

**SEPTEMBER 28, 2022**

**REGULAR MEETING**

The Town Board of the Town of Newfane, Niagara County, New York met at the Town Hall, 2737 Main Street, Newfane, New York on September 28, 2022. The following were present:

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

**PRAYER AND PLEDGE**

Supervisor Syracuse opened the meeting at 7:00 p.m. 17 residents were present. Boy Scout Troop 82 presented the Colors, the Pledge of the flag was given. A prayer was read by the Town Clerk.

**APPROVE PREVIOUS MINUTES**

A **MOTION** was made by Councilwoman Rutland, seconded by Councilman Coleman to approve the minutes of the August 24, 2022 meeting as distributed. All present voted Aye. Motion carried.

**COMMUNICATIONS AND PETITIONS**

**MINUTES FILED BY THE TOWN CLERK**

Town of Newfane Tourism Committee, August 3, 2022  
 Town of Newfane Fire Prevention Bureau, September 13, 2022

**Town Meetings:**

Town of Newfane Zoning Board Meeting – October 18, 2022  
 Town of Newfane Planning Board Meeting – October 25, 2022

**TOWN/JUSTICE BARNES/COURT OFFICER/RESIGNATION/DORMER**

A **MOTION** was made by Councilman Coleman, seconded by Councilwoman Neidlinger to accept the resignation of Lawrence Dormer Court Officer for Justice Barnes effective September 20, 2022. All present voted Aye. Motion carried.

**TOWN/JUSTICE BOUDEMANN/COURT OFFICER RESIGNATION/CAVAGNARO**

A **MOTION** was made by Councilwoman Rutland, seconded by Councilman Barnes to accept the resignation of Cameron Cavagnaro Court Officer for Justice Boudeman effective May 01, 2022. All present voted Aye. Motion carried.

**TOWN/RESIGNATION/ZONING BOARD SECRETARY/REINHARDT**

A **MOTION** was made by Councilwoman Neidlinger, seconded by Councilman Coleman to accept the resignation from Jessica Reinhardt, Secretary for the Zoning Board effective January 1, 2023. All present voted Aye. Motion carried.

**TOWN/RESIGNATION/PART TIME/DOG CONTROL OFFICER/WILSON**

A **MOTION** was made by Councilwoman Neidlinger, seconded by Councilwoman Rutland to accept the resignation of Christopher Wilson part time dog control officer effective immediately. All present voted Aye. Motion carried.

**TOWN/PART TIME SEASONAL 2022 HELP/MARINA/FISH PARK**

A **MOTION** was made by Councilwoman Neidlinger, seconded by Councilman Coleman to allow Facilities Director, Nicholas Glosser to hire Kevin Baker and Jeff Bruning as part-time help at Fish Park and the Town Marina at \$13.20 per hour. All present voted Aye. Motion carried.



SEPTEMBER 28, 2022

REGULAR MEETING –(con't)

COMMUNICATIONS AND PETITIONS- continued.ASSESSOR/UNPAID WATER/SEWER/MOWING CHARGES/ADDED TO 2023 COUNTY TAX ROLL

A MOTION was made by Councilman Coleman, seconded by Councilman Barnes to allow Town Assessor, Mary Hastings, to place the following unpaid water, sewer and mowing charges to the 2023 County Tax Rolls as follows:

Unpaid Water Charges	\$96,439.22
Unpaid Sewer Charges	\$88,827.31
Water/Sewer Mowing Charges	<u>5,085.97</u>
TOTAL	\$ 190,352.50

All present voted Aye.

Motion carried.

REPORTS OF COMMITTEES AND DEPARTMENT HEADS

Code Enforcement Officer/Building Inspector, Mike Klock, Busy month, final inspection on Manito Taco Shope at 3958 Lockport-Olcott Road. Fire inspections will be done in a couple of months.

Waste Water Treatment Plant Operator, Nick Irr, DEC did their yearly inspection at the compost plant and the plant passed, every thing is running good at the waste water plant.

Mike Mills, Water Superintendent, Working on some landscaping, taps to do starting to winterize.

Councilman Barnes asked if the west lake water line was coming up in the near future.

Mike Mills said he was working on the designs and to find a way to finance it.

UNFINISHED BUSINESS – none.NEW BUSINESSTOWN/ADOPT RESOLUTION NO. 40, 2022/ACCEPTING PROPOSAL FROM, AND AUTHORIZING CONTRACT BETWEEN THE TOWN OF NEWFANE AND HYBRID BUILDING SOLUTIONS TO REPLACE ROOF OF THE HIGHWAY SALT STORAGE BARN

A MOTION was made Councilwoman Rutland, seconded by Councilman Barnes to adopt the following Resolution No. 40, 2022, Accepting Proposal From, and Authorizing Contract between the Town of Newfane and Hybrid Building Solutions To Replace Roof Of The Highway Salt Storage Barn as Whereas, The Town of Newfane requires on-site storage for its inventory of rock salt, which inventory is located in a salt storage barn owned by the Town on McKee Road in the Town of Newfane, and Whereas, The Highway Superintendent has made numerous repairs to this over the years to increase the lifespan of the existing roof to the salt storage barn, and Whereas, on-site repairs to this aged roof are no longer a viable option, and Whereas, it is in the best interests of the Town to replace said roof, and Whereas, the Town of Newfane has received a proposal for the replacement of said roof from Hybrid Building Solutions, which is certified WBE on the New York State pre-approved contract list, Now Therefore Be It Resolved, that the Town of Newfane does hereby approve and accept the attached proposal for replacement of said roof from Hybrid Building Solutions and does hereby authorize the Town Supervisor to execute any and all documents, including change orders, necessary to effectuate his 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.
Councilwoman Rutland:	Voted: Aye.
Councilman Coleman:	Voted: Aye.
Supervisor Syracuse:	Voted: Aye.

Motion carried.

5 – Ayes. 0 – Nays. 0 – Absent.

(Signed by Supervisor and Town Board)



SEPTEMBER 28, 2022

REGULAR MEETING --(con't)

NEW BUSINESS- continued.

TOWN/ADOPT RESOLUTION NO. 41, 2022/ RECOMMENDING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) TO REDUCE THE SPEED LIMIT ON MCKEE ROAD IN THE TOWN OF NEWFANE, NEW YORK EWINGS ROAD TO COOMER ROAD, FROM 55 MPH TO 45 MPH, AND FURTHER REQUESTING THE NIAGARA COUNTY LEGISLATURE TO JOIN WITH THE TOWN OF NEWFANE IN THE RECOMMENDATION TO THE NYS DOT

A MOTION was made by Councilwoman Neidlinger, seconded by Councilwoman Rutland to adopt Resolution No. 41, 2022 as follows: Recommending the New York State Department of Transportation (NYSDOT) to reduce the speed limit on McKee Road in the Town of Newfane, New York from Ewings Road to Coomer Road, from 55 MPH to 45 MPH and further requesting the Niagara County Legislature to join with the Town of Newfane in the recommendation to the NYSDOT, Whereas, McKee Road is a road located in the Town of Newfane, owned by the Town of Newfane, having a speed limit of 55 mph thereon, and Whereas, the 55 mph on an open straight road creates a danger to the pedestrians, bicyclists, equestrians, and residents on McKee Road, especially upon leaving their driveways. Now, Therefore, Be It Resolved, that the Town Board of the Town of Newfane does and hereby recommends to the NYSDOT that it lower the speed limit on McKee Road, between Ewings Road, Coomer Road, in the Town of Newfane, from 55 mph to 45 mph, and Be It Further Resolved, that the Town Board hereby asks to the County of Niagara to join with the Town of Newfane in making this recommendation to the NYSDOT.

All present voted Aye.

Motion carried.

(Signed by Supervisor and Town Board)

Max Russell, 2206 Hess Road, commented how are the roads studied to reduce the speed limit and to consider keep the speed at 55 mph on some of the roads.

(Petition attached to Town Clerk's original minutes)

TOWN/RESOLUTION NO. 42, 2022/AUTHORIZING THE NEWFANE TOWN COURT TO APPLY FOR A JUSTICE COURT ASSISTANCE PROGRAM, (JCAP) GRANT TO REPAIR OF THE ROOF OF THE BUILDING HOUSING THE NEWFANE TOWN COURT, LOCATED AT 2896 TRANSIT ROAD, NEWFANE, NEW YORK 14108

A MOTION was made by Councilman Coleman, seconded by Councilwoman Rutland to adopt Resolution No. 42, 2022 as follows: Whereas, the Town of Newfane recognizes the need to provide suitable office space and court space for the Newfane Town Court and Whereas, it has been determined that the roof of the Town Court building above the Court Clerk's and Judge's chambers is leaking and is in dire need of repair, and Whereas it is in the best interests of the Town of Newfane and the Newfane Town Court to have the said roof repaired, and Whereas, the Town Board of the Town of Newfane does hereby support the Newfane Town Court's application for a 2022 New York State Justice court Assistance Program (JCAP) grant, Now, Therefore, Be It Resolved, the Board of the Town of Newfane authorizes the Newfane Town Court to apply for a JCAP grant in the 2022-2023 grant cycle up to \$30,000.00.

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.

Councilman Coleman: Voted: Aye.

Supervisor Syracuse: Voted: Aye.

Motion carried.

5 – Ayes. 0 – Nays. 0 – Absent.

(Signed by Supervisor and Town Board)

Justice Bruce Barnes, explained about the Grant that he is applying for.



SEPTEMBER 28, 2022

REGULAR MEETING – (con't)

NEW BUSINESS – continued.

TOWN/RESOLUTION NO. 43, 2022/BY THE TOWN OF NEWFANE FOR AWARD OF WWTP BOILER SYSTEM REPLACEMENT CONSTRUCTION CONTRACT AND HAZAROUS MATERIAL MONITORING

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Barnes to adopt the following Resolution No. 43, 2022, By The Town of Newfane For Award of WWTP Boiler System Replacement Construction Contract and Hazardous Material Monitoring: Whereas, Town of Newfane Wastewater Treatment Plant, (hereinafter called the WWTP), has an existing boiler that provides heat for the various buildings of the WWTP, and is critical to maintain temperatures for the equipment to operate; and Whereas, the existing boiler unexpectedly failed on July 11, 2022, making the entire treatment plant heating system inoperable, even after repair efforts were attempted to make the boiler operational, and Whereas, the WWTP requires the heating system to be operational starting in October or November, depending on the onsite of cold weather, so the replacement of the boiler system is critical to main operation of the facility; and Whereas, currently, the WWTP is operating without a heating system, which will not be acceptable during cold weather conditions when the heating system is needed to allow the various plant treatment systems to operate. and Whereas, the Town declared the performance of this work a public health emergency at the July 27, 2022 Town Board Meeting and directed the Town engineer issue a work order for installation of said boiler system to an HVAC contractor as well as an auxiliary contract needed to complete this work, Whereas, the pursuant to the directive of the Town, the Town Engineer obtained proposals from two contractors for the performance of the boiler installation and associated improvements as well as a proposal from a certified hazardous material consultant to oversee the removal of any hazardous materials encountered during the work; and Now, Therefore, Be It Resolved, that the Town Board of the Town of Newfane hereby accepts the proposal from MLP Plumbing and Mechanical, Inc. in the amount of \$172,300.00 for the performance of the boiler installation and associated improvements and the proposal from Sienna Environmental Technologies in the amount of \$1,308.00 for hazardous material monitoring services, with the funding for these contracts to be taken from the Town's Bond for WWTP Capital Improvements. Be It Further Resolved, the Town of Newfane Town Board authorizes and directs the Town Attorney, working with the Town Engineer, to prepare a Contract for the performance of this work and the Supervisor to execute any and all documents and take whatever other actions may be necessary to give effect to 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.

Councilwoman Rutland: Voted: Aye.

Councilman Coleman: Voted: Aye.

Supervisor Syracuse: Voted: Aye.

Motion carried.

5 – Ayes. 0 – Nays. 0 – Absent.

(Signed by Supervisor and Board Members.)

TOWN/SET HALLOWEEN HOURS

A MOTION was made by Councilman Coleman, seconded by Councilwoman Neidlinger to set Halloween hours for the Town of Newfane for 4:00 p.m. – 7:00 p.m. October 31, 2022.

Supervisor Syracuse said to please check all the kids bags for dope that look like candy.

All present voted Aye.

Motion carried.



**PAY BILLS**

A MOTION was made by Councilman Coleman, seconded by Councilwoman Neidlinger to approve the payments of claims totaling \$550,738.45 as audited by the Supervisor and Department Heads and as per Abstract Sheets dated September 28, 2022 which will be filed with the Official Record:

General Fund.....	\$ 113,997.06
Voucher #'s 31079 - 31211	
Highway Fund.....	273,319.45
Voucher #'s 31079 - 31211	
Water Dist.....	32,065.49
Voucher #'s 31079-31211	
Sewer Dist.....	33,888.52
Voucher #'s 31079-31211	
Lighting Dist.....	6,511.32
Voucher #'s # 31079-31211	
Refuse Dist.....	65,568.65
Voucher #'s 31079-31211	
Fire Prevention Dist.....	1,290.00
Voucher #'s 31079-31211	
Trust & Agency.....	2,016.84
Voucher #'s 31079-31211	
Capital Projects.....	<u>22,081.12</u>
Voucher #'s 31079-31211	
TOTAL APPROVED	\$ 550,738.45
All present voted Aye.	Motion carried.

**ANNOUNCEMENTS/COMMENTS FROM THE BOARD**

Supervisor Syracuse:

Thanked Boy Scout Troop 82 for attending the Town Board Meeting and presenting the colors.

Town Hall closed October 10, 2022, in observance of Columbus Day.

Councilman Coleman:

Miller Hose Company dedicating Fire Prevention Program to William Krauss on October 13, 2022.

**GENERAL DISCUSSION**

Jim Schmitt, 6455 Rounds Road, Newfane, New York commentated on the Town right of way on Rounds Road and a home owner.

- \* Bill Neidlinger, 2700 West Creek Road, spoke in favor of taking the Somerset Railroad and turning it into a Rails-To-Trails. Mr. Neidlinger read a letter to the Board which is attached to the minutes and a copy of a petition is filed with the Town Clerk's original minutes.

Steve Goodman, 3098 Lockport-Olcott Road comments were in favor of a rails to trails, and would like kayak ramps at the Marina and Fish Park.

Justin Naylor, 3249 Lockport-Olcott Road, comments were in favor of the Rails to Trails.

Ken Carthers, Ridge Road comments in favor of the Rail to Trails.

Jim Schmitt, 6455 Rounds Road, October 11-14, 2022 is a soft opening for the Newfane Panther Field, October 15, 2022 , grand opening of Panther Field.

SEPTEMBER 28, 2022

REGULAR MEETING – (con't)

**ADJOURN**

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Barnes to adjourn the meeting.

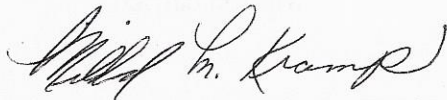
All present voted Aye.

Motion carried.

Meeting adjourned at 7:35 p.m.

**Next Regular Meeting**

October 26, 2022 at 7:00 p.m



Mildred M. Kramp, RMC, CMC  
Town Clerk