

Present: Supervisor F. Newlin; Councilmen A. Bax; S. Edwards, M. Johnson & E. Palmer; Dep. Sup. E. Elgin; Atty. J. Leone; Dep. Atty. D. Boniello; Eng. R. Lannon; Finance Officer A. DiRamio; Highway Supt. S. Reiter; WPCC Admin. T. Lockhart; Bldg. Insp. T. Masters (5:50pm); Dep. Clerk C. Schroeder; 3 press

The Supervisor opened the worksession portion of the RTBM at 5:43 p.m. Newlin said this is a new format they are trying. The general idea, he said, is to address some of the items on the agenda and formally taking action on them at the regular meeting that follows. He anticipated a short recess before reconvening into the regular meeting.

Old Business:

Street Lighting, Chicora Drive: The first item for discussion pertained to a request for street lights on Chicora Drive. After review, the Lighting Advisory Board suggested the placement of four (4) street lights due to safety concerns.

Palmer said a memo from the Lighting Board recommended that the Town of Lewiston not be involved in lighting in new subdivisions. This should be discussed with the developer before a project is started to determine who is responsible for providing lighting.

As he stated before, Lannon said it is the municipality's responsibility for the installation of street lights in public right-of-ways. With any new subdivision, developers are asked to lay-out utilities to provide electrical outlets. The town by resolution requests National Grid to put the light poles up. The town is then charged for the installation and lighting.

Edwards noted that in Wheatfield, during the planning process, the placement and cost of street lights are pre-determined. The cost of the lights are paid by the developer and monies placed into an escrow account. The town provides the street lights. We need to look into that, he said.

Another option, Lannon said, would be the establishment of a special lighting district. The residents on Chicora Drive would present a petition to the Town Board. This would require 51% approval of the homeowners on Chicora Drive, based on frontage. Lannon said he would provide the Clerk's office with the procedures for establishing a lighting district.

Plumbing Board: Edwards said he, Councilman Johnson, Tim Masters and Don McSwan met recently to discuss the formation of a Plumbing Board. This would be a five member board to include the building inspector, water dept. head; sewer dept. head, and 2 plumbers or 1 plumber and 1 citizen. The Plumbing Board would meet monthly or bi-monthly to discuss issues in the Town; draft local plumbing laws; and interview plumbers who would wish to be licensed in the Town of Lewiston. Also, in the best interest of the Town, Edwards recommended that the town adopt a resolution to start licensing plumbers. This will help in making sure everyone has proper insurance and provides better enforcement of the plumbing code.

Planning/Zoning Board Alternates: Leone said he cannot find any statute or authority that provides for the appointment of an alternate to a planning board or zoning board to fill in during a prolonged absence of a current member. The only provision for appointing an alternate would be if there is a conflict of interest of one of its members on a subject matter. Johnson said he has concerns because several members of the Zoning Board will be out of town at the same time. There may be something that comes up that you're holding up another thirty days because you don't have a quorum. Leone said he would inquire of this further at the Association of Towns Annual Meeting next month.

Planning Board: Training: Johnson said there is a requirement under State Law that requires a minimum of 4 hours of training for Planning Board and ZBA members. This training can be done in-house and he would ask that a letter be sent to the Chairman of the respective boards to come up with some dates/times that would accommodate members for this training.

Clerk's Correspondence: Newlin said these items would be addressed at the regular meeting.

Supervisor:

Legal: None

Engineer: Lannon provided an update on the Mt. View Drive Waterline Project. Contractors have completed the improvements to the west side of Mt. View Drive. Inspection of the work has been completed. Work will begin on the east side the following morning.

Greenway Update: With regard to greenway projects, Newlin said the Power Authority has determined that protocols be established on how to handle greenway proposals. He would let the Board know when procedures are in place.

Capital Projects in Village: Newlin said the Town has committed to spending a reasonable percentage of its NYPA monies on Village Projects. He will ask the Village to submit a list of Capital Projects. He would schedule a joint board meeting to determine those projects to be funded.

Association of Towns:

Appointment of Delegate/Alternate: At this time, Newlin said only he and Councilman Palmer are scheduled to attend the Annual Towns Meeting in February. At the regular meeting he would formally designate himself as Voting Delegate and Councilman Palmer as Alternate.

2008 Resolutions 1-11: Newlin asked if any board member wished to comment on the proposed resolutions. Johnson said he had concerns with No. 11 with respect to reforming condominium assessments. He would vote against the proposal that would change the current method of establishing assessments to that of setting assessments on all condominium units as if the property were a single parcel. Johnson said this proposed resolution would be unfair to developers and would very, very deeply affect Western New York as a whole.

Newlin said the Board should be made aware of Resolution No. 5 which extends to all towns the option to assume responsibility and authority to set speed limits on town (local) roads within their jurisdiction. Johnson said he would be in favor of said proposal. Right now, the authority lies with the State DOT. Often times, these matters are delayed until the State is able to initiate a traffic study.

In a related matter, the Board asked that a follow-up letter be sent to the State DOT with respect to the town's request for a 3-color traffic signal at Rt. 104 @ Dickersonville Road. A serious two-vehicle accident recently occurred at that intersection that may have been avoided if a traffic signal were in place.

Atty. Boniello asked for support of Proposal No. 7 which supports legislation to extend disability retirement benefits to any law enforcement officer who has been receiving disability benefits for a period of 36 months without the ability to return to work.

Edwards:

Muckland Pumps: Edwards said the Town Board recently approved the rebuilding of an electric motor to one of the pumps at the muckland pump station. There was also collateral damage to a shaft in the other pump. Edwards said the Highway Supt. obtained an estimate from Robert Macvie, Inc. to remove pump and

shaft assembly from pump house for repair. He also included an estimate to evaluate the pumps and motors to attempt to prevent further damage from vandalism. As part of the procurement policy, Reiter was asked to obtain three (3) quotes for the repair at the pump station.

Snow & Ice Contract: Edwards said the Board is in receipt of a copy of a proposed contract with Niagara County for snow removal of Niagara County roadways. The term of this agreement is for three (3) years beginning October 1, 2007. The agreement may be terminated by either party, provided that a minimal of fourteen (14) months notice is provided in writing. Edwards said there is an escalator clause in the contract so the town would be fully compensated each year. As part of the agreement, Supt. Reiter noted that the Town Board must request an insurance quote for a general liability umbrella in the amount of \$5 million per occurrence. The Town shall determine in its sole discretion whether to obtain such additional insurance or not, but shall receive the amount of the quote whether or not the Town chooses to increase its insurance coverage.

Sanborn Area Historical Society: Resolution in Support of Application to Greenway Commission: Edwards said he would defer this to the next meeting (2/11).

Executive Session:

Newlin asked for a motion to enter into executive session to address personnel and contractual matters.

Johnson MOVED for approval, Seconded by Bax and carried 5-0. Time: 6:30 P.M.

*Executive Session:

Present: Newlin, Bax, Edwards, Johnson, Palmer, Leone, Boniello, Lannon, Elgin.

Issues Discussed:

1. Personnel Issue: Highway/Drainage
2. Drainage Issue: Potential Litigation

Edwards Moved, seconded by Palmer to exit executive session. Motion carried 5-0.

No action taken.

Edwards MOVED to adjourn. Seconded by Bax and carried 5-0. Time: 7:10 P.M.

Transcribed and
Respectfully submitted by:

Carole N. Schroeder
Deputy Town Clerk

* Executive Minutes taken by:

David Boniello, Town Attorney