

REGULAR MEETING

MARCH 23, 2022

The Town Board of the Town of Newfane, Niagara County, New York, met at the Town Hall, 2737 Main Street, on March 23, 2022.

Supervisor: John Syracuse
Councilman: Troy D. Barnes
Councilwoman: Susan Neidlinger
Councilman: Rick Coleman
Attorney: James J. Sansone, P.C.
Councilwoman Rutland - remote

PRAYER AND PLEDGE

Supervisor Syracuse opened the meeting at 7:00 p.m. 14 residents were present. A prayer was read by the Town Clerk. The pledge of the flag was given. Supervisor Syracuse gave a moment of silence for Stephen Kneeland who was killed in a tragic car accident on March 20, 2022. He is the son of Mr. & Mrs. Oliver Kneeland, Oliver Kneeland is a member of the Town of Newfane Planning Board.

APPROVE PREVIOUS MINUTES

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Coleman to approve the minutes of the February 23, 2022 meeting as distributed. All present voted Aye. Motion carried.

COMMUNICATIONS AND PETITIONS

MINUTES FILED BY THE TOWN CLERK:

Town of Newfane Tourism – February 01, 2022
Town of Newfane Zoning Board – February 21, 2022
Town of Newfane Planning Board – February 28, 2022

TOWN/ALLOW HIGHWAY SUPERINTENDENT MILLER PERMISSION TO PURCHASE ROAD WIDENER

Town Clerk read a request letter from Highway Superintendent to purchase a 2017 Model RW80-Road Widener off of Sourcewell Contract #052417-VTL in the amount of \$124,951. Funding will come from a \$50,000 DASNY grant, money from equipment auction in the amount of \$30,000 and the rest from Highway machinery equipment line item 002.5130.0200. Letter received and is part of Resolution 11, 2022.

TOWN/NIAGARA COUNTY LEGISLATURE SHAWN FOTI, 14 TH DISTRICT/ NIAGARA COUNTY FAÇADE PROGRAM AND AGRIBUSINESS OUTREACH FORUM

Legislature Foti gave an over view on a couple of Programs that the County is sponsoring, Agribusiness Outreach Forum on April 8, 2022 at the Cornell Cooperative Extension Training Center, 4487 Lake Avenue, Lockport, New York. Niagara County Façade Program provides matching grants to renovate commercial building exteriors along our main streets, commercial corridors, and business districts. Supervisor Syracuse and Town Board thanked Legislature Foti.

NEW BUSINESS

TOWN/ADOPT RESOLUTION NO. 10-2022/EQUAL OPPORTUNITY POLICY STATEMENT

A MOTION was made by Councilman Coleman, seconded by Councilwoman Neidlinger to adopt the following Resolution No. 10 – 2022, Equal Opportunity Policy Statement:

- (a) The Town of Newfane will not discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex, age, disability or marital status, will undertake or continue existing programs of affirmative action to ensure that minority group members are afforded equal employment opportunities without discrimination, and shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force contracts.
- (b) The Town shall state in all solicitation or advertisements for employees that in the performance of the State contract all qualified applicants will be afforded equal

NEW BUSINESS – continued.TOWN/ADOPT RESOLUTION 10-2022/EQUAL OPPORTUNITY POLICY STATEMENT

employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

(c) At the request of the contracting agency, the Town shall request each employment agency, labor union, or authorized representative for a statement that it will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of this organization's obligations herein.

(d) The Town shall comply with the provisions of the Human Rights Law, all other State and Federal statutory and constitutional non-discrimination provisions. Contractor and subcontractors shall not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

All present voted Aye.

Motion carried.

A roll call vote was taken by the Town Clerk as follows:

Councilwoman Neidlinger: Voted: Aye.

Councilman Barnes: Voted: Aye.

Councilman Coleman: Voted: Aye.

Councilwoman Rutland: Voted: Aye. remote

Supervisor Syracuse: Voted: Aye.

Motion carried.

5-Ayes. 0-Nays. 0-Absent. 1-remote

TOWN/ADOPT RESOLUTION NO. 11, 2022, AUTHORIZING PURCHASE OF 2017 MODEL RW80-ROAD WIDENER FOR THE TOWN OF NEWFANE

A MOTION was made by Councilman Coleman, seconded by Councilwoman Rutland to adopt the following Resolution No. 11, 2022 Authorizing Purchase of a 2017 Model RW80-Road Widener for the Town of Newfane: Whereas, the Town of Newfane, in order to properly maintain its streets and roadways, needs a Road Widener and Whereas, a 2017 Model RW80-Road Widener has become available for purchase in the amount of \$124,951.00 off of a Sourcewell Contract #052417-VTL, and Whereas, the Town has received the sum of \$30,000.00 from an equipment auction, which can be used for the purchase of the above equipment, and has previously budgeted money allowing purchase of same, and Whereas, the Town also has been awarded a \$50,000.00 DASNY Grant, which can also be used for the purchase of the above equipment, and Whereas, it is in the best interest of the Town to purchase this Road Widener, Now, Therefore, be it Resolved: That the Town of Newfane hereby Approves and Authorizes the purchase of the above mentioned 2017 Model RW80-Road Widener for the sum of \$124,951.00 with the above mentioned available funds, and the Town of Newfane Highway Superintendent is hereby authorized to execute any and all documents required to effectuate this Resolution.

All present voted Aye.

Motion carried.

A roll call vote was taken by the Town Clerk as follows:

Councilwoman Neidlinger: Voted – Aye.

Councilman Barnes: Voted – Aye.

Councilman Coleman: Voted – Aye.

Councilwoman Rutland: Voted – Aye. remote

Supervisor Syracuse: Voted – Aye.

5 – Ayes. 0 – Absent. 0 – Nays. 1-remote

Motion carried.

TOWN/ADOPT RESOLUTION NO. 12, 2022, REJECTING BIDS ON THE NEWFANE SHORELINE CONSTRUCTION PROJECT WSP CONTRACT NO. 30900326.001

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Barnes to adopt Resolution No. 12, 2022, Rejecting Bids on the Newfane Shoreline Construction Project WSP Contract No. 30900326.001 Whereas, the Town of Newfane, duly received bids for the construction of above named project on March 10, 2022, and Whereas,

NEW BUSINESS – continued.TOWN/ADOPT RESOLUTION NO. 12, 2022, REJECTING BIDS ON THE NEWFANE SHORELINE CONSTRUCTION PROJECT WSP CONTRACT NO.30900326.001

(2) bids were received, one bid from Pinto Construction Services for \$729,000.00 and the other bid from 4th Generation Construction, Inc. for \$682,336.00. Whereas, it is not in the best interests of the Town of Newfane to accept either bid, because the Town would not be able to complete the project with the funding the Town was granted to construct the project, by accepting either bid, and Now, Therefore, be it Resolved: That the Town of Newfane hereby REJECTS both bids as indicated above, as not being in the best interests of the Town to accept same, and therefore makes no award to either bidder. All present voted Aye. Motion carried.

A roll call vote was taken by the Town Clerk as follows:

Councilwoman Neidlinger: Voted: Aye.
 Councilman Barnes: Voted: Aye.
 Councilwoman Rutland: Voted: Aye. remote
 Councilman Coleman: Voted: Aye.
 Supervisor Syracuse: Voted: Aye. Motion carried.
 5 – Ayes. 0 – Absent. 0 – Nays. 1-remote

TOWN/AUTHORIZE APPOINTMENT OF SARA BEILEIN CAPEN/GRANT WRITER/AUTHORIZE TOWN SUPERVISOR SIGN AGREEMENT WITH SARA BEILEIN CAPEN

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Barnes to authorize the appointment of Sara Beilein as Grant Writer and to authorize Supervisor Syracuse to sign an agreement with Sara Beilein commencing on March 23, 2022 to December 31, 2022 at \$40.00 per hour.

All present voted Aye. 1-remote Motion carried.

TOWN/AUTHORIZE TOWN SUPERVISOR/SIGN PROJECT AND GRANTEE CERTIFICATION TO THE TOWN OF NEWFANE (SAM GRANT)-PROJECT #24710, ROAD WIDENER

A MOTION was made by Councilwoman Rutland, seconded by Councilwoman Neidlinger to authorize Supervisor Syracuse to sign Project Certificate of the Town of Newfane State and Municipal Facilities Program (the "SAM") for the purchase of a road Widener-Project ID: 24710 and the Grantee Certification Town of Newfane Purchase of a Road Widener Project ID: 24710.

All present voted Aye. 1-remote Motion carried.

TOWN/AUTHORIZE TOWN SUPERVISOR/ENTER CONTRACT COMMONWEALTH

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Barnes to authorize Supervisor Syracuse to enter into contract with Commonwealth Heritage Group (WWTP Phase 1A & 1B Archaeological investigation).

All present voted Aye. 1-remote Motion carried.

REPORTS OF COMMITTEES AND DEPARTMENTS HEADS

The following Department Heads were in attendance and gave a report on their Departments:

Jon Miller, Highway Superintendent, two new trucks will be in tomorrow, we will be fixing pot holes, trimming trees putting docks and fish pens in at the Marina, fixing where the plows tore up the ground. Supervisor thanked Jon for helping fixing the roof at Town Hall and at the Marina with LOTSA.

Mike Mills, Water/Sewer Superintendent, we are on the last of the waterlines in Olcott, Jon has been helping with cleaning the streets, and removing snow from the fire hydrants.

Nicholas Irr, Waste/ Water Treatment Plant Operator, everything is going good.

Mike Klock, Code Enforcement/Building Inspector – Excused.

REPORTS OF COMMITTEES

Jeffrey Newman, Chris Wilson and Rick Smith, Dog Control Officers, SPCA contract has been signed for 2022, Ann Marie Brade, animal Health Inspector, Agriculture and Markets inspected DCO services on 3/11/2022 found everything to be satisfactory. The kennel needs some improvements looking into grants for next year to update kennel.

Jane Voelpel, Representing Tourism Committee, Tourism meetings are the first Tuesday of the month, new guides books for 2022 are in and Frank Campbell took some to the Cleveland Sport Show. Planned Summer concerts at Olcott Gazebo and Newfane Gazebo, new this year 4 movies at dusk on Tuesday nights at the Tom Kelly Theater at the Carousel Park. The light house will be open May 1 through October 31, 2022 same as the Caboose, the caboose needs to be painted looking for volunteers.

UNFINISHED BUSINESS -None.

PAY BILLS

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Barnes, to approve the payment of claims totaling \$438,404.46 as audited by the Supervisor and Department Heads and as per Abstract Sheets dated March 23, 2022 which will be filed with the official record:

General Fund.....	\$ 58,120.68
Voucher #'s 29912-30094	
Highway Fund.....	101,766.60
Voucher #'s 29912-30094	
Water Dist.	37,915.16
Voucher #'s 29912-30094	
Sewer Dist.	92,473.96
Voucher #'s 29912-30094	
Lighting District.....	8,708.27
Voucher #'s 29912-30094	
Refuse District.....	62,483.84
Voucher #'s 29912-30094	
Trust & Agency.....	1,072.84
Voucher #'s 29912-30094	
Capital Projects.....	69,667.11
Voucher #'s 29912-30094	
Fire Prevention District.....	<u>6,196.00</u>
Voucher #'s 29912-30094	
TOTAL APPROVED	\$438,404.46
All present voted Aye.	Motion carried.

ANNOUNCEMENTS/COMMENTS FROM THE BOARD - None.

GENERAL DISCUSSION

Mark Parker, 6139 East Ave., Newfane, New York, said he made a private appointment with Supervisor to file a detailed complaint and two attorneys where there didn't file a complaint.

Supervisor Syracuse thanked him for his comments.

Max Russell, Hess Road, Appleton, New York, would like to be able to ask questions about the resolutions that are being presented.

Supervisor Syracuse said to call his office .

The following gave comments on the Niagara County Façade Program which provides matching grants in which they are applying for.

GENERAL DISCUSSION – continued.

Wendy Wilson, 2693 Lockport-Olcott Road, Newfane, NY.

Tammy Dreemer, 2151 Hess Road, Newfane, New York

Rick Longenfritz, 6028 West Ave, Newfane, New York.

ADJOURN

A MOTION was made by Councilwoman Neidlinger , seconded by Councilman Coleman, to adjourn the meeting.
All present voted Aye.

Motion carried.

Meeting adjourned at 7:50 p.m.

Next Regular Meeting
April 27, 2022 at 7:00 p.m.

Respectfully Submitted,



Mildred M. Kramp, RMC, CMC
Town Clerk