

**JUNE 25, 2025**

**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 June 25, 2025.

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, David Schmidt, Building Inspector/Code Enforcement Officer, Nick Irr, Wastewater Treatment Plant Operator, JoAnn Harig, Real Property Appraisal Technician, Jeffrey Newman, Dog Control Officer/Constable, Ken Nerber, Assistant Dog Control Officer/Constable, Mary L. Zeller, Confidential Secretary, and 7 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.

**MISCELLANEOUS FILED WITH THE TOWN CLERK**

Town Clerk's monthly report to the Supervisor

**MINUTES FILED WITH THE TOWN CLERK**

Tourism Board Meeting Minutes of June 3, 2025  
Town Board Work Session Meeting Minutes of May 15, 2025

**APPROVE PREVIOUS MINUTES**

Town Board Regular Meeting Minutes of May 28, 2025

Supervisor Syracuse entertained a MOTION to approve the Town Board Regular Meeting Minutes held on May 28, 2025. Moved by Councilman Horanburg, second by Councilman Coleman, on the question. Hearing no questions, all were in favor, no one was opposed.

All present voted Aye. Motion Carried

**COMMUNICATIONS AND PETITIONS**

**TOWN/SUPERVISOR/REQUEST TO PROMOTE LIFEGUARD SAMANTHA CALL**

The Town Clerk read a request from the Town Supervisor, John Syracuse, to the Town of Newfane Councilmembers as follows: Please accept this as my request to promote Lifeguard Samantha Call to Chief Lifeguard for 2025 at the hourly rate of \$21.00. The Supervisor entertained a MOTION to accept the recommendation. Moved by Councilman Robinson, second by Councilwoman Neidlinger on the question. Hearing no questions, all were in favor, no one was opposed.

All present voted Aye. Motion Carried

**TOWN/WATER/SEWER DEPARTMENT REFUND TO WIESLAW CAPITAL TRADING**

The Town Clerk read a letter from Lori Daniels, Water/Sewer Department Clerk, to the Honorable Town Board as follows: The property at 1670 Lockport Olcott Road has paid \$55.00 for an extra level of service on their 2025 County Tax Bill. We are asking to refund \$32.06, the remaining portion of the \$55.00 extra service fee. The property sold in March of 2025, and they do not need a second trash cart. Per owner of the property, Katuria D'Amato, please make check payable to Wieslaw Capital Trading Solutions, LLC, 1670 Lockport Olcott Road, Burt, NY, 14028. Refund amount is \$36.02. Thank you for your consideration in this matter. The Supervisor entertained a MOTION to accept the recommendation. Moved by Councilman Coleman, second by Councilman Horanburg on the question. Hearing no questions, all were in favor, no one was opposed.

All present voted Aye. Motion Carried

**TOWN/MARINA/REFUND DOCK FEE TO RALPH PALMER**

The Town Clerk read a letter of request from Nicholas Glosser, Facilities Director, as follows: To the Newfane Town Board: Mr. Palmer came in on 6/3/2025 and paid for a dock for the season in the amount of \$1,273.00. On 6/16/2025 he called and informed us he broke his leg and would be in a cast for at least 6-8 weeks, and would like a refund. He did not even get to put his boat in. Please consider refunding him the full amount. Thank you, Nicholas Glosser. The Supervisor entertained a

MOTION to refund Mr. Palmer's Dock Fee. Moved by Councilwoman Neidlinger, second by Councilman Robinson on the question. Hearing no questions, all were in favor, no one was opposed.

All present voted Aye.

Motion Carried

**TOWN/MILLER HOSE CO./ADD EMILY CODY TO ROSTER**

The Town Clerk read a request from Alexis Marvin, Secretary for the Miller Hose Co., Inc, as follows: Please add Emily Cody of 2817 Main Street, Newfane, NY, 14108, to the Miller Hose Co, Inc., administration roster effective immediately which would be effective June 2, 2025, the date of the communication. The Supervisor entertained a MOTION to add Emily Cody to the Miller Hose Co. Roster. Moved by Councilman Horanburg, second by Councilman Coleman on the question. Hearing no questions, all were in favor, no one was opposed.

All present voted Aye.

Motion Carried

**TOWN/SUMMER RECREATION/REFUND TO PENNY LYMAN**

The Town Clerk read a letter of request from Penny Lyman as follows: Dear Town of Newfane. I previously enrolled Alaya Sipe and Jackson Moody into the summer program, summer recreation program. They have since moved out of my home and it will no longer be needed as they won't be attending. I am requesting a full refund of \$150.00 each, total \$300.00. Paid by check #139. Thank you for you time and offering such a great program for the kids. Penny Lyman. The Supervisor entertained a MOTION to refund the enrollment fee to Penny Lyman. Moved by Councilwoman Neidlinger, 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. Nick Irr, Chief Wastewater Plant Operator, advised the Board the Plant is running well. Construction is in full force, they are looking to start up the new building in the middle of next month, so we are working hard getting ready for that. Compost is still available. David Schmidt, Building Inspector/Code Enforcement Officer, reported that it has already been a very busy month. He has already issued 16 Building Permits, several Variances with the Zoning Board and Planning Board was full as well. He and Rick met with the Committee, and he is working on updating the Town Ordinances for Zoning. Attorney Sansone wished to advise the Board that David has been working very hard on the Ordinances. He has already researched and drafted 11 proposed changes to the Code. The Committee reviewed them and accepted almost all of them. They were very detailed and very well thought through. It's a great start and Attorney Sansone thought it was important to advise the Board as well as the people. JoAnn Harig, Real Property Appraisal Technician, Grievance Day was Thursday May 29<sup>th</sup>, All Board of Assessment Review determinations have been submitted to the County. Final Roll is complete and located in Town hall for review, it is also available on our website. The final roll notice has been posted in the paper. We are now working in the 2026 database. We have started updating permits for next year. Also, if anyone has an exemption that needs to be renewed, they can do so now instead of waiting until after the first of the year, when the weather might not be so nice. We are about 50% complete in reviewing each and every parcel file. Once the files are updated and verified as correct, we will be sending out inventory notices for owners to verify that our records are accurate and correct. We are still updating pictures in the Olcott area. I will be out of town from July 13<sup>th</sup> to the 18<sup>th</sup> at an assessor's class. If anyone needs immediate attention. Mike Hartman will be available, and his number will be posted at the assessor's office. Pete Robinson, Town Councilman, offered the Tourism Report in the absence of Gina Guido-Redden. There isn't much new this month, it's all about keeping up with the rhythm of the season. They have been busy with staffing, stocking, and keeping the caboose in tip-top shape. Distributing visitor guides all over town; welcoming new businesses and helping them get settled, like Olcott Rentals, the new owners of Bye's, and the Olcott Lobster Company. Responding to tons of tourist questions (mostly about beach hours and beach access!) Hosting the welcome table at the Sunday concerts, and of course, keeping things running smoothly at the Lakeview Village Shoppes. Jeffrey Newman, Dog Control Officer/Constable, reported to the Board that they have been chasing out solicitors. Back in April we had PTM Solar Company harassing people in Olcott, we received numerous complaints. We attempted to track them down; however, we could not find them. We called the Company in Syracuse, and they stated they would not come back without filing for a

permit to do so. They were back out here on June 11<sup>th</sup> with a van and 25 people that they spread out on Coomer Road, Ewings Road, Condren Road, Hatter Road, they were down in Olcott and also on Main Street here in Town. We were able to catch three of them and issued tickets. On June 12<sup>th</sup> Fox Pest Control was soliciting without a permit. They received a first time warning. We called their offices, and they agreed they would not come back without a permit. On June 24<sup>th</sup> the three individuals from the solar company who were issued a ticket were to appear in Court. They were again soliciting in Olcott. After being chased out by a business owner in Olcott we again called PTM Corporate, and they said they would not come back without a proper Permit. With regard to the dogs, we are probably on track with the amount of calls we had last summer. The Supervisor thanked all the Department Heads for all their Reports, none of the Board Members had questions.

**NEW BUSINESS**

**TOWN/SUPERVISOR/RESOLUTION #18-2025 APPLICATION FOR SMART GROWTH COMMUNITY PLANNING GRANT**

The Supervisor entertained a MOTION to accept the following Resolution: WHEREAS, the Town of Newfane wishes to update its 1997 Comprehensive Plan to reflect the current and future needs of the community and WHEREAS, grant funding is available through the DOS's Smart Growth Community Planning Program, and WHEREAS, the town wishes to apply for grant funding to offset the costs associated with updating its Comprehensive Plan, and NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes J. O'Connell and Associates, Inc, the Towns grants consultants, to prepare and submit the grant application and all required documentation prior to the July 31st deadline.

Motion made by Councilwoman Neidlinger, 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/RESOLUTION #19-2025 TOWN OF NEWFANE ADOPTS NEW YORK STATE CLIMATE SMART COMMUNITIES PLEDGE**

The Supervisor entertained a MOTION to accept the following Resolution: WHEREAS, Climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and WHEREAS, Our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and WHEREAS, The scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and WHEREAS, Even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come, IT IS HEREBY RESOLVED that Town of Newfane, in order to reduce greenhouse gas emissions and adapt to a changing climate, *hereby adopts the New York State Climate Smart Communities pledge, which comprises the following ten elements:* 1. Build a climate-smart community. 2. Inventory emissions, set goals, and plan for climate action. 3. Decrease energy use. 4. Shift to clean, renewable energy. 5. Use climate-smart materials management. 6. Implement climate-smart land use. 7. Enhance community resilience to climate change. 8. Support a green innovation economy. 9. Inform and inspire the public. 10. Engage in an evolving process of climate action. Motion made by Councilman Coleman, second by Councilman Horanburg on the question. Hearing no questions, all were in favor, no one was opposed.

All present voted Aye.

Motion Carried

**PAY BILLS**

The Supervisor entertained a MOTION to approve the payment of claims totaling \$570,116.23, bills paid in June, 2025, Vouchers #38519-38715, as audited by the Supervisor and Department Heads and as per Abstract Sheets dated 06/24/2025 which will be filed with the official record.

General Fund .....	\$ 138,713.71
Highway Fund .....	\$ 39,650.24
Water Fund .....	\$ 24,442.70
Sewer Fund .....	\$ 90,582.37
Lighting District .....	\$ 5,715.45
Fire Protection District ...	\$ 5,138.00
Trust & Agency .....	\$ 4,149.61
Capital Projects .....	<u>\$ 195,910.97</u>
TOTAL APPROVED .....	\$ 570,116.23

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

Motion Carried

**PUBLIC COMMENTS**

Jill MacKenzie, 5854 Ontario Street, Olcott, NY. Her concern is over the Short-Term Rentals. When she moved into her home in 2011 there were no Short-Term Rentals of the single family style around her. She believes a quarter of the homes on Ontario Street, Cooper Street and Franklin Street have now been turned into Short-Term Rentals. She no longer has neighbors. Neighbors have the spare key to your house in case you lock yourself out, they know you, your animals, your families and we know theirs. There were homes that were rented; however, they were not short term, they lived there until they moved. They were neighbors. When homes are being sold in her little community now, they are being bought for the purpose of Short-Term Rental property. She feels she is losing the community, the character of her community has changed. She asked to consider the character of the neighborhood and the community as a whole, moving forward with the Short-Term Rentals.

Rita LaFountain, 2451 Transit Road, Newfane, NY, told the Board that she attended the Planning Board Meeting which included the discussion of the Solar Project being constructed on Drake Settlement Road. She is extremely upset to find that they plan to use a lane from the property on Drake Settlement to Transit Road which runs right along the side of her property and will be placing telephone poles on it. These poles will be approximately 10 to 15 feet away from her garage and driveway. In her opinion it will look terrible and bring down the value of her property. The project is being done on property on Drake Settlement Road, she feels it should run through his property to Drake Settlement Road not along the side of her house. She won't see trees when she looks out her window she will be seeing telephone poles. The Supervisor asked Attorney Sansone to respond to Mrs. LaFountain as he is the Attorney for the Planning Board and is in a position to speak about the project. Attorney Sansone explained to Mrs. LaFountain that this project was started in 2021 and proceeded through 2022. There were Public Hearings, a total of 4 or five over the course of that time. Notices were sent to all property owners within 300 feet of the project, and he has the certified return receipts with her signature on them that she received notice. The project came to a standstill, there was a change of ownership, however, in 2022 the project was approved by the Planning Board. There were some modifications needed due to new regulations set forth by National Grid, however, it was not necessary to go through the entire project all over again as the Board had already seen all that documentation and approved it. Attorney Sansone expressed sincere concern on behalf of himself and the Town Board that she is so upset and will try to see if there is anything that can be done to assist her. He told Mrs. LaFountain that last night at the Planning

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**REGULAR BOARD MEETING cont.**

Board Meeting was the first time he heard the argument of her having any problem. He doesn't know what can be done but promises he will try.

Larry Dormer, 6072 Exchange Street, Newfane, NY, asked why the Planning Board Agendas are not put up on the Town's Website or the Town Calendar. The Zoning Board and Planning Board Agendas are not posted so you don't know if there is a monthly meeting or not. That information would be helpful so members of the community that are not notified can see what is going on. Max Russell, Hess Road, Appleton, NY, stated he received all the Notices for the Planning Board Meetings because of the fields near the project. He realizes it might be confusing for a property owner on Transit Road where our fields are when the project site is listed as Drake Settlement Road. He realizes all the site plans have been reviewed and variances approved, however it's an odd property because the Drake Settlement property has about a 20 foot strip that extends to Transit Road. That is the concern here, those poles are going to be slapped on a 20 foot wide parcel, which is probably the most obstructive, aesthetically displeasing part of the project right next to the closest neighbor. The Supervisor stated just to button that up, the Town Attorney has said he will talk with the Planning Board and do everything he can to see if there is something that can be done to help this situation out.

### **ANNOUNCEMENTS FROM THE BOARD**

Councilwoman Neidlinger offered an update regarding the Summer Recreation Program. Molly Sheldon who is heading up the program advised that all employees have taken the First Aid Course over at Miller Hose, they have completed and passed the Health Department Site Inspection, they have supplies ordered and arriving daily. We have 81 kids registered and they are working on getting bikes and helmets to provide activity in the outdoor circle. They will have 12 staff daily to monitor the activity groups. They will provide a weekly agenda of activities which Sue will provide to Mary so it can be placed on the website.

Supervisor announced the Town Fireworks on July 3<sup>rd</sup> at 10:00 p.m. in Olcott, the Town Hall will be closed Friday, July 4<sup>th</sup>, the next Work Session is Thursday, July 10, 2025 at 7:00 p.m. and the next Town Board Meeting is Wednesday, July 23, 2025 at 7:00 p.m. Lastly please mark your calendars for our 4<sup>TH</sup> Annual Community Days, kicking off on Friday, August 22<sup>nd</sup> with our Time Capsule Burial. We are thankful to J.D. Seiler of Red Leaf Milling who donated an approximate 20" x 24" granite stone for the cover of the marked area and Cliff Miller for engraving the stone. It will look sharp. On Saturday, August 23<sup>rd</sup> we will have live music and food vendors. On Sunday, August 24<sup>th</sup> we will have a fun run along with food trucks, vendors, live music, a dunk tank and other activities. Councilwoman Neidlinger announced Love Rising will be held on July 7<sup>th</sup>. For anyone in the community that is interested in finding out how to volunteer or find out the many Volunteer Organizations that help, this is a great way to get involved or obtain information.

Councilman Horanburg announced the Pirate's Festival will be held July 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> at Krull Park. We have several new events, on Sunday there will be a Firefighters Competition in the Park, the fire apparatus will be shown so people can check it out and learn more about what we do. We will have a "kids" section set up which will provide a water shooting apparatus where they can go around and try to shoot out fires. There are a lot of good bands on the schedule so come out and support the community. It is Olcott's largest fundraiser for the year.

Councilman Robinson announced that they had over 160 kids at the "Hooks For Harry" fishing derby this past weekend. Some of the children attended before and there were a lot of first timers as well whom we expect will be returning. There were prizes for the children and a Legacy Lifetime Fishing License was also awarded. This event is for a young boy named Harry who succumbed from Cancer. His parents were there and there was a lot of support from the community to put this together. Vic Thibault organizes this event to expose children to the fun of fishing as well as learning about conservation in general. The flower bed in Wright's Corners is coming along very nicely. Grand New Flag, the new business in Newfane, donated some flags to us which have been placed by the entranceway on Route 78 near 104, Good things are coming from the Ridgewood/Wrights Corners area. The Olcott Beach is looking good and a huge "Shout Out" to Pipiles Farms, a local farm here on Route 78 for their donation of flowers to the Sheriff's Department for the Officer and Mental Health Wellness Event as well as all the flowers at the Carousel Park.

### **ADJOURN**

The Supervisor entertained a MOTION to adjourn. Motion made by Councilwoman Neidlinger,

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second by Councilman Horanburg on the question. Hearing no questions, all were in favor, no one was opposed.

Motion Carried

Meeting adjourned at 8:03 p.m.

Respectfully submitted,

Donna M. Lakes  
Town Clerk

Next Regular Town Board Meeting July 23rd, 2025, 7:00 p.m.

DRAFT