINDER AT THE OLCOTT MARINA was presented.

- Sue Neidlinger made a Motion to accept Resolution #4-2025.
- Pete Robinson seconded.
- A Roll call vote was taken:
 - Councilwoman Sue Neidlinger - AYE
 - Councilman Pete Robinson - AYE
 - Supervisor Syracuse - AYE
- All were in favor and Motion passed.

Resolution #5-2025 AUTHORIZING THE SUPERVISOR TO PROCURE A CONTRACT TO REMOVE AN OUTDATED AND INOPERABLE FISH GRINDING MACHINE AND ANCILLARY MATERIALS AND EQUIPMENT THERETO FROM THE OLCOTT MARINA was presented.

- Sue Neidlinger made a Motion to accept Resolution #5-2025.
- Pete Robinson seconded.
- A Roll call vote was taken:
 - Councilwoman Sue Neidlinger - AYE
 - Councilman Pete Robinson - AYE
 - Supervisor Syracuse - AYE
- All were in favor and Motion passed.

Supervisor Syracuse asked for direction to enter into contract with Skylighters Fireworks for the annual July 3rd celebration for 2025, as we have worked with them for years and they do a wonderful job.

- Pete Robinson made a motion for the Supervisor to sign this agreement.
- Sue Neidlinger seconded.
- A Roll Call vote was taken:
 - Councilwoman Sue Neidlinger - AYE
 - Councilman Pete Robinson - AYE
 - Supervisor Syracuse - AYE
- All were in favor and Motion passed.

A Rain date is set for July 12, 2025, to coincide with the Pirates Festival.

The Supervisor asked for a motion to approve the Town Council's annual Audit of the Justice Courts for 2024.

- Pete Robinson made a motion to approve the Audit.
- Sue Neidlinger seconded.
 - Councilwoman Neidlinger noted thanks to the Court Clerks for the new streamlining way that the Courts are keeping their records made the audit very efficient.
- All approved and Motion passed.

The Supervisor asked for a motion to approve Jeffrey Hill to fill an unexpired term, to the Board of Assessment Review (BAR), ending 9/30/2026 and Wally Hiller as an Alternate to the BAR, term ending 9/30/2030, as resignations have taken place.

- Pete Robinson made a motion to accept these gentlemen for appointment.
- Sue Neidlinger seconded.
 - The Supervisor stated there will be necessary training for all members on the BAR.
- All were in favor and the Motion passed.

The Town needs to set a Grievance Day for individuals to challenge their Assessments The date scheduled is Thursday, May 29, 2025 in the Town Board Room from 4 - 8pm.

- Sue Neidlinger made the motion to set this date.
- Pete Robinson seconded.
- All were in favor and Motion passed.

Zachary Hanczarowski notified the Zoning Board of his resignation effective immediately and Geoffrey Harding has stepped up to fill this vacant seat, expiring 12/31/2028.

- Sue Neidlinger made a motion to appoint Geoffrey Harding to the Zoning Board empty seat.
- Pete Robinson seconded.
- All approved and Motion passed.

New Business:

The Supervisor passed out different forms from David Schmidt- Building Inspector/ CEO that he has worked:

- Existing Building Permit letter to homeowners regarding Permit expirations.
 - This letter is for permits that have not been closed, that have been open over a year. They will get sent out to the property owners that applied for the permit. This will help find out if the projects were done and whether proper inspections have been done, or if the project was never completed.
- A Zoning Board and Planning Board “Decision” form, with a stipulation and checklist, that can be filed with the specified properties in the Assessor’s office.
 - It was noted that a “Letter of Determination” is needed for every property discussed at meetings and this form will help also if any legalities arise. David explained that the checklist will be filled out right away at Zoning and Planning Board meetings by the respective Board.
- David has also established a “Procedures for Building Inspector / CEO” document for the Supervisor and Town Board.
- Town Attorney, Jim Sansone brought up some information regarding the former Bye's Popcorn Stand that is currently Grandfathered in for "Non- Conforming Use" as it is in a Rural Residential Zone, because it was established there before the ordinance was made. Because of the current situation of the property, there is a possibility of losing this “Grandfathering” if the business is not used for a year. The Zoning goes with land use if the property changes hands. The Niagara County Treasurer is now executor for Bye's Estate. It was asked of David Schmidt to reach out to the owners, to verify that 1 year hasn't gone by.

Public Comments:

Larry Dormer, Exchange St.: He had a question regarding the Local Law timing on the Temporary Moratorium of Battery Storage System Facilities. It was stated that this is a 6 month moratorium. The Solar Law has a Battery Storage Law already in act. This local law is needed to satisfy current standards.

Jim Sansone stated that the Niagara County Planning Board will receive our proposed Local Law for review at their February 24, 2025, Meeting. This will take place before our Public Hearing date of 2/26/2025.

Announcements:

The Supervisor informed all that these projects were progressing:

- Town of Newfane Dog Park – continues to be supported with incoming donations. A Meat Raffle is being held in April at the Rapids Fire Hall to help support Harper’s Dog Park. Information can be found on our Town website.
- The Town Recreation Program, as we work side by side with the School.
- Newfane School Play will be happening in March.
- Community Days plans for a 2-day weekend, August 23 & 24, 2025.
- Newfane Business Association has applied for a Beautification Grant.
- Sue is working with the NBA to list activities in the kiosk in front of Family Dollar.

Sue Neidlinger made a Motion for the Meeting adjourn.
Pete Robinson seconded.
All were in favor and the meeting adjourned at 7:45pm.

Respectfully submitted,

Mary L Zeller
Confidential Secretary

DRAFT