

SEPTEMBER 24, 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 September 24, 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, Jon Miller, Highway/Water Superintendent, David Schmidt, Building Inspector/Code Enforcement Officer, Nick Irr, Wastewater Treatment Plant Operator, Jeffrey Newman, Constable/Dog Control Officer,

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.

PRESENTATION OF NY-18/LAKE ROAD CULVERT OVER KEG CREEK

The Supervisor introduced Joel Astyk, Project Engineer, from Colliers Engineering & Design and invited Joel to introduce the individuals from the NYSDOT who are joining us this evening as well. Joel thanked the Supervisor and introduced Brian Dankert, Region 5 Project Manager and Mario D'Alfonso, Region 5 Design Job Manager. Joel presented a screen slide show for the Town Board and audience covering all the topics of the project, i.e., Project Location, Project Need, Fishing Access, Preferred Alternative – Work Anticipated, Detour, and Project Schedule. He also provided a full color pamphlet explaining all the topics that were covered. A copy of that Pamphlet is available at the Town Hall for anyone interested who were not able to attend the meeting. After the presentation the floor was opened up for questions. Philip Baehr had a huge concern over how the detour during construction would affect our First Responders, Law Enforcement, Emergency Vehicles, etc. and if there has been any discussion with these agencies on this subject. Joel indicated that is a valid concern, safety is a number 1 priority, and they intend to reach out to all these agencies once they get past the preliminary design. Joel asked if there were any individuals present that were in any type of First Responders category. The Supervisor advised that Councilman Rick Coleman is affiliated with the Miller Hose Company and Councilman Robert Horanburg is affiliated with the Olcott Fire Company. Both Rick and Robert will make arrangements to meet with Joel at the appropriate time. There was a question regarding the new proposed parking lot looking quite a bit smaller than the existing parking lot and whether or not the existing parking lot could remain. The existing parking lot cannot as it is too close to the work being done. The excavating work required to remove the existing structure to rebuild will undermine that area. A question was raised requesting moving the existing Guide Rails back off the road farther. There are quite a few large tractors along with farming equipment that move through that section and it's very dangerous. It really needs to be widened for safety purposes. Joel replied that one of the purposes of having a public meeting is to gather thoughts and information. While road work was not considered as part of the project, we can certainly look at it. The Supervisor thanked Joel, Brian and Mario for coming out to speak and answer questions.

FILED WITH THE TOWN CLERK

- TOWN BOARD WORK SESSION MINUTES OF JULY 10, 2025
- TOURISM BOARD MEETING MINUTES OF AUGUST 5, 2025
- TOWN OF NEWFANE ZONING BOARD MINUTES OF AUGUST 19, 2025
- TOWN OF NEWFANE PLANNING BOARD MINUTES OF AUGUST 26, 2025
- TOWN CLERK MONTHLY REPORT TO THE SUPERVISOR FOR AUGUST, 2025

COMMUNICATIONS AND PETITIONS

TOWN/CLERK/NIAGARA COUNTY BOARD OF ELECTIONS PUBLICATION

The Town Clerk advised the Board that in accordance with NYS Municipal Home rule Law, she had received a letter of request from the Niagara County Board of Elections which also contained an Abstract of a Proposed Local Law to establish a four (4) year term for the position of Niagara County Legislature that was to become a part of our permanent record. The clerk provided the

Niagara County Board of Elections with a certification of receipt and filing and further, an Affidavit of Posting on the Clerk's sign board of the proposed Local Law. This proposed Local Law will appear on the back of the voting ballot in the November General Election.

TOWN/WATER/REFUND WENDA WAGNER

The Town Clerk read a communication from Cailynn Feeley, Water/Sewer Department Clerk as follows: To The Honorable Town Board, The owner of 3944 Ewings Rd. has sold the property. A final bill was issued for the sale of the property. The Water Department is requesting The Town of Newfane refund Wenda Wagner in the amount of \$7.57, due to a credit on the water account from overpayment. Please make check payable to: Wenda Wagner in the amount of \$7.57. Thank you for your consideration in this matter. Supervisor Syracuse asked for a MOTION to refund the overpayment to Wenda Wagner. 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/ASSESSOR/UNPAID WATER/SEWER TO 2026 COUNTY TAX ROLL

The Town Clerk read a communication from JoAnn Harig, Real Property Appraisal Technician to the Town Board as follows: Honorable Supervisor Syracuse and Town of Newfane Board Members; The Water Department has provided the Assessor's office with a list of unpaid water and sewer charges, along with a list of the mowing and unpaid materials charges to be added to the 2026 County Tax Roll. Your approval is required to place these charges into the 2026 County Tax Roll for the January 2026 Tax Bill in accordance with New York State Tax Law, Section 198. The unpaid totals are as follows: Unpaid Water \$174,002.75; Unpaid Sewer \$81,478.82; Unpaid Materials \$393.13; Mowing Fees \$4,978.60; Total \$260,853.30. Sincerely JoAnn Harig, RPAT, Town of Newfane. Supervisor Syracuse requested a MOTION to approve the unpaid charges be sent to the County to be added to the 2026 County Tax Bill. Moved by Councilman Coleman, second by Councilwoman Neidlinger 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. Jon Miller Highway/Water Superintendent, stated they have been busy fixing water leaks and service leaks, we have the water taps pretty much caught up. We started replacing the sidewalks on Main Street that were in need of repair and hope to have that finished in about a week. We replaced a broken hydrant on Hess Road and Jacques Road and we are still working on the lead service line survey which will probably be a couple year deal. We will begin to start lead sampling and testing, we need about 40 samples by the end of January with the cooperation of our residents and we will be in compliance. We will be starting to get the calls for water pipe winterization soon as well. On the highway side we are working on mowing field ditches, we have about 6 yard pipes to do for new driveways to be put in. We have some patching work and a few dead trees that need to be taken down, so there's plenty of work to be done. The Supervisor wanted to acknowledge all the work that these men do in addition to their typical duties such as putting up and taking down the Hometown Hero Banners. Jon and crew seem to find a way to get things done and it is greatly appreciated. Nick Irr, Wastewater Treatment Plant Operator, advised the Board that construction is still underway. They have finished the aeration piping so that is up and running now. We are learning the new equipment and working on getting quotes for further equipment. The plant is running well and we have compost available. David Schmidt, Building Inspector/Code Enforcement Officer stated that since the last time we met he has issued 32 new Permits. Just to give you an idea on how busy it has been, all of last year I issued 105 Permits. He has issued 137 as of this date. He is presently trying to work on the amendments for some of the Codes. The 2025 Code Books are out now and we will have to go by them as of January 1st, 2026, I will have to start looking through them. JoAnn Harig, Real Property Appraisal Technician, advised the Board that New York State is rolling out a new cloud based data program for assessments. Hopefully the program will allow us to input the data as we see it. This will be quite a time saver as we are now writing everything down and then coming back to enter it into the system. The entire Ridgeview Mobile Home Park has been inventoried and updated. We will be starting on the Bixler Road, Countrywide Estates inventorying every Mobile Home. We will then be starting to send out our Renewal Exemption Letters. If you have a low-income senior, individual with a disability or agricultural exemption which needs to be renewed every year please be certain to fill out the forms. Jeffrey Newman, Dog

Control Officer/Constable, reported that this past Monday he, Ken Nerber and Joe Flagler all qualified through the Niagara County Sheriff’s Department, this is an annual requirement. Over the last few weeks we had 6 dogs at large which is quite a big number. Every one of them was within 2 to 10 houses from where they live. We have created a Facebook page; you can find it under Newfane Town Constables. Gina Guido-Redden offered a End of Season Summary Report to the Town Board. The Report contains graphs and blocks which were not able to be converted into the Minutes. A full copy can be obtained from the Town Clerk’s Office if anyone would like one. The Supervisor thanked Gina and acknowledged that she certainly put a lot of work putting that together. He was very impressed and appreciative.

NEW BUSINESS

TOWN/SUPERVISOR/ NYS ENERGY BANS

The Supervisor brought forward Resolution #30-2025 in support of Congressman Langworthy’s Opposition to Government-Mandated Natural Gas Bans as follows: RESOLUTION #30-2025 A RESOLUTION IN SUPPORT OF CONGRESSMAN NICK LANGWORTHY’S ENERGY CHOICE ACT (H.R. 3699, S. 1945) AND IN OPPOSITION TO GOVERNMENT-MANDATED NATURAL GAS BANS. WHEREAS, affordable and reliable energy is essential to the health, safety, and economic prosperity of Newfane families, businesses, and communities; and WHEREAS, natural gas remains a dependable, cost-effective, and clean-burning energy source used by many residents to heat their homes, cook their food, and power their businesses; and WHEREAS, in 2019, New York State enacted the Climate Leadership and Community Protection Act (CLCPA), which mandates aggressive emissions reductions and serves as the foundation for sweeping energy restrictions, including efforts to phase out natural gas; and WHEREAS, building on the CLCPA, Governor Kathy Hochul and the New York State Legislature in 2023 enacted provisions in the state budget banning natural gas and other fossil fuel hookups in most new residential and commercial buildings, effective 2026 for smaller buildings and 2029 for larger buildings, thereby eliminating consumer choice and limiting access to affordable energy; and WHEREAS, Governor Hochul has publicly supported these bans and related measures as part of her administration’s climate and energy agenda, despite widespread concerns that such mandates will increase costs, strain grid reliability, and restrict energy diversity; and WHEREAS, these top-down policies undermine affordability, threaten reliability during peak demand, and strip away the freedom of consumers and businesses to choose the energy sources that best meet their needs; and WHEREAS, Congressman Nick Langworthy of New York and Senator Jim Justice of West Virginia introduced the Energy Choice Act (H.R. 3699, S. 1945), federal legislation that ensures state and local governments cannot restrict consumer access to natural gas and other affordable energy sources, thereby protecting freedom of choice for New Yorkers and all Americans; and WHEREAS, the Energy Choice Act would safeguard households, small businesses, hospitals, farmers, and manufacturers from harmful government overreach and preserve access to an “all-of-the-above” energy strategy that strengthens reliability and affordability; NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Newfane strongly supports the Energy Choice Act as introduced by Congressman Langworthy (H.R. 3699) and Senator Justice (S. 1945) and stands firmly opposed to New York State’s natural gas bans, the CLCPA-driven restrictions, and other state energy mandates that eliminate consumer choice; and BE IT FURTHER RESOLVED, that the Town Board of the Town of Newfane urges Congress to pass the Energy Choice Act to defend consumer choice, protect energy affordability, and preserve reliable access to natural gas for New Yorkers; and BE IT FURTHER RESOLVED, that copies of this resolution be sent to Congressman Nick Langworthy, Senator Jim Justice, the New York Congressional delegation, Senators Charles Schumer and Kirsten Gillibrand, Governor Kathy Hochul, and leadership of the New York State Legislature. Supervisor Syracuse entertained a MOTION to approve the Resolution. Moved by Councilman Robinson, Second by Councilman Coleman 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

TOWN/SUPERVISOR/APPOINT FULL-TIME ASSESSOR AND PART-TIME CONSULTANT

The Supervisor brought forward RESOLUTION #31-2025 RESOLUTION OF THE TOWN BOARD OF THE TOWN OF NEWFANE APPOINTMENT OF FULL-TIME ASSESSOR AND PART-TIME CONSULTANT, WHEREAS, the Town Board of the Town of Newfane recognizes the need to provide consistent, professional assessment services to the residents of the Town; and WHEREAS, the position of Town Assessor requires the formal appointment of an individual to serve as the Full-Time Town Assessor for the statutory six-year term; and WHEREAS, the Town Board has reviewed qualifications and finds that JoAnn Harig is duly qualified and suitable to serve as the Full-Time Assessor of the Town of Newfane; and WHEREAS, the Town Board further recognizes the need for temporary professional consultation during the transition period in the Assessor’s Office; and WHEREAS, the Town Board has determined that Michael S. Hartman is qualified and suitable to serve as a Part-Time Consultant within the Assessor’s Office; NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Newfane hereby appoints JoAnn Harig as the Full-Time Town Assessor for the Town of Newfane, for the statutory six-year term commencing October 1, 2025, and ending September 30, 2031; and be it further RESOLVED, that the Town Board hereby appoints Michael S. Hartman as a Part-Time Consultant within the Assessor’s Office, for the term commencing October 1, 2025, and ending December 31, 2025; and be it further RESOLVED, that the Town Supervisor, and any other officer as may be required, is hereby authorize to take all actions necessary to give effect to this Resolution. Supervisor Syracuse entertained a MOTION to approve the Resolution. Moved by Councilwoman Neidlinger, Second by Councilman Horanburg 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 \$715,956.10, bills paid in September, 2025, Vouchers #39098-39458, as audited by the Supervisor and Department Heads and as per Abstract Sheets dated 09/24/2024 which will be filed with the official record.

General Fund	\$	191,470.45
Highway Fund	\$	134,282.67
Water Fund	\$	21,314.53
Sewer Fund	\$	92,764.78
Lighting District	\$	6,205.56
Refuse District	\$	72,512.22
Trust & Agency	\$	3,076.45
Capital Projects	\$	<u>193,829.44</u>
TOTAL APPROVED	\$	715,456.10

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

Larry Dormer, Exchange Street, wanted to thank Jon Miller, Water/Superintendent, for all the help he provided when the sewer in the basement backed up.

SEPTEMBER 24, 2025

REGULAR BOARD MEETING cont.

ANNOUNCEMENTS/COMMENTS FROM THE BOARD

- Next WORK SESSION is THURSDAY, OCTOBER 9, 2025
- Town Hall is closed Monday, Columbus Day, October 13, 2025
- Next Month BOARD MEETING: WEDNESDAY, OCTOBER 22, 2025 @ 7PM

Councilman Robinson encouraged everyone to come to attend the Harvest Festival on September 27th to support our local businesses and our local farmers.

ADJOURN

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

Motion Carried

Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Donna M. Lakes
Town Clerk

Next Regular Town Board Meeting October 22nd, 2025, 7:00 p.m.