

MAY 25, 2022

REGULAR BOARD MEETING

The Town Board of the Town of Newfane, Niagara County, New York met at the Town Hall, 2737 Main Street, Newfane on May 25, 2022. The following were present:

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

PRAYER AND PLEDGE

Supervisor Syracuse opened the meeting at 7:00 p.m., 4 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 Councilman Coleman, seconded by Councilwoman Rutland, to approve the minutes of the April 27, 2022 Board Meeting, as distributed.

All present voted Aye.

Motion carried.

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

Town of Newfane Zoning Board, April 19, 2022

Town of Newfane Work Session, May 10, 2022

Town of Newfane Fire Prevention Bureau, March 29, 2022

Town of Newfane Fire Prevention Bureau, May 19, 2022

Posting the New York State and Retirement System standard work week for elected official, Supervisor John Syracuse.

TOWN/HIRE LIFEGUARDS FOR 2022

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Coleman to hire the following life guards for the summer season 2022 at Olcott Beach:

Michele Katsabekis	Head Lifeguard	\$16.00 per hour
Bridget Martin	Lifeguard	\$15.00 per hour
Amanda Gonter	Lifeguard	\$15.00 per hour
Josh Anderson	Lifeguard	\$15.00 per hour
Avery Stevenson	Lifeguard	\$15.00 per hour
Lydia Lamont	Lifeguard	\$15.00 per hour
Laura Dixon	Lifeguard	\$15.00 per hour

All present voted Aye.

Motion carried.

TOWN/LAKEVIEW VILLAGE SHOPPES/RETURN SECURITY

A MOTION was made by Councilwoman Rutland, seconded by Councilwoman Neidlinger to return security deposit in the amount of \$500.00 for two shops 9&12 at Lake View Village Fair to Kathleen Lock at 1104 Woodstock Avenue, Tonawanda, New York 14150.

All present voted Aye.

Motion carried.

TOWN/BUILDING INSPECTOR/KNOX BOX KEYLESS

A MOTION was made Councilman Coleman, seconded by Councilwoman Rutland to approve the proposal for equipment and software for the Knox Box Program to be used by all three fire companies. Included with the equipment is a 3 year agreement for monitoring equipment. Total initial investment is \$20,706. The three fire Companies are:

Wright Corners Fire Company, Inc.
 Miller Hose Volunteer Fire Company, Inc.
 Olcott Fire Company, Inc.

All present voted Aye.

Motion carried.

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

Councilwoman Neidlinger: Voted: Aye.
 Councilwoman Rutland: Voted: Aye.
 Councilman Coleman: Voted: Aye.
 Supervisor Syracuse: Voted: Aye.

Councilman Barnes - Absent.

Motion carried.

4 - Ayes. 0 - Nays. 1 - Absent.

MAY 25, 2022

REGULAR MEETING – (con't)

COMMUNICATIONS AND PETITIONS – continued.TOWN/EMERGENCY REPAIR WORK/LAKE VIEW VILLIAGE FAIR SHOPS

A MOTION was made by Councilman Coleman, seconded by Councilwoman Rutland to allow payment to Working Hands Contracting Inc. for the total amount of \$7,425 for emergency repair work for Lake View Village Fair Shops.

All present voted Aye.

Motion carried.

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

Councilwoman Neidlinger: Voted: Aye.

Councilwoman Rutland: Voted: Aye.

Councilman Coleman: Voted: Aye.

Supervisor Syracuse: Voted: Aye.

Councilman Barnes Absent. Voted: Aye.

Motion carried.

4 – Ayes. 1 – Absent. 0 – Nay.

NEW BUSSINESSTOWN/RESOLUTION NO. 20, 2022/TOWN OF NEWFANE/PUBLIC SPEAKING RESOLUTION

A MOTION was made by Councilwoman Neidlinger, seconded by Councilwoman Rutland to adopt Resolution No. 20, 2022, Town of Newfane Public Speaking Resolution as follows: Whereas, the Newfane Town Board has the right, under Town Law 63, to promulgate rules of conduct, procedure for the orderly conduct of its meetings, and for proper management of the business of the town, and it may invite and permit residents of the Town to participate therein, so long as such participation is orderly and constructive, and does not interfere with the business and purpose of the meeting, and Whereas, to carry out its purposes the Town Board may prepare and circulate an agenda and rules limiting the time and scope of the discussion by persons attending such meetings to only matters on the agenda before the Board. (22 Op. St. Comp. 311, 1966) Now Therefore Be It Resolved, that the Newfane Town Board adopts the following Rules of Conduct, Public Participation and Right to Speak, at meetings of the Newfane Town Board, Newfane Zoning Board and Newfane Planning Board:

1. Public comment will be allowed at the end of the meeting, when the Supervisor or Chairperson opens the meeting for public comment. Public comment will also be allowed on the individual agenda items as they are being considered by the Board and will be restricted to agenda items only.
2. The person requesting to speak at any time must do so by the raising of hand and will be recognized by the supervisor or chairperson to be allowed to speak.
3. The speaker will indicate his or her name and address prior to speaking.
4. The speaker will be allowed 3 minutes to speak.
5. The speaker shall direct questions on agenda items or concerns during the public comment period directly to the Board. The Board may call on the specific department heads to respond as needed.
6. The speaker or any other attendee at the meeting will not use any obscene, foul or slanderous language at the meeting.
7. No signs, verbal interruptions or outburst will be allowed at the meeting.
8. No placards, signs, posters, packages, bundles, suitcases, or other large objects shall be brought to the meeting place, if doing so would disrupt, disturb, or otherwise impede the orderly course of the meeting.
9. Photographs, audiotapes, and video tapes, while allowed, shall not be taken in any manner which disturbs or disrupts the audience, speakers or board members or otherwise disrupts the meeting.
10. If any of these rules are not followed by any attendees at the meeting, the supervisor or chairperson may have security officer remove that person or persons from the meeting.

All present voted Aye. (All Board Members present signed original)

Motion carried.

TOWN/RESOLUTION NO. 21, 2022/SEQR NEGATIVE DECLARATION FOR THE REZONING AT TRANSIT AND JOCKEY ROADS FROM INDUSTRY PARK (IP), TO AGRICULTURAL RESIDENTIAL (AR)

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Coleman to adopt the following Resolution No. 21, 2022, SEQR Negative Declaration for the Rezoning at Transit and Jockey Roads from Industrial Park (IP), to Agricultural Residential (AR) Whereas, the Town of Newfane has identified eight (8) properties along Jockey Street and Transit Road which are currently zoned Industrial Park (IP) under the Zoning Map of the Town of Newfane dated July 1999 and updated June 2016, that appear to be not zoned correctly; and Whereas, the Town of Newfane is desirous of rezoning the aforesaid properties to Agricultural/Residential (A/R) zoning district since these properties are residential and

MAY 25, 2022

REGULAR MEETING – (con't)

NEW BUSINESS – continued.TOWN/RESOLUTION NO. 21, 2022/SEQR NEGATIVE DECLARATION FOR THE REZONING AT TRANSIT AND JOCKEY ROADS FROM INDUSTRIAL PARK (IP), TO AGRICULTURAL RESIDENTIAL (AR)

agricultural in nature, containing single family houses, and are not Industrial; and Whereas, such rezoning will also be in furtherance of the Town of Newfane Comprehensive Master Plan, would not cause harm to the surrounding properties (which are zoned A/R, RR and R-1), and would serve the general welfare of the Town; and Whereas, the Newfane Town Board conducted a coordinated SEQR process to establish the Town Board as SEQR Lead Agency and that process has been completed and no objections were received; and Whereas the Newfane Town Board held the required public hearing on May 25, 2022; and Whereas, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law, the Town of Newfane has reviewed part 1 of the EAF and has completed part 2 and 3 of the FEAF and reviewed the criteria for determining significance in accordance with Section 617.7. Now, Therefore Be It Resolved, the Newfane Town Board establishes itself as SEQR Lead Agency; and Be It Further Resolved That, the Newfane Town Board, in accordance with the State Environmental Quality Review Act (SEQRA), has determined that the proposed rezoning will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic considerations and therefore issues a SEQR Negative Declaration in accordance with Section 617.7 of the SEQR regulations, and Be It Finally Resolved That, the Supervisor is authorized to sign the Environmental Assessment Form (EAF), which will act as the Negative Declaration.

All present voted Aye. (All Board Members present signed original) Motion carried.

TOWN/RESOLUTION NO. 22, 2022/ AUTHORIZING THE PASSING OF LOCAL LAW NO. 1, 2022, AMENDING THE ZONING MAP OF THE TOWN OF NEWFANE TO REZONE PREMISES IN ATTACHED LIST FROM INDUSTRIAL PARK DISTRICT TO AGRICULTURAL/RESIDENTIAL

A MOTION was made by Councilwoman Neidlinger, seconded by Councilman Coleman to adopt the following Resolution No. 22, 2022, authorizing the passing of Local Law No. 1, 2022, Amending the Zoning map of the Town of Newfane to rezone premises in attached list from Industrial Park District to Agricultural/Residential Whereas, premises more particularly described in EIGHT (8) property descriptions attached hereto, and made a part of as Exhibit "A", are currently zoned Industrial Park (IP), Under the Zoning Map of the Town of Newfane, dated July 1999 and updated June 2016, and, Whereas, the Town of Newfane is desirous of rezoning the aforesaid premises to Agricultural/ Residential District, since these properties are residential and agricultural in nature, containing single family houses, and are not Industrial, and Whereas, with such rezoning, the premises would then be in conformance with the agricultural and residential character of the areas surrounding the premises, which are zoned A/R on the north and east of the premises, and Rural Residential (RR) on the south, and Residential (R-1), on the east of premises. Whereas, such rezoning will also be in furtherance of the comprehensive master plan of the Town of Newfane, would not cause harm to the surrounding properties and would serve the general welfare of the Town. Whereas, a Public Hearing was duly held in this matter on May 10, 2022, at which there were no objections made to said rezoning, and Whereas, the action did not require referral to the County Planning Board, and Whereas, this Board has issued a negative declaration under the New York State Environmental Quality Review Act, finding that the proposed rezoning will not have a significant adverse environmental impact, and Now Therefore, Be It Resolved That the Town Board is hereby authorized to pass Local Law #1, 2022, to amend the Zoning Map the Town of Newfane to rezone the premises more particularly described in Exhibit "A" herein, from Industrial Park (IP), to Agricultural Residential (AR). Exhibit A:

6200	Jockey Street* Newfane, New York	SBL 15.00-1-47	Beitelshees, Carl
6230	Jockey Street* Newfane, New York	SBL 15.00-1-45	Corraine, Emily D.
6238-40	Jockey Street* Newfane, New York	SBL 15.00-1-24.2	Rowland, Michelle
6244	Jockey Street* Newfane, New York	SBL 15.00-1-24.1	Johnson, Linda J.
6262	Jockey Street* Newfane, New York	SBL 15.00-1-42.12	Donovan, Michael
6288	Jockey Street* Newfane, New York	SBL 15.00-1-42.2	Kerr, Charles A.
6300	Jockey Street* Newfane, New York	SBL 15.00-1-42.11	Needle, Raymond
1987	Transit Road Newfane, New York	SBL 15.00-23.112	Merrit, Donald L.

*Also shown as Jockey Road on Town of Newfane Zoning Map

All present voted Aye. (Board members present signed original) Motion carried.

MAY 25, 2022

REGULAR MEETING –(con't)

NEW BUSINESS -- continued.

TOWN/RESOLUTION NO. 22, 2022/AUTHORIZING THE PASSING OF LOCAL LAW NO. 1, 2022, AMENDING THE ZONING MAP OF THE TOWN OF NEWFANE TO REZONE PREMISES IN ATTACHED LIST FROM INDUSTRIAL PARK DISTRICT TO AGRICULTURAL/RESIENTIAL

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

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

REPORTS OF COMMITTEES AND DEPARTMENTS HEADS

Water/Sewer Superintendent - Mike Mills, a lot going on and we are very busy with mowing.

Waste Water Treatment Plant Operator – Nick Irr, Plant is running good, the compost plant has plenty of free compost.

Building Inspector – Michael Klock, It's been another busy month.

Tourism- Barbara Miller – Caboose is getting painted by the Lions Club on Saturday, all set for movie night at the Carousel Park on July 21, July 28, August 18 and August 25 at dusk. Olcott Beach Gazebo Summer Concert Series on Main Street, Olcott.

UNFINISHED BUSINESS - None.

PAY BILLS

A MOTION was made by Councilwoman Rutland, seconded by Councilman Coleman , to approve the payment of claims totaling \$563,069.14 as audited by the Supervisor and Department Heads and as per Abstract Sheets dated May 25, 2022, which will be filed with the official record:

General Fund.....	\$222,800.10
Voucher #'s 30282- 30447	
Highway Fund.....	157,092.81
Voucher #'s 30282 -30447	
Water Dist.	25,688.61
Voucher #'s 30282 -30447	
Sewer Dist.....	23,652.50
Voucher #'s 30282- 30447	
Lighting Dist.....	501.63
Voucher #'s 30282– 30447	
Trust & Agency.....	3,904.84
Voucher's #'s 30282-30447	
Refuse District.....	60,646.97
Voucher #'s 30282 -30447	
Fire Prevention Dist.....	438.00
Capital Projects.....	<u>68,343.68</u>
Total Approved:	\$ 563,069.14
All present voted Aye.	Motion carried.

MAY 25, 2022

REGULAR MEETING – (con't)

ANNOUNCEMENTS/COMMENTS FROM THE BOARD**SUPERVISOR :**

The Town Marina Salmon cleaning station needed repairs, Roger Taylor fixed it.

Everything is going good at the Marina.

Jon Miller, Highway Superintendent has done a good job stacking the stone by the Lake View Village Shops.

ATTORNEY SANSONE:

Olcott Beach Jazz Trail, music all day September 4, 2022, 12:00 p.m. to 8:30 p.m.

COUNCILWOMAN RUTLAND:

Niagara County Legislature, Shawn Foti form a clean-up committee to clean Olcott Beach.

John Miller and Highway crew put up signs.

Olcott Beach opens on May 28, 2022.

COUNCILWOMAN NEIDLINGER:

Planting Flowers on Main Street, June 4, 2022

Music at the gazebo on Main Street starts on June 29, 2022.

Day of Prayer and mentation, July 15, 2022.

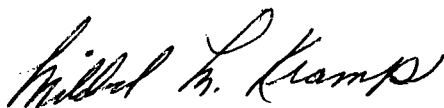
GENERAL DISCUSSION - none.**ADJOURN**

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

All present voted Aye.

Motion carried.

Meeting adjourned at 7:35 p.m.



Mildred M. Kramp, RMC, CMC
Town Clerk

Next Regular Meeting
June 22, 2022 at 7:00 p.m.