

NOVEMBER 16, 2022**REGULAR MEETING**

The Town Board of the Town of Newfane, Niagara County, New York met at the Town Hall, 2737 Main Street, Newfane on November 16, 2022.

The following were present:

Supervisor: John Syracuse
 Councilman: Rick Coleman
 Councilwoman: Laura L. Rutland
 Councilwoman: Susan L. Neidlinger
 Councilman: Troy D. Barnes
 Attorney: James J. Sansone, P.C.
 Town Engineer: Brian Sibiga

PRAYER AND PLEDGE

Supervisor Syracuse opened the meeting at 7:00 p.m. 6 residents were present. A prayer was read by the Town Clerk. The pledge of the flag was given.

APPROVE PREVIOUS MINUTES

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Barnes, to approve the minutes of the October 26, 2022 meeting as circulated.
 All present voted Aye. Motion carried.

COMMUNICATIONS AND PETITIONS**MINUTES FILED BY THE TOWN CLERK**

Town of Newfane Tourism Committee October 04, 2022.
 Town of Newfane Fire Prevention Bureau Minutes November 8, 2022.
 Town of Newfane Work Session Minutes, October 11, 2022 & November 1, 2022.

TOWN/ADJUST ROSTER MILLER HOSE FIRE COMPANY, INC./REMOVE LAWTON

A MOTION was made by Councilwoman Rutland seconded by Councilman Coleman to remove, effective immediately Richie Lawton from the active roster at Miller Hose Fire Company Inc.
 All members voted Aye. Motion carried.

TOWN/RECEIVER OF TAXES IANNUCCI/PETTY CASH/HIRE HARRIS DEPUTY/SET HOURS FOR COLLECTION

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Barnes to allow Tax Collector, Terri Iannucci to hire Jennifer Harris as Deputy Tax Collector for the 2023 tax year at a rate of \$19.00 per hour. Allow the tax collector the amount of \$100.00 petty cash to run the office, the hours of collection for 2023 are as follows:
 January 3-31 9:00 am – 4:00 pm Monday thru Friday.
 February 1-28 1:00 pm – 4:00 pm Tuesday, Wednesday and Thursday.
 March 1-30 1:00 pm – 4:00 pm Tuesday, Wednesday and Thursday.
 March 31, 2022, 9:00 am – 4:00 pm (Last Day of Collections)
 All present Voted Aye. Motion carried.

DEPARTMENT HEAD REPORTS

Water Department Superintendent, Mike Mills, A lot going on before it freezes working on water taps and winterizing Lakeview Village Fair Shops

Wastewater Treatment Plant, Nick Irr, Plant running well, there is compost.

Town Marina, Facility Director, Nick Glosser, had a great season plenty of fish, shutting down Fish Park for the season, the week after Thanksgiving.

Code Enforcement Officer/Building Inspector, Mike Klock busy as usual.

NOVEMBER 16, 2022

REGULAR MEETING – (cond.)

UNFINISHED BUSINESS – none.NEW BUSINESSTOWN/ADOPT RESOLUTION NO. 48, 2022, AUTHORIZING THE PASSING OF LOCAL LAW NO. 2, 2022 AMENDS SECTION 255-20, OF THE CODE OF THE TOWN OF NEWFANE. RIGHTS RESERVED BY THE TOWN BOARD, TO ALLOW THE TOWN BOARD TO CHANGE WATER COSTS, FEES, EXPENSES, CHARGES AND RATES

A MOTION was made by Councilman Coleman, seconded by Councilwoman Rutland to adopt the following Resolution 48, 2022, authorizing the passing of Local Law No. 2, 2022 which was read by Supervisor : Whereas, The Town of Newfane Water District, was required to make amendments and revisions by Local Law pursuant to Section 255-20 of the Town of Newfane Code, rather than by resolution, and Whereas, the Town of Newfane Water District has found that making amendments and revisions by Local Law, rather than by resolution, was unduly causing delays in making those changes by Local Law, in the implementation of the water law of the Town of Newfane, in the above mentioned proposed Local Law, will allow the making of those changes by resolution, and Whereas, a public hearing was duly held on this matter, Now Therefore Be It Resolved, That the said Local Law No.2 as described above, shall be, and is hereby approved, for passage.

All present Voted Aye.

Motion carried.

(Signed by Supervisor and Town Board)

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

Councilwoman Neidlinger: Voted: Aye.

Councilman Barnes: Voted: Aye.

Councilwoman Rutland: Voted: Aye.

Councilman Coleman: Voted: Aye.

Supervisor Syracuse: Voted: Aye.

5 – Ayes. 0 – Nays. 0 – Absent.

TOWN/ADOPT RESOLUTION NO. 49, 2022/CHANGES TO TOWN OF NEWFANE WATER RATES

A MOTION was made by Councilman Barnes, seconded by Councilwoman Neidlinger to adopt Resolution No. 49, 2022 Changes to Town of Newfane Water Rates as follows: Whereas, the Town of Newfane water fund purchases water for our residents from Niagara County Water District and Whereas, the Niagara County Water District has increased the cost of the Town's water purchase by \$0.10 (ten cents) per 1,000 gallons, which is an increase from \$0.90 per 1,000 gallons to \$1.00 per 1,000 gallons and Whereas, this bulk water purchase increase, along with the increased costs of materials and other water system operating expenses, along with costs of infrastructure projects completed or in progress to update infrastructure, maintain the current level of service and address more stringent water including the East Lake Road Phase 3 Compliance upgrade and West Lake Road improvements from Lockwood Heights to West Creek Road and those proposed in 2023 such as West Olcott Pond (Jackson Street) area have had a subsequent significant overall increase to the Water Fund costs and expenses, Therefore Be It Resolved, the following rate adjustments be made effective for the 1/1/2023 budget cycle: 0-8,000 gallons \$22.00 minimum charge, all over minimum \$2.25 per 1,000 gallons. Irrigation: All water usage \$1.75 per 1,000 gallons plus a \$20.00 meter fee for ¾ to 1 inch and \$50.00 meter fee for 1 1/2 to 3 inches. Seasonal shut offs will be \$50.00

All present voted Aye.

Motion carried.

(Signed by Supervisor and Town Board)

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

Councilwoman Neidlinger: Voted: Aye.

Councilman Barnes: Voted: Aye.

Councilwoman Rutland: Voted: Aye.

Councilman Coleman: Voted: Aye.

Supervisor Syracuse: Voted: Aye.

5 – Ayes. 0 – Nays. 0 – Absent.

Motion carried.

NOVEMBER 16, 2022

REGULAR MEETING – (cond.)

NEW BUSINESS – continued.TOWN/ADOPT RESOLUTION NO. 50, 2022/APPROVING CHANGE ORDERS TO THE OLCOTT BERM PROJECT

A MOTION was made by Councilman Coleman, seconded by Councilwoman Rutland to adopt the following Resolution No. 50, 2022, Whereas, The Town of Newfane has received Resiliency and Economic Development Initiative (REDI) funding to construct the Olcott Beach Berm and Whereas, the Olcott Berm Project has \$169,700.00 remaining in contingency funds and allowances available which can be used to off-set change order increases and Whereas, during construction our contractor on said project, Mark Cerrone, Inc., along with input from our engineer (Wendel Engineering) overseeing this process determined the following change orders necessary to enhance the Berm project: Increase of \$1,626.27 was needed because it was originally anticipated the armor stone could be placed directly on top or adjacent to the existing gabion baskets and bin blocks. A review of their condition during construction led to their removal to provide better conditions for placement of the armor stone Increase of \$2,171.58 was needed because it was originally anticipated that the armor stone would be adjacent to the decks directly south of the armor stone. These decks had voids underneath them that needed to be filled in with material. Increase of \$433.26 was needed because of changes to pad size, bollard locations and additional curb stops at the pump station discharge. Now Therefore Be It Resolved; the Town of Newfane approves of said change orders as indicated above regarding this REDI-funded program to the Olcott Beach Project.

All present voted Aye.

Motion carried.

(Signed by Supervisor and Town Board)

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.

Supervisor Syracuse: Voted: Aye.

Motion carried.

5 – Ayes. 0 – Absent. 0 – Nays.

TOWN/ADOPT RESOLUTION NO. 51, 2022/ADOPTION OF TOWN OF NEWFANE 2023 BUDGET

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Barnes to adopt the following Resolution No. 51, 2022 as follows: Whereas the Town of Newfane performed a comprehensive 2023 Budget review process which included several meetings with the various Department Heads, staff and our bookkeepers from Drescher and Malecki, LLP and Whereas, A Public hearing was conducted on 11/9/2022 within the Newfane Town Hall at 6:30 p.m. and Whereas, No comments were made to the proposed 2023 Budget, in the above mentioned Public Hearing, and Now Therefore Be It Resolved that the Town Board of the Town of Newfane does hereby adopt the Town of Newfane 2023 Budget as previously filed by the Town Supervisor and previously known as the "Tentative" 2023 Budget with amendments as contained on the attached page and is now hereby known as Town of Newfane 2023 Budget.

All present voted Aye.

Motion carried.

(Signed by Supervisor and Town Board)

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

Councilwoman Neidlinger: Voted: Aye.

Councilman Barnes: Voted: Aye.

Councilwoman Rutland: Voted: Aye.

Councilman Coleman: Voted: Aye.

Supervisor Syracuse: Voted: Aye.

Motion carried.

5 Ayes. 0 – Nays. 0 – Absent.

TOWN/RESCHEDULED DECEMBER 28, 2022, BOARD MEETING TO DECEMBER 30, 2022 AT 5:00 P.M.

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Barnes to reschedule the December 28, 2022, Board Meeting to December 30, 2022, at 5:00 p.m.

All present voted Aye.

Motion carried.

NOVEMBER 16, 2022

REGULAR MEETING –(cond.)

NEW BUSINESS – continued.TOWN/SET REORGANIZATIONAL MEETING

A MOTION was made Councilwoman Neidlinger, seconded by Councilman Barnes to set January 3, 2023, at 6:00 p.m. for the Reorganizational Meeting.

All present voted Aye.

Motion carried.

PAY BILLS

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Barnes, to approve the payment of claims totaling \$245,397.71 as audited by the Supervisor and Department Heads and as per Abstract Sheets dated 11/16/2022 which will be filed with the official record:

General Fund.....	\$44,248.79
Voucher #'s -31387- 31518	
Highway Fund.....	43,269.38
Voucher #'s - 31387 -31518	
Water Dist.....	10,686.02
Voucher #'s -31387 - 31518	
Sewer Dist.....	68,710.46
Voucher #'s -31387- 31518	
Refuse District...#31387-31518.....	67,690.86
Voucher #'s - 31387 - 31518	
Fire Prevention Dist.....	2,531.00
Voucher's - 31387 - 31518	
Capital Projects.....	5,369.58
Voucher's - 31387 - 31518	
Trust & Agency...#31387-31518.....	2,891.62
TOTAL APPROVED:	\$245,397.71

All present voted Aye.

Motion carried.

ANNOUNCEMENTS/COMMENTS FROM THE BOARD

Supervisor Syracuse: Town Hall closed in Observance of Thanksgiving, November 24 – 25, 2022.

Councilwoman Neidlinger: Light Up Newfane, December 2, 2022, light up parade, 6:00 p.m., Living Nativity, carriage rides, and Mistletoe Market.

COMMENTS:

George Maziarz, 6905 Ridge Road, Lockport, New York commented on water rates.

Bob Pettit, Main Street, Newfane, New York commented about the railroad crossing on Charlotteville Road.

Max Russell, 2206 Hess Road, Appleton, New York, asked if you can use your own water meter for irrigation.

NOVEMBER 16, 2022

REGULAR MEETING – (cond.)

ADJOURN

A MOTION was made by Councilwoman Rutland, seconded by Councilman Coleman to adjourn the meeting.

All present voted Aye.

Motion carried.

Meeting adjourned at 7:30 p.m.



Mildred M. Kramp, RMC, CMC
Town Clerk

Next Regular Meeting
December 30, 2022, 5:00 p.m.

Re-organizational Meeting
January 03, 2023, 6:00 p.m.

Happy Holidays!