

OCTOBER 22, 2025

PUBLIC HEARING

The Town Board of the Town of Newfane, Niagara County, New York, met at the Town Hall, 2737 Main Street, Newfane, New York, on October 22, 2025.

The following Board Members were present:

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

Others present:

James J. Sansone, Town Attorney, Jon Miller, Highway Superintendent/Water Superintendent, David Schmidt, Building Inspector/Code Enforcement Officer, Nick Irr, WWTP Chief Operator, JoAnn Harig, Assessor, Jeffrey Newman, Chief Dog Control Officer/Constable, Joseph Flagler, Dog Control Officer/Constable, Mary Zeller, Confidential Secretary to the Supervisor, Cory J. Weber, Esq., Outside Council and 3 residents.

CALL TO OPEN THE PUBLIC HEARING

The Supervisor called the Public Hearing to order at 6:30 p.m. The Town Clerk presented to the Board the Notice of Public Hearings along with the Affidavit of Publication from the Union Sun and Journal, evidencing publication on October 10, 2025, along with the Affidavit of Posting for the record. The Supervisor read the Notice of Public Hearings as follows: NOTICE OF PUBLIC HEARINGS OF TOWN BOARD, TOWN OF NEWFANE FOR LOCAL LAW # 3, TO OVER-RIDE THE TAX LEVY LIMIT ESTABLISHED PURSUANT TO GENERAL MUNICIPAL LAW 3-c, COMMENCING JANUARY 1, 2026, TO PRESENT AND REVIEW THE BUDGET FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2026, TO PRESENT THE SALARIES OF CERTAIN PUBLIC OFFICIALS FOR THE 2026 BUDGET, AND TO REVIEW AMOUNTS TO BE RAISED BY TAXATION OF SPECIAL DISTRICTS. NOTICE IS HEREBY GIVEN, that, pursuant to Municipal Home Rule Law of the State of New York, and General Municipal law of the State of New York, the Town Board of the Town of Newfane, will hold four (4) separate public hearings at the Town of Newfane Town Hall, 2737 Main Street, Newfane, NY, on the 22nd day of October, 2025, at public hearings commencing at 6:30 P.M., as follows: 1. To consider the adoption of Local Law # 3, to over-ride the tax levy limit established in General Municipal Law Section 3-c commencing January 1, 2026. 2. To hear any person in favor of or against the preliminary budget for the fiscal year commencing January 1, 2026. 3. Pursuant to § 108 of the Town Law, the proposed 2026 salaries of the following public officials, as follows: Council Members (4) \$7,532.00 each, Town Supervisor \$51,656.00, Town Clerk \$ 49,374.00, Receiver of Taxes \$ 10,656.00, Town Highway Superintendent \$85,000.00, Town Justices (2) \$27,016.00. 4. To review the amounts to be raised by taxation in Special Districts, as follows: Newfane Water District \$ 351,664.00, Newfane Sewer District \$ 901,562.00, Newfane Light District \$ 85,000.00, Newfane Refuse District \$ 909,130.00, Newfane Fire District \$ 1,047,604.00. The texts of the proposed Local Law and 2026 Budget are on file in the Town Clerk's Office, where they may be examined during regular business hours. ALL PARTIES IN INTEREST AND CITIZENS WILL BE HEARD AT THE PUBLIC HEARINGS TO BE HELD AS AFORESAID. BY ORDER OF THE TOWN BOARD OF THE TOWN OF NEWFANE.

The Supervisor stated that the first item of the Public Hearing, to consider the adoption of Local Law #3, is now open. The Supervisor asked if there were any interested people present who wished to come forward and speak, the floor is open. No one came forward. The Supervisor again asked if there were any interested people present who wished to come forward and speak to the consideration of the adoption of Local Law # 3, to over-ride the tax levy limit established in General Municipal Law Section 3-c commencing January 1, 2026. No one came forward. The Supervisor acknowledged that no one came forward and declared the Public Hearing to be closed.

The Supervisor announced that the second item of the Public Hearings, to hear any person in favor of or against the preliminary budget for the fiscal year commencing January 1, 2026, is open. The Supervisor asked if there were any interested people present who wished to come forward and speak, the floor is open. No one came forward. The Supervisor again asked if anyone wished to come forward and speak in favor of or against the preliminary budget for the fiscal year commencing January 1, 2026. No one came forward. The Supervisor acknowledged that no one came forward and declared the Public Hearing to be closed.

OCTOBER 22, 2025

PUBLIC HEARING cont.

The Supervisor announced the third item of the Public Hearings. Pursuant to §108 of the Town Law, the proposed 2026 salaries of the following public officials, as follows: Council Members (4) \$7,532.00 each, Town Supervisor \$51,656.00, Town Clerk \$49,374.00, Receiver of Taxes \$10,656.00, Town Highway Superintendent \$85,000.00, Town Justices (2) \$27,016.00. The Supervisor offered any interested person or people present who wished to come forward and speak, the floor is open. No one came forward. The Supervisor again asked if anyone wished to come forward and speak. No one came forward. The Supervisor acknowledged that no one came forward and declared the Public Hearing to be closed.

The Supervisor announced the fourth item of the Public Hearings which is to review the amounts to be raised by taxation in Special Districts, as follows:
Newfane Water District \$ 351,664.00, Newfane Sewer District \$ 901,562.00, Newfane Light District \$ 85,000.00 , Newfane Refuse District \$ 909,130.00 , Newfane Fire District \$ 1,047,604.00. The Supervisor asked if there was anyone that wished to speak regarding the amounts to be raised by taxation in Special Districts. The Supervisor again asked if anyone wished to come forward and speak. No one came forward. The Supervisor acknowledged that no one came forward and declared the Public Hearing to be closed.

The Public Hearings were closed at 6:38 p.m.

OCTOBER 22, 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 October 22, 2025.

The following Board Members were present:

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

Others present:

James J. Sansone, Town Attorney, Jon Miller, Highway Superintendent/Water Superintendent, David Schmidt, Building Inspector/Code Enforcement Officer, Nick Irr, WWTP Chief Operator, JoAnn Harig, Assessor, Jeffrey Newman, Chief Dog Control Officer/Constable, Joseph Flagler, Dog Control Officer/Constable, Mary Zeller, Confidential Secretary to the Supervisor, Cory J. Weber, Esq., Outside Council and 5 residents.

PRAYER & PLEDGE

The 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.

APPROVE PREVIOUS MINUTES

The Town Clerk requested approval of the September 24, 2025, Town Board Meeting Minutes as presented. The Supervisor noticed that the "Draft" Minutes had Mary Zeller listed as being in attendance. He requested an amendment to the "Draft" Minutes removing Mary Zeller as being present. The Supervisor entertained a MOTION to remove Mary Zeller as being in attendance at the September Town Board Meeting. Moved by Councilwoman Neidlinger, second by Councilman Coleman on the question. All were in favor, no one was opposed. The Supervisor entertained a MOTION to approve the September 24, 2025, Town Board Meeting Minutes as amended. Moved by Councilman Horanburg, second by Councilman Robinson on the question. Hearing no questions, all were in favor, no one was opposed. Motion carried

FILED WITH TOWN CLERK

Town Clerk Monthly Report To The Supervisor For September 2025
Town Of Newfane Zoning Board Minutes For September 16, 2025
Town Of Newfane Planning Board Minutes For September 23, 2025
Tourism Board Meeting Minutes For October 7, 2025

COMMUNICATIONS AND PETITIONS

None

REPORTS OF DEPARTMENT HEADS AND COMMITTEES

Jon Miller, Highway Superintendent/Water Superintendent, reported that on the Highway, they are cleaning off road ditches, and he stated that today they finished mowing all the off-road ditches. He has been working on installing driveways and yard pipes, he believes he has approximately 6 on the waiting list and hopes to get to them before the weather turns. They have started getting the trucks ready for winter and would like to accomplish one last pothole patching next week. On the water side we are doing a lot of winterization and seasonal meters being pulled with water being shutoff. We did have one service leak on Old Coomer Road that needed to be repaired, and new services installed on some new builds and we will be doing a round of lead and copper samplings this upcoming week. We have half of what we need already done and hope to finish in November and be in full compliance. Nick Irr, Chief Operator of the WWTP, the plant is up and running well, the construction substantial completion was this month. We are more or less there as it effects our process, however, there are miscellaneous minor things that are still being worked on that need fine tuning. There is still plenty of compost available. David Schmidt, Building Inspector/Code Enforcement Officer, stated as of this date he issued 150 Permits which is 45 Permits more in comparison to the total number issued for all of last year. Included in that number is a lot of inspections, he has been out and about quite a bit. The Meadowbrooke Project will be starting shortly, he sees some construction equipment has arrived. With the colder weather coming the calls have begun to slow down a bit. JoAnn Harig, Assessor, I attended the New York State training for the new cloud-based Real Property database system for Assessor's. With the new system the State will be automatically pulling data and reports, which makes Assessor's jobs a little easier. The long-term goal is that Assessors offices will eventually be "paperless". It looks like we will be converting over to the new database system in 2026 April/May time period. Agricultural exemption renewals have gone out, and I have a number of them returned already. I purposely sent them out early because a large number of the Agricultural lands have outdated Soil Group Work sheets. *Soil Group Work Sheets are only valid for 10 years.* There are a few situations where a new Soil Group Worksheet must be completed. These include Selling/Transferring the property to a new owner; Splitting the parcel, or selling off a portion; and Inheriting a property or any change of ownership. Senior and Disability Renewals will be going out in November. Mid November, Niagara County will be pulling for print the 2025 final Roll for the January 2026 property tax bills. Jeffrey Newman, Chief Dog Control Officer/Constable, stated that last week Ken Nerber and Joseph Flagler participated in the Newfane School Homecoming Bonfire by providing security. Prior to that that were in Olcott patrolling and stumbled across some solicitors going door to door selling solar power. They were shown on their way, no permits were issued by the Town for door-to-door solicitation. He and Ken Nerber/Town Constable, attended the Trunk or Treat event at the Niagara County SPCA. The Supervisor thanked the men for going out and representing the Town of Newfane at this event. The Town has a great relationship with them. They certainly help us by relieving some of the burden that would fall upon us.

NEW BUSINESS**TOWN/SUPERVISOR/AGREEMENT WITH RUPP PFALZGRAF LLC.**

The Supervisor brought forward RESOLUTION #35-2025, TOWN OF NEWFANE RESOLUTION SUPPORTING THE ENGAGEMENT AGREEMENT OF OCTOBER 14, 2025, WITH RUPP PFALZGRAF LLC, REGARDING THE BURT DAM ACCESS DISPUTE.

WHEREAS, for many years residents and visitors alike have enjoyed safe and convenient access to the Burt Dam fishing area by way of a long-established path along 18-Mile Creek; and WHEREAS, this area has provided a valuable recreational resource for anglers and outdoor enthusiasts, contributing to the Town's character and economy; and WHEREAS, a portion of property along this traditional access path has recently been posted with "No Trespassing" signs, restricting public use and creating uncertainty regarding continued access to the Burt Dam area; and WHEREAS, the Town of Newfane is hopeful that this matter can be resolved promptly and amicably through discussion and cooperation with the affected property owner; and WHEREAS, in order to protect the long-standing public access to this important natural and recreational resource, it is necessary for the Town to secure appropriate legal counsel to evaluate and, if required, pursue all lawful remedies; NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Newfane hereby approves and supports the Engagement Agreement dated October 14, 2025, with the law firm of Rupp Pfalzgraf LLC, for legal services related to the Burt Dam access dispute; and BE IT FURTHER RESOLVED, that said firm is authorized to explore all legal avenues, including, but not limited to the potential litigation of easement rights or, if necessary, the initiation of eminent

domain proceedings, to ensure that public fishing access at Burt Dam remains open and unobstructed; and BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to execute any documents necessary to effectuate this engagement on behalf of the Town. The Supervisor put forth a MOTION to approve the Resolution. Moved by Councilwoman Neidlinger, second by Councilman Robinson on the question. Hearing no questions, all were in favor, no one was opposed.

Motion Carried

TOWN/SUPERVISOR/LOCAL LAW NO. 3 TO OVER-RIDE TAX LEVY LIMIT 2026

The Supervisor brought forward RESOLUTION #36 -2025 RESOLUTION BY THE TOWN OF NEWFANE FOR THE ADOPTION OF LOCAL LAW NO. 3, TO OVER-RIDE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2026. WHEREAS, The Town Board of the Town of Newfane held a Public Hearing on October 22, 2025 at 6:30 pm, concerning the Adoption of Local Law No. 3, as set forth above, in the Town of Newfane Board Room, and NOW THEREFORE, be it RESOLVED, that the Town Board of the Town of Newfane, by their signatures below, approve and adopt proposed Local Law No. 3 to over-ride tax levy limit established in General Municipal Law Section 3-c, for the fiscal year commencing January 1, 2026. The Supervisor put forth a MOTION to approve the Resolution. Moved by Councilman Horanburg, second by Councilwoman Neidlinger. The Supervisor requested 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 \$765,970.70 paid in October, 2024, Vouchers #39459 – 39706, as audited by the Supervisor and Department Heads and as per Abstract Sheets dated 10/22/2025 which will be filed with the official record.

General Fund	\$ 158,822.49
Highway Fund	\$ 35,972.54
Water Fund	\$ 228,999.80
Sewer Fund	\$ 57,507.63
Lighting District	\$ 6,512.02
Refuse District	\$ 75,181.48
Fire Prevention District	\$ 283.00
Trust & Agency	\$ 64,068.81
Capital Projects	<u>\$ 138,622.93</u>
TOTAL	\$ 765,970.70

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

Motion carried

PUBLIC COMMENTS

None

ANNOUNCEMENTS FROM THE BOARD

HARPER’S DOG PARK Ribbon Cutting Ceremony, Saturday, October 25th @ 10 a.m.

OCTOBER 22, 2025

REGULAR BOARD MEETING cont.

Halloween Trick & Treating Friday 10/31/2025 4pm-7pm

Town Hall is closed VETERAN'S DAY, TUESDAY, NOVEMBER 11, 2025

Next WORK SESSION is THURSDAY, NOVEMBER 13, 2025 @ 6PM

Next Month BOARD MEETING: TUESDAY, NOVEMBER 25, 2025 @ 6PM

Lions Club Halloween Party at First Baptist Church October 31, 2025 4PM – 7 PM

Methodist Church will have their drive thru Chicken-n-Biscuit's Dinner November 4th

Peanut Butter & Jelly Drive is underway, your help is appreciated, there is a drop off at Town Hall
Coming soon you may see a little red barn food pantry. Please help us with keeping it stocked so
we may help our neighbors in need.

The Supervisor called up the two young ladies who attended the Board Meeting as part of their fulfillment in the Government Participation class. The Board Members were happy to see them there and were happy to sign their paperwork for them.

The Supervisor entertained a MOTION to enter into Executive Session relative to pending or proposed litigation. Motion moved by Councilwoman Neidlinger, second by Councilman Robinson on the question. All were in favor by signifying Aye, no one was opposed. Executive session called at 7:22 p.m.

Executive Session concluded at 7:53 p.m., no action was taken. Regular Meeting was called back to order.

ADJOURN

The Supervisor entertained a MOTION to adjourn. Motion made by Councilman Robinson, second by Councilwoman Neidlinger on the question. Hearing no questions, all were in favor, no one was opposed.

Motion carried

Meeting adjourned at 7:54 p.m.

Respectfully submitted,



Donna M. Lakes
Town Clerk

Next Regular Town Board Meeting November 25th, 2025 at 6:00 p.m.