

MAY 22, 2024

REGULAR BOARD 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 May 22, 2024.

The following Board Members were present:

Supervisor: John Syracuse
Councilwoman: Susan Neidlinger
Councilman: Peter Robinson
Councilman: Richard Coleman
Councilman: Robert Horanburg

Others present: James Sansone, Town Attorney, Michael Mills, Water Superintendent, David Schmidt, Building Inspector/Code Enforcement Officer, Mary Zeller, Confidential Secretary to the Supervisor, Nick Irr, Wastewater Treatment Plant Operator, Joe Flagler, Assistant Dog Control Officer, Thomas Tedesco, US&J and 5 residents.

PRAYER & PLEDGE

Supervisor called the meeting to order at 7:00 p.m. A prayer was read by the Town Clerk and the Pledge to the flag was given.

MINUTES FILED WITH THE TOWN CLERK

Town Board Special Meeting Minutes, March 18, 2024
Town Zoning Board Meeting Minutes March 19, 2024
Town Planning Board Meeting Minutes March 26, 2024
Town Board Work Session Meeting Minutes April 11, 2024
Tourism Committee Meeting Minutes May 7, 2024

MISCELLANEOUS FILED WITH THE TOWN CLERK

Notification to Municipality of Microbusiness Application

APPROVE PREVIOUS MINUTES

Town Board Regular Meeting April 24, 2024

Supervisor Syracuse asked for a MOTION to approve the Town Board Regular Meeting Minutes held on April 24, 2024. Moved by Councilman Robinson, second by Councilman Horanburg on the question. Hearing no questions, all were in favor, no one was opposed.

All present voted Aye.

Motion Carried

COMMUNICATIONS AND PETITIONS

TOWN/PLANNING BOARD/RESIGNATION/KNEELAND

The Town Clerk read a letter of Resignation from Oliver Kneeland as follows: Dear Planning Board Chairman Bill Clark. I am hereby resigning my position on the Newfane Planning Board effective immediately due to ongoing health issues. It has been a real privilege to serve the Town for all these many years and I am grateful for the opportunity. Thanks again. Your Friend, Oliver G. Kneeland. The Supervisor entertained a MOTION to accept the letter of resignation. Moved by Councilwoman Neidlinger, second by Councilman Robinson on the question. Councilman Robinson spoke to acknowledge Mr. Kneeland as a quality person, a friend to this community and an amazing man, as well as is his family, who have contributed so much to our community. He noted that he understands his reason but is sad to see this day come. The Supervisor added that Okie has been a wealth of knowledge and has given his all for 37 years plus as he has served not only on our Planning Board but has given so much to our community as well and he thanks him for his service. Hearing nothing further the Supervisor asked for those in favor of accepting Mr. Kneeland's resignation, all were in favor no one was opposed.

All present voted Aye.

Motion Carried

TOWN/PLANNING BOARD/APPOINT JAMES EVARTS

The Town Clerk read a written request from Supervisor John Syracuse to the Town Councilmembers as follows: Please accept this as my request to approve the appointment of James Evarts to the Town of Newfane Planning Board effective immediately. The Supervisor entertained a MOTION to accept the appointment of James Evarts to the Town of Newfane Planning Board. Moved by Councilman Coleman, second by Councilman Horanburg on the question. The Supervisor noted that we have previously held many Planning Board interviews with James Evarts being an individual who did interview with us. James, who is in the audience here tonight, has been

in a local business here in our community for a number of years, and involved in other ways in the community as well. He would be an asset to the Planning Board. Hearing nothing further the Supervisor asked for those in favor of appointing James Evarts to the Planning Board effective immediately, all were in favor no one was opposed.

All present voted Aye.

Motion Carried

TOWN/SEASONAL SUMMER HELP/LIFEGUARD

The Town Clerk read a written request from Supervisor John Syracuse to the Town Councilmembers as follows: Please accept this as my request to approve the hiring of Dmitri W. Young as a seasonal lifeguard at a rate of \$20.00 per hour, effective immediately. The Supervisor entertained a MOTION to accept the appointment of Dmitri W. Young, seasonal lifeguard, summer help. Moved by Councilman Horanburg, second by Councilman Robinson on the question.

Hearing no questions, all were in favor, no one was opposed.

All present voted Aye.

Motion Carried

REPORTS OF COMMITTEES AND DEPARTMENT HEADS

The following department heads were in attendance and gave a report on their department. The Supervisor indicated that Jon Miller, Highway Superintendent, and the highway crew have been out working diligently on the slate of work they need to accomplish. He noted that the paving and striping of the new parking lot in Olcott looks great. Finished the sidewalk and some of the asphalt around Brownies so it's really looking very nice down there. And working hand in hand, Mike Mills and his crew are working hard trying to keep up with all the mowing it's really coming together very nicely, and we are all very grateful. Mike Mills, Water Superintendent, reported they are very busy doing water caps and trying to keep up with everything that comes up daily. Nick Irr, Wastewater Treatment Plant Operator, reporting they are working full force on the project and have started excavating in the yard. Nick indicated they are at about twenty percent completion of the project. The Supervisor indicated that he had worked with Nick and Brian Sibiga on writing a Grant to Congresswoman Tenney in the amount of \$3,000,000.00 which has been tentatively approved. Senator Schumer and Senator Gillibrand supported this as well, and while it needs to pass in other departments, he is feeling encouraged by the information received from Congresswoman Tenney. It appears we were ranked number one in Niagara County out of the thirteen or fifteen projects she put forth. The Supervisor indicated that he would keep everyone posted. David Schmidt, Building Inspector/Code Enforcement Officer reported he is extremely busy. He is working on Inspections as fast as he can, not only for Building Permits, but also for Businesses and all the Short Term Rentals. He finished another class, so he only has one more to complete. The Supervisor thanked David for sticking with all these things and congratulated him on passing these classes with the high grades he is receiving. It is appreciated. Joe Flagler, Assistant Dog Control Officer, reported that the nicer weather has increased their call volume. We have three active dog bite investigations going on, neighbor complaints about dogs, getting people to update delinquent dog licenses, a drop off dog on Coomer that we had to take to the SPCA as we could not find the owner, and that's about where we are at right now. The Supervisor stated that Nick Glosser, Facilities Director, was not able to be present, but reported that the Marina is full at this time. The Marina was full in May, he expects it to be a little slower in June, July is full, and very few spaces left in August. Everyone appears to be very happy with the improvements that have been done at the Marina, the siding of the office, the painting of the pavilion, with the fish grinder now up and running, and the workers actively cleaning after the geese. We are working on a pavilion to cover the fish cleaning station and the fish grinder which will hopefully be on site the beginning of June. Gina, our Tourism Board Chair, is unable to be here tonight so the Supervisor gave the Tourism Report for her as follows: Season Prep - Tourism Board members have been all over town working to prepare for the season – in addition to flower planting, weeding and painting we have also:

- ☑ Attended meetings with NYS and Niagara County Departments of Economic Development to prep for 2024/25 grant applications.
- ☑ Attended the Destination Niagara Season Kick-Off Meeting.
- ☑ Promoted the town at the Niagara Falls Visitor Center as part of their National Tourism & Travel Week promotions on Tuesday, May 21st.
- ☑ Updated the town-wide list of restaurants with 2024 operating hours and delivered to all of the tourist-facing businesses.
- ☑ Delivered welcome emails and Board introduction letters to all new tourist-facing business owners.
- ☑ Replaced several aging signs to improve wayfinding.
- ☑ Finalized our work schedule for the remainder of the season.
- Tourism Board members are obligated to donate 40 volunteer hours per year in addition to our monthly meetings, on average, we exceed that dramatically.
- The 10-member board worked a total of 1244 volunteer hours in 2023, and we expect to do more in 2024.

2024 Events Funded by the Tourism Board

- ☑ Wednesday evening live music at the Newfane Gazebo
- ☑ Friday evening live music on the boardwalk at the LKV
- ☑ Sunday afternoon live music at the Olcott Gazebo

Thursday night free movies at The Olcott Beach Carousel Park ☑ Our town-wide 2024 Event calendar is full – and available on Tourism’s website. <https://www.olcott-newfane.com/> **2024 Board Membership:** Gina Guido-Redden, chair - Barb Miller - Jane Voelpel - Jim Sansone - Ann Schulze - Morgan Calhoon - Janet Steggels - Stella Tothill Wilson - Christine Kelemen - Cate Banks-Orr - Bill Koller and Town Council Liaison Peter Robinson

NEW BUSINESS

TOWN/SUPERVISOR/AMENDMENT TO WORK RULES REGARDING ACCRUED SICK LEAVE

WHEREAS, the Town Board of the Town of Newfane is desirous to amend the previously adopted Work Rules implemented by Resolution 3-2024, in order to align those rules with the Town employees covered under Teamsters Local 264 bargaining agreement of January 1, 2024 - December 31, 2027, specifically with reference to sick leave credits to retiring employees who have accumulated unused sick days. WHEREAS, it is necessary to AMEND the “CREDITED SICK LEAVE” paragraphs in said Work Rules in order to accomplish this objective, NOW THEREFORE, BE IT RESOLVED, that Paragraphs 8 and 9 of the “CREDITED SICK LEAVE” paragraphs, which state “For retirement purposes only, the employer will grant to a retiring employee who has accumulated unused sick days, compensatory time off computed on a ratio four (4) days compensatory time off for every ten (10) days of unused sick leaves up to a maximum of sixty (60) days compensatory time off (e.g., 150 days divided by 10 x 4 = 60 days). Compensatory time off pursuant to this provision will be granted only to a retiring employee and only upon the employee having a fixed date for retirement, having submitted all necessary documents to the New York State Retirement System to implement his or her retirement on the date fixed, and upon acknowledgment by the New York State Retirement System to implement his or her retirement on the date fixed, and upon acknowledgment by the New York State Retirement System that the retirement of the said employee is fixed to commence upon the date of retirement specified. Any compensatory time off due to an employee pursuant to this provision shall be fully depleted prior to the date fixed for retirement or such compensatory time off shall be forfeited.” are hereby REMOVED, and replaced by the following Paragraph: “Upon retirement, the Town will grant a retiring employee who has accumulated unused sick days pay for such days on a ratio of four (4) days of pay for every ten (10) days of accumulated unused sick time up to a maximum of sixty (60) days of pay (e.g., 150 days divided by 10 x 4 = 60 days). Such benefit will only be granted to employees having a fixed date for retirement who have submitted all necessary documents to the New York State Retirement System to implement retirement on the date fixed and who have received acknowledgement from the New York State Retirement System that the retirement of the employee is fixed to commence upon the specified retirement date. Such benefit will be paid on the last regular pay date following the employee’s last day of employment.” BE IT FURTHER RESOLVED THAT it is in the best interests of the Town of Newfane to make this change.

The Supervisor entertained a MOTION to accept the Resolution. Motion made by Councilman Coleman, second by Councilman Horanburg on the question. Hearing no questions the Supervisor asked for a Roll Call Vote:

- Councilwoman Neidlinger: Aye
- Councilman Robinson: Aye
- Councilman Horanburg: Aye
- Councilman Coleman: Aye
- Supervisor Syracuse: Aye

Aye: 5 Nay: 0

Motion Carried

TOWN/SUPERVISOR/CREATING TOWN CONSTABLE POSITION/LOCAL LAW NO. 3

The Supervisor stated that we have now conducted the Public Hearing, the Town Attorney has presented the Local Law to the Niagara County Planning Board which has been approved, the next step is a MOTION to approve the creating of the position of Town Constable in the Town of Newfane. MOTION made by Councilwoman Neidlinger, second by Councilman Robinson on the question. Hearing no questions the Supervisor called for a Roll Call Vote:

- Councilwoman Neidlinger: Aye
- Councilman Robinson: Aye
- Councilman Horanburg: Aye
- Councilman Coleman: Aye
- Supervisor Syracuse: Aye

Aye: 5 Nay: 0

Motion Carried

PAY BILLS

The Supervisor entertained a MOTION to approve the payment of claims totaling \$429,156.97, bills paid in May, 2024, Vouchers #35324-35473, as audited by the Supervisor and Department Heads and as per Abstract Sheets dated 05/21/2024 which will be filed with the official record.

General Fund	\$ 181,689.42
Highway Fund	\$ 39,825.86
Water Fund	\$ 17,202.15
Sewer Fund	\$ 68,484.66
Lighting District	\$ 5,964.33
Refuse District	\$ 68,683.26
Trust & Agency	\$ 1,786.55
Capital Projects	\$ <u>45,520.74</u>
TOTAL APPROVED	\$ 429,156.97

Motion made by Councilman Horanburg, second by Councilman Robinson on the question. There were no questions, all were in favor, no one was opposed.

Motion Carried

PUBLIC COMMENTS

Larry Dormer, 6072 Exchange Street, asked if it would be possible for people who have donations for the Miller Hose or Olcott Fire Halls, or the Newfane Lions, to bring their donations to the Town Hall and drop them into our drop box? He indicated that it would be a nice convenience for our residents. The Supervisor indicated that he should take that up with the Town Clerk. The Town Clerk indicated that the drop box is checked every morning, and the envelopes are distributed to the department they need to go to. That should not be a problem. Geoff Harding, 1777 Shorewood Drive, commented on the illumination lighting law. He indicated that he borrowed a meter to test his lighting and it did not read properly. The Supervisor acknowledged that he has heard this from others as well and intends to get together with experts to look into this further. David Bald, 1772 Shorewood Drive, supported Geoff on his concern over the lighting issue. He said his property looks like a Walmart Parking Lot when it's dark outside and he would like to see a resolution to this situation.

ADJOURN

The Supervisor entertained a MOTION to adjourn. Motion made by Councilman Coleman, second by Councilwoman Neidlinger. All were in favor, no one was opposed.

Motion Carried

Meeting adjourned at 7:39 p.m.

Respectfully submitted,



Donna M. Lakes
Town Clerk

Next Regular Town Board Meeting June 26th, 2024, 7:00 p.m.

MAY 22, 2024

ANNOUNCEMENTS/COMMENTS FROM THE BOARD

Supervisor Syracuse announced the Public Hearing will be held on Wednesday, May 29th, 2024 at 7:00 p.m. regarding Water District No. 1

The Town Board Work Session will be held on June 16th, 2024 at 6:00 p.m.

The Town Board Regular Board Meeting will be held on June 26, 2024 at 7:00 p.m

The First Annual Laying of the Wreath Ceremony on Saturday, May 25th, 2024 at the Civil War Statue in Olcott at 10:00 a.m. the theme is all can stand because of those who fell.

Councilman Pete Robinson announced the annual Memorial Day Remembrance Celebration at the Corwin Cemetery on Saturday, May 25th at 11:00 a.m.

Councilman Robinson also announced a welcome for everyone to go down to Olcott and see the beautiful improvements that have been made at the beach, the shops and the surrounding area.