

Present: Supervisor S. Reiter; Councilmen A. Bax, M. Marra, E. Palmer & R. Winkley; Atty. M. Dowd; Dep. Atty. M. Davis; WPCC Ch. Op. J. Ritter; Bldg. Insp. T. Masters; Finance Officer M. Johnson; Clerk C. Schroeder; 1 press (Buffalo News); 4 Residents

Prior to the worksession, the Town Board heard a presentation from Drew Reilly, Wendel Engineers with regard to the Zoning Revisions Phase II. Based on their work on Phase I and the revised Comprehensive Plan, the next step relates to the new zoning districts and their placement on the Zoning Map. Reilly gave a summary of proposed changes, as follows:

1. Replace the Town's current Rural Residential District with a new Rural Residential District and a Rural Agricultural district, as well as evaluating the need for the previously proposed Suburban Residential District.
2. Evaluate and consolidate the existing R-1, R-1-A, R-1-B, R-1-C, R-1-D and R-1-S Districts.
3. Consider eliminating the current B (Business) District and evaluate the addition of the proposed Rural Service Center District, Office Park and University Research park districts.
4. Considering eliminating the PD Districts (if the issue of what to zone them on the Zoning map can be resolved).
5. Research/evaluate the elimination of the I-1 and I-2 Districts and their replacement with the proposed Special Industrial and Complimentary Special Industrial Districts. Also evaluate the "allowed" and "special uses" in these districts.
6. Once final decisions are made on the zoning districts, we need to search other districts, zoning sections and other Town laws to make sure they refer to the proposed districts.
7. Update the new Special Use Permit Section by including the requirements/criteria for each Special Use in this section.
8. Based on the above code revisions, evaluate the need for new definitions or supplemental requirements needed in the Zoning Code.
9. Work with the Town to place all new zoning districts on the Zoning Map in their proper places and evaluate the need to change locations of any existing districts that will remain.
10. Create a new GIS Zoning Map of the Town.

In response to a question from Councilman Bax, Reilly estimated 4 meetings with the Town Board and 2 public meetings.

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April 11, 2011

Worksession

6:00 PM

Present: Supervisor S. Reiter; Councilmen A. Bax, M. Marra, E. Palmer & R. Winkley; Atty. M. Dowd; Dep. Atty. M. Davis; WPCC Ch. Op. J. Ritter; Eng. R. Smith; Bldg. Insp. T. Masters; Finance Officer M. Johnson; Rec. Dir. M. Dashineau; Clerk C. Schroeder; 3 press; 8 Residents

The Supervisor opened the worksession, followed by the Pledge of Allegiance led by Councilman Marra and a moment of silent reflection.

Agenda:

In addition to the agenda, the following additions were requested:

Palmer: Town Computer Policy

Marra: 1) Public Hearing on Purebred License law; and 2) Clerk's Correspondence.

Reiter: 1) Contractual Issue (LOOW); 2) Executive Session re Personnel, Contractual and potential litigation.

Bax MOVED the agenda, as amended. Seconded by Palmer and carried 5-0.

Presentation:

Next, Councilman Marra presented a plaque to Dave Perreault in recognition and appreciation for his countless hours of volunteerism as Lewiston Youth Basketball Program Coordinator and putting kids of Lewiston ahead of himself and organizing, overseeing and running the Lewiston Recreation Basketball Program giving invaluable leadership and guidance to all the players in the league. Dave Perreault has shown himself to be an invaluable asset to the fabric of the Lewiston community.

Abstract:

Bax MOVED to approve the Abstract of Claims Numbered 832 to 1163 and recommended payment in the amount of \$316,004.79, plus a post-audit of \$320,417.62. Seconded by Winkley and carried 5-0.

Post Audit Request:

Bax MOVED for approval of the following Post Audit payments: HSBC Bank USA -- \$405.96 and Home Depot -- \$17.69. Seconded by Winkley and carried 5-0.

Town Prosecutor: Reiter asked for a motion to create the position of Town Prosecutor, as requested by the Town Justices.

Reiter MOVED for approval. Seconded by Palmer and carried 5-0.

Bax MOVED to appoint George Adamson as Town Prosecutor, Seconded by Marra and carried 5-0.

Generators: The Building Inspector said the Town Engineer prepared specifications and drawings for back-up generators at Town Hall, Highway and Police Station. They are now seeking permission to go out to bid.

Bax MOVED to advertise for sealed bids for back-up generators at various town buildings. Seconded by Winkley and carried 5-0.

The Town Engineer to put bid notice together.

Claim for Damages/Matthews: Palmer referred to a property damage claim of a tree striking a home at 776 Michelle Court. Palmer said it was his understanding the Supervisor and Building Inspector went to inspect the property to determine if the tree that struck the home was on town property. Reiter confirmed it was.

Palmer said the owner filed an insurance claim with their insurance company. The owner is requesting reimbursement of the \$1,000 deductible. Palmer said he would propose reimbursing the owner \$500, as there was no prior notice of any problems with any trees in that area.

Palmer MOVED for approval. Seconded by Bax and carried 5-0.

30-Day Waiver of Liquor License: Reiter referred to a request from the Lewiston Golf Course Corporation to waive the 30-day application notice with respect to the Seneca Hickory Stick Golf Course, 4560 Creek Road.

Bax MOVED to waive the 30-day application notice with respect to the liquor license for Hickory Stick Golf Club. Seconded by Marra and carried 5-0.

Town Computer Policy: Palmer said they received a recommendation from Town Auditors that the Town adopt a Computer/Internet Policy for Town employees.

Palmer MOVED to adopt the following Computer/Internet Policy for inclusion in the Employee Handbook:

The Town provides to its employees access to various computerized information resources through the computer and software provided by the town. The use of the Town computer system, including off-premises use, is the subject of this policy.

The Town computer system and software attendant thereto is provided to the staff of the Town for use in the performance of Town business. Personal use of the computers, to include e-mail, recreational games or other non-business related use is strictly prohibited. Violation of this policy will subject employees to disciplinary action up to and including discharge.

Seconded by Winkley and carried 5-0.

Clerk's Correspondence: Marra referred to a request from the Town Clerk to attend the NYS Town Clerks Association annual conference in Buffalo from 5/1 – 5/4. Funds have been budgeted for this conference.

Marra MOVED for approval. Seconded by Bax and carried 5-0.

Fox Fence: Reiter said the Town Engineer obtained bids for fencing a section of the around the LOOW site. Reiter said. The low bid was from Fox Fence in the amount of \$24,937. Bids were also submitted by Capital Fence and Imperial Fence. Because the project is being funded by the Corps of Engineers, the Town of Lewiston was responsible for the bidding process. The Supervisor asked for a motion to sign the start work order. It is a 6-ft high aluminized fence with 3 strands of barb wire on top to eliminate 4-wheeler traffic and such from entering that facility.

Bax MOVED to authorize the Supervisor to sign the work order. Seconded by Marra and carried 5-0.

Reiter said they received one bid for the used playground equipment from Kiwanis Park that was declared obsolete in 2010. The bid was from the Town of Porter in the amount of \$1.00. Reiter said he would prefer to see it go to use once again for recreational purposes at Porter-on-the-Lake. Reiter asked if there were any liabilities as far as the equipment being damaged.

Dowd said the low bidder would sign a release stating they are purchasing the equipment in “as is” condition.

Marra MOVED to accept the low bid for the used playground equipment. Seconded by Winkley and carried 5-0.

At this time, members from the Niagara River Disc Golf Association, Chad Adams, Doug Opiela & Matt Stevenson came before the Board to discuss the use of Joseph Davis Park. Doug Opiela said they have been using the park since 1980 when the disc golf course was put in. They have been hosting tournaments, events, and leagues for 30 years. Opiela said he has seen the plans for the park and feels that the course is an asset to the park as there are thousands of local users. As a league, we have sunk in our own money into trying to improve the park. He said they are committed as a small organization to keeping that as a viable sporting/recreation facility. It is well used and will be in the future if we're allowed to improve and maintain what we have.

Chad Adams said a Professional Disc Golf Association tournament is held at the park once a year, usually around Labor Day Weekend. This annual tournament has been held

for 25 years. We are here to introduce ourselves and to say that we are here to help you make that park as nice of a place as we can help make it.

Purebred Licenses:

Marra MOVED to table the public hearing scheduled April 25 regarding purebred dog licenses, pending input from the Clerk's office. Seconded by Bax and carried 5-0.

Announcement:

Reiter said that on Memorial Day, May 30 at 10:30 a.m., members of the VFW post 7487 will meet at the Red Brick School and hold a parade down Center Street to Academy Park for their Annual VFW Memorial Service. Following the service, there will be a meal provided at the Lewiston #1 Fire Company.

Lastly, Dowd said they are at the point where the Town is ready to fund the Sewer Plant Improvement Account. The Finance Director is seeking authorization to open an account once the loan is completed. The Capital Account would be H-32 (SS1 Upgrade Project).

Winkley MOVED for approval. Seconded by Palmer and carried 5-0.

Reiter asked for a motion to enter into Executive Session to discuss personnel and contractual matters.

Bax MOVED for approval, Seconded by Marra and carried 5-0. Time 6:40 PM.

*Executive Session

Present: Reiter; Bax; Marra; Palmer; Winkley
Also Present: Atty. Dowd; Dep. Atty. M. Davis

*Minutes taken by Councilman Ron Winkley

Issues Discussed:

1. Personnel

Motion by Marra to exit Executive Session and reconvene worksession. Seconded by Winkley and carried 5-0. Time: 6:55 PM

Action Taken:

1. **Bax MOVED to canvas Civil Service for Assessor Clerk at hourly salary of \$15.00. Seconded by Marra and carried 5-0.**
2. **Reiter MOVED to appoint Richard Portale as Ordinance Enforcement Officer at an hourly salary of \$15.75. Seconded by Bax and carried 5-0.**
3. **Bax MOVED an annual salary of \$48,000 to Linda Johnson, Sole Assessor. Seconded by Marra and approved 5-0.**

Bax MOVED to adjourn. Seconded by Marra and carried 5-0.

Transcribed and
Respectfully submitted by:

Carole N. Schroeder
Deputy Town Clerk