

**PRESENT:** Supervisor Reiter; Councilmembers Bax, Marra, Palmer and Winkley; Deputy Supervisor Catlin; Town Attorneys Dowd and Davis; WWTP Chief Oper. Ritter; Building Inspector Masters, Highway Superintendent Janese; Town Engineer Smith, Police Chief Salada; Finance Officer Johnson; 2 Press; Approximately 64 Residents and Clerk Donna Garfinkel

Supervisor opened meeting, followed by Pledge of Allegiance and a moment of silent reflection.

**TWO-MINUTE STATEMENT BY RESIDENTS**

Supervisor asked if any resident wished to address the Board.

Witryol, Amy – 4726 Lower River Road Witryol wished to express her appreciation to the Board. She read and reviewed the Stake Holder Comments to the DEC; they were extremely well by leading national experts about the condition of CWM property. The groundwater problems are extensive, the migration of contamination are extensive. The comments provided to the DEC were very thoughtful. Witryol encourages the Board to continue its encouragement for DEC to close and clean up the site, so all can get on to more sustainable and pleasant options for economic development.

Supervisor Reiter introduced Town Auditor Pat Brown of Brown & Company LLP. Brown has audited the performa numbers that the Committee for the Civic Center presented.

On behalf of Brown & Co., Brown thanks the Board and appreciates the opportunity to serve the Board and the Recreation Committee in doing the evaluation of the Civic Center forecast.

The Committee comprised forecasted results Brown was asked, as Town Auditor, to review their assumptions and how those translated into the financial information. The examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

The report reflects the first five full years of operation. The revenues derived from sports leagues and tournaments on the main field and basketball court; as well as concessions. There is no sponsorship support or advertising reflected in any of the numbers.

Financial assumptions were derived on information from other facilities in the region. It assumes \$8 million construction cost, with debt services covered by Greenway funds. The key point here is that even at this funding level, it leaves the Town with approximately \$80,000 in available Greenway funds per year. It assumes partial offset to utility costs from NYPA low cost power allocation.

This assumes only five (5) hours of operation on weekdays and eight (8) hours on weekends, with no summer revenue. This is a very conservative amount.

It could be a regional draw for not only Western New York but areas outside. Forecasts based on conservative estimate of revenue/utilization and conservative expense estimates.

Brown discussed the forecasted operating results for the first five years:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Revenues	\$357,000	\$433,000	\$477,000	\$524,000	\$577,000
Operating Expenses	<u>\$371,000</u>	<u>\$404,000</u>	<u>\$430,000</u>	<u>\$456,000</u>	<u>\$484,000</u>
Surplus/(Deficit)	(\$14,000)	\$29,000	\$47,000	\$68,000	\$93,000

These dollars do not include concessions or advertng at the Center. The Center will start charging leagues a lower rate, with an increase of up to 10%. Some staffing is built into these numbers.

Brown compared their assumptions, on the use of the facility, to two other local facilities, and found them to be pretty much right on target. Conservative and realistic.

Bax questioned which is the weakest assumption? Brown said in revenue he feels the use of the basketball courts, there wasn't a good handle on where the revenue was coming from.

Bax said it is currently being contemplated that this will be leased, and a professional management company? Brown said these numbers reflect the Town running and staffing it.

Forney, Norman -1044 James Drive - Forney has small children, a high school teacher and a boy's varsity soccer coach. Is thrilled the Town is considering such a facility. This will benefit the residents, the youth and the high school. As a coach, the opportunity to play on a dry field would be tremendous. Training during winter months locally would be a tremendous boom. As an educator, this would be another place for the kids to go to engage the things they love to do, and keep them on campus. This gives the youth a focus for their time that is positive and team building. The Community Center is only "a positive" for all.

Raby, Gary – 886 Upper Mountain Road – Raby is a graduate from Lewiston-Porter, his kids graduated from Lew-Port, coaches cross country and track. Raby is also almost a senior citizen. On the values, we have to make the right decisions for the children and their future. They have to make right decisions because there are so many things going down the wrong path.

Raby was raised by a single mother. A coach helped Raby a lot in high school. Raby read a letter he received years ago from a mother of a student that he helped by being her daughters coach.

Hoover, John – 3265 Parkwood Lane – Town of Niagara – Hoover is head wrestling and football coach at Lew-Port. This would be an amazing opportunity for the programs and the school to have a facility like this on the campus. All off-season work, in wrestling and football has gone off campus. There is a wrestling tournament in the Thousand Islands with over 70 teams, with their families. They have to eat and stay. This would be a great asset to the entire Lew-Port program.

James, Allen – 5594 Townline Road – James is an athlete that started competing in third grade with soccer and track; eventually to two Olympic teams in track for race walking. Now a retired Olympian, James coaches soccer. This is an important venue. Being involved in sports is a very important thing when we are building our youth up.

The adult programs will bring in a lot of revenue also. It's important and will bring the community together.

It's an 8½ mile drive to the proposed Center from James house, which is not too far. You have to start somewhere and have it somewhere.

James worked for State Parks and helped develop the Greenway Committee. The article in the Buffalo News last weekend regarding Commission dollars, those that spoke out don't really understand the whole concept of the Greenway. James was there when it was developed and believes the Center is in keeping, in many respects with what the Greenway is all about. It is recreation opportunities for the residents of our area.

Hogan, Dan – 3921 Ransomville Road – Hogan only sees good things coming from the Center. Hogan plays multiple sports. This will increase participation and the programs.

Casa Antica owner - To think about this opportunity and idea of the Center can only hold great possibilities for all. Businesses, families, communities. This will bring people to town. There are a lot of events that could be held there that are now held in the Village. This will help to keep the kids out of trouble.

Simonson, Lee – 504 Morgan Drive – Lewiston's designation as one of the top 10 Best Small Towns in America did not just drop out of the sky and did not happen by accident. That kind of recognition takes hard work and hundreds of volunteers, civic minded businesses and the leadership of engaged local officials.

“None of us agree on everything, but there is one thing we can all agree on: we want Lewiston to be safe, healthy and prosperous. We want it to become a vibrant community that offers its residents and visitors a quality of life that is second to none.

There is good news and there is bad news. The bad news is that, for 50-years Lewiston’s tax base was decimated. The Power Authority causes Lewiston to have one of the highest tax exemption rates in the State. 18% of our property paid for 100% of our local government and school expenses. For what, so our friends in New York City could have electrical power they need to build empires and crush us political. We found ourselves in the position of exporting cheap hydro power and importing hazardous waste. Not an ideal recipe for prosperity.

The good news is that, through some hard fought negotiations, Lewiston is finally enjoying the kind of benefits it should have had all along. We can start on projects that are long over due. Some might consider this a windfall, but the fact remains, when you consider the 50-years Lewiston never received a penny, this is barely just compensation. In the meantime we can all watch the money sitting in the bank collecting zero interest, or we can put the money to work.

Lewiston needs this Center for three compelling reasons: 1) most Lew-Port graduates leave town for college and never return; if we have any hope in being competing and attracting young families, a first-class year-round recreation center would provide us a huge advantage. A local culture that puts an emphasis on education, health, sports and recreation. 2) Expanding Lew-Port seasonal sports program to 12-months a year, with an all weather facility will provide a tremendous advantage to student athletes interested in improving their performance and increasing their chances of scholarships. 3) Lewiston needs a large multi-purpose center that is flexible enough to be adapted for any number of activities and events, including community emergencies. Regardless, this facility can be something that every person of every age can take advantage of.

Now in regards to some of the comments in the press recently on how the Greenway money is spent, may I suggest to the critics that they take a walk from Youngstown to Lewiston along the Niagara River. It is the most beautiful river walk in Western New York and stands head-n-shoulders above what other communities have. If anyone wants to know why we don’t have a trail path from the Village, up the escarpment to Niagara Falls, may I suggest they call up the State of New York and find out why the State has refused to permit construction of a path until it figures out what it wants to do with the Parkway. That delay which has been countless years could cost us millions of dollars in federal aid. And by the way, the New York State Parks has its own pot of Greenway money.”

Simonson congratulated the Lewiston Town Board and the dozens of volunteers who have put their heart and souls into this recreation project. The vision, enthusiasm will pay Lewiston dividends for decades to come. This is our generation’s gift to the future. Communities from around the nation will come here in an attempt to duplicate our success. While they may be able to duplicate the building, Lewiston has a magic of its own that is difficult to copy. Money can’t buy what makes Lewiston so special.

It will lift and inspire us to new levels of achievement, pride, and quality of life. The Civic Center will become one more shiny example of why Lewiston is and will continue to be one of the best small towns in America.

LaDuca, Ron – 400 Oneida Street – LaDuca read a letter from Alan Elia and Michael Elia from Severson Environmental Services, Inc.

“I wanted to send a quick note in support of the Lewiston Recreation and Senior Center. Just this past weekend I drove two of my children to athletic complexes in Elma and North Tonawanda for them to compete in soccer games. With four children, all that have played and continue to play for Niagara Pioneer, these treks have become all too commonplace in the winter months.

Please keep in mind, when I travel to these locations for practices, I will often go out to eat to pass the time. It would be great to have people head to our new facility in Lewiston and visit our many fine restaurants in Lewiston, Youngstown and the surrounding area.

As a lifetime resident of Lewiston, I can see the many benefits the facility will have for our children and the community who will utilize the facility.

As one of the owners of Severson Environmental Services, Inc. along with my cousin Michael A. Elia, we have pledged to provide in-kind services in order to make the Lewiston Recreation and Senior Center as affordable as possible.

Our signatures below represent our 100% commitment to the organizers who have worked so hard to get this concept so close to reality.

Best of luck for a quick approval so that construction can get started on this much needed and highly anticipated Lewiston Recreation and Senior Center.”

Myer, Joshua – 1312 Cain Road - Myers likes that the Center can bring a lot of revenue, but there is one thing that needs to be pointed out. Not everyone has money or is in a sports program so the Board should keep in mind there be a free entrance to the Center. No, we don't want kids loitering, but some kids that are not in sports programs might want to shoot some hoops with their friends. Myers also suggests some type of first-aid be in the building.

Reiter said this will be addressed, and that kind of time will be made available. In regards to Niagara Wheatfield, they are members of the Greenway committee so they are in conversations.

#### **AGENDA APPROVAL**

Bax requests the addition of a vehicle for enforcement. Reiter requests an executive session on highway matters and a personnel issue.

**Bax MOVED to approve the agenda as amended, Seconded by Marra and Carried 5 – 0.**

#### **APPROVAL OF MINUTES**

**Marra MOVED approval of Worksession – 2/11/2013 (Palmer abstained); Special Meeting – 3/4/2013 (Palmer abstained); Seconded by Bax and Carried 4 – 0 – 1.**

**Marra MOVED approval of Joint Town/Village – 3/14/2013; RTB – 3/25/2013; Seconded by Bax and Carried 5 – 0.**

#### **POST AUDIT PAYMENT**

**Palmer MOVED approval for Post Audit: Home Depot - \$4,482.21; Sam's Club - \$1,133.52; Key Bank - \$4,436.18; Leaf - \$455.80; DeLage Landen - \$116.77; NYS Unemployment Insurance - \$654.78; Donald Ehrenreich - \$120.00, Seconded by Marra and Carried 5 – 0.**

#### **OLD BUSINESS**

TOWER APPLICATION – Brookside Drive – no report.

LEGACY DRIVE - Findings were approved by the Town Board at last meeting and they were forwarded to the landowners, and advertised in the Niagara Gazette for two days. After this the Board needs to determine whether or not to instruct Attorney Dowd to file a petition with Supreme Court to complete this. The Town can have the deed transferred to them.

ROOF/AIR CONDITION – SENIOR CENTER – Reiter will work with Building Inspector Masters on different options to fix.

**Bax MOVED to table, Seconded by Marra and Carried 5 – 0.**

SALE OF LAND – Meadowbrook Drive / Country Club

There is some title issues associated with this. Attorney Dowd requested to discuss in Executive Session.

## CLERK'S CORRESPONDENCE

The U.S. Coast Guard and U.S. Coast Guard Auxiliary 9<sup>th</sup> Eastern Region request the Town of Lewiston Town Board declare May 18 – 24 as Safe Boating Week.

**Palmer MOVED to proclaim May 18 – 24 as Safe Boating Week, Seconded by Marra and Carried 5 – 0.** Clerk to forward.

The Town Clerk's Office received Richard Haight resignation as Chairman of the Modern CAC.

**Bax MOVED to accept Richard Haight's resignation from the Modern CAC, Seconded by Marra and Carried 5 – 0.** Clerk asked to send a letter of appreciation.

## SUPERVISOR REITER

LEGAL – Sanborn Sanitary Sewer Extension – The Niagara County Health Department has approved these residents having one year to hook-up. Engineer will send letters to the residents notifying them of this.

## TEAMSTERS UNION CONTRACT

Reiter asked the Board to accept the Union Contract for the Highway / Water / Drainage Depts.

**Winkley MOVED to accept the Union Contracts for the Highway / Water / Drainage Depts., Seconded by Bax and Carried 5 – 0.**

Reiter proclaimed May as Older American Month in Lewiston. Proclamation to be forwarded to the Senior Center.

**Marra MOVED to proclaim May – Older American Month in Lewiston, Seconded by Bax and Carried 5 – 0.**

## COUNCILMAN BAX

The Police Dept. has been working with the Department of Transportation with tractor-trailer inspections. This is an on-going effort that Lewiston is hoping to be able train our own Commercial Vehicle Enforcement Officer.

Police Chief Salada said the Police is building its relationship again with the DOT and is waiting to formalize the relationship with a Memorandum of Understanding. The training will be started, along with grant money being available.

**COUNCILMAN MARRA, PALMER AND WINKLEY** have no agenda items.

**Bax MOVED to enter into Executive Session to discuss Police Personnel and Highway Contractual, Seconded by Marra and Carried 5 – 0.** (6:35 pm)

**PRESENT:** Supervisor Reiter; Councilmembers Bax, Marra, and Winkley; Deputy Supervisor Catlin; Town Attorneys Dowd and Davis; Building Inspector Masters, Highway Superintendent Janese and Finance Officer Johnson

## Issues Discussed:

1. Town safety issues for construction sites, paving prices submittals & estimated truck costs for two (2) Tandem trucks & plow equipment.
2. Discussion on possible investigation by a Federal Agency.
3. Stipends for planning programming for Civic Center for Dashineau – More hours as needed for Recreation Dept. Assistant to be determined by Dashineau.
4. Stipend for Gary Catlin for Safety Inspection of Town Dept. construction sites. To be paid by Water, Sewer and Highway Depts.
5. Highway Superintendent requests a Town Board member be his Liaison.

**Motion by Winkley to exit Executive Session, Seconded by Marra and Carried 4 – 0. (7:05 pm)**

**Motion by Marra to pay Michael Dashineau and Gary Catlin stipends for \$6,000 each – Catlin for performing and checking job safety at construction sites; Michael Dashineau for planning and programming for Civic Center and to study need for professional help in this matter. For 2013 only, Recreation Assistant hours increased as Dashineau deems necessary to help in this process, Seconded by Bax and Carried 4 – 0.**

**Marra MOVED to adjourn the Worksession, Seconded by Bax and Carried 4 – 0. (7:10 pm)**

Minutes taken by Supervisor Reiter.

Respectfully Transcribed and Submitted by:

Donna Garfinkel  
Deputy Town Clerk