

PRESENT: Supervisor Broderick; Councilmembers Bax, Ceretto, Geiben and Morreale; Deputy Supervisor Conrad; Finance Officer Blazick; Town Attorneys Seaman & Catalano; Engineer Lannon; Building Inspector Masters, WWTP Chief Opt. Ritter; Water Foreman Townsend; Police Chief Previte; 2 Press; 33 Residents and Clerk Donna Garfinkel

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

AGENDA APPROVAL

Additional Agenda Items: Morreale – Sara Capen – Niagara Falls National Heritage; Seaman – Executive Session – Collective Bargaining Issues.

Bax MOVED to approve the Agenda as amended, Seconded by Geiben and Carried 5 – 0.

RESIDENT STATEMENTS

Warren, Rosemary – Griffin Street – Warren is not pleased with the handling of her recent FOIL regarding the Ice Rink. No answers were forthcoming until it was brought up at the last meeting. She requested the profit / loses of the ice rink, and the answer received was, it operates at a loss and is free for open skating.

Warren submitted another FOIL requesting the expenses and revenues for the past three years. The answer, which cost \$10.00, was interesting. Cash - Academy Park Ice Rink, previous balance \$17,000, if operating at a loss, why is there \$17,000? On 12/31/2012 – Current Converted Balance, \$173 Million, but on 12/29 there is a minus \$173 million. Warren finds this interesting.

There were 11 things to correct posting errors, in the amount of \$8,442. This is interesting; Warren believes the Comptroller might be interested in this.

Warren requested a copy of the ad advertising for workers at the ice rink, how it was worded and which papers. It seems like always having to ask more and more to get information.

Warren was interviewed in the Buffalo News on August 25, 2014. It states “Warren, the Sanborn resident, has learned in her 46 years in watching government, and others that navigating the States FOIL law is sometimes the only way you can get information.” Warren said it is getting harder all the time.

Warren again requests the ad from the paper, and feels she shouldn’t have to do this over and over again.

Latko, Emily – Ridge Road - Latko submitted a letter to the Town Board dated May 16, 2016 outlining the last three years of discussions with many departments regarding a drainage issue on her property. It needs to be determined if this is private or a natural drainage ditch.

Broderick said that Dave Trane will become the Highway Superintendent on June 1. Broderick and Trane will meet with Latko to determine if it is a Town issue or not and get this resolved. Geiben suggests a written report be given to the Board as to how this will be addressed.

Bax said that all statements in Latko’s letter are accurate. She has reached out to everybody, but unfortunately this has yet to be addressed.

Wright, Mal – Riverwalk Drive – Wright thanked the Board for enacting the policy regarding the availability of agenda items. With this being said, Wright is asking if the Environmental Commission can be added to the Boards/Commissions whose items are posted.

Catchpole, Ron – Townline Road – Catchpole is here to address the start of clay mining season. They have not started on his road yet, but they will.

Catchpole has never seen any commercial trucks stopped by Town police for ticketing, speeding, etc... Passenger cars yes, but not commercial.

There are 19 police officers, 2 in the Town and 2 in the Village. There used to be one part-time in the Town and one full-time in the Village. Now there are two and two, along with segways, ATV's, bikes etc... These are never seen in the Town, always in the Village.

The Village pays a quarter of the Police Budget, and the Town pays the rest. Town residents are getting shafted. Someone should look into why everything is in the Village.

Colburn, Roseanne - Riverwalk Drive – The Lewiston Taxpayers Accountability & Action Alliance distributed a letter to the Board dated May 23, 2016. Colburn said Lannon has addressed some of the questions but not all of them have been answered.

Colburn asks the Board to respond to the questions in writing.

Mahar, Emmitt – Old Ransomville Road – Mahar questioned the speed limit on Dickersonville Road when approaching Swann Road. Mahar has lived there for 18 years and has never seen a speed limit sign.

Broderick said from a Town police officer's stand-point, if there is no speed sign it is 55 mph. Broderick will look into this.

Broderick MOVED to close the Resident Statement period, Seconded by Geiben and Carried 5 – 0.

DEPARTMENT HEAD STATEMENTS

Town Clerk Garfinkel – At the reorganization meeting a fee schedule is approved. At this time the Clerk is asking for approval of copy fees for larger copies and colored copies. This will be added to the fee schedule for approval at the beginning of each year.

Geiben MOVED to approve the following copy fees: Town Plotter – Black & White Copies - 24" X 36" = \$3.00; 36" X 48" = \$6.00; Color Copies - 24" X 36" = \$12.00; 36" X 48" = \$24.00, Seconded by Bax and Carried 5 - 0.

Chief Previte – Numbers for the last 30-days: Traffic tickets – 168; Accidents – 31; Arrests – 13 and 863 calls for service.

The department received a grant from NYS to conduct seat-belt enforcement.

Previte met with Geiben in regards to the intersection at Garlow Road and Saunders Settlement Road and will be making a request to the DOT to reconfigure the corner.

Broderick asked Previte to address Mr. Catchpole's comment regarding the police dept. Previte said there two patrols, a North patrol and a South patrol which is divided by the escarpment. There are usually two cars on. One that handles above the hill, the other handles below, unless there is a need for more assistance.

As far as commercial inspections, Lewiston does three (3) commercial enforcements every month. This is not determined by the Town, it is a joint effort with the DOT. DOT determines location. One may not necessarily see the vehicles pulled over on the side of the road. It is common for the officer to notify the truck to follow them, take them to a parking lot or safer place to conduct the inspection.

Bax asked Previte to include this number in his monthly report.

For clarification Broderick asked Previte, there is not one car assigned to the Village and one assigned to the Town? Previte said no.

Chief Operator Ritter – Ritter updated the new Board members regarding the improved upgrades being done at the plant.

The treatment plant was constructed in the late 70's, and it is nearing its life span on much of the equipment. In 2010 and 2011, the Town bonded \$3.6 million for upgrades. This money was also used on newer processing equipment, energy efficient equipment and a \$1.3 million electrical

distribution upgrade. All was approved by the Town Board, Sewer Advisory Board and the DEC.

The next project at the plant is Sludge Drying Beds. Ritter met with the DEC and Town Engineers about approval of the proposed drying beds. Issues need to be worked out. A written proposal needs to be done, with hopes of construction soon.

Ritter encourages anyone that would like to visit the plant for a tour. Any day of the week from 7 am – 7 pm Ritter would be there. Bax encourages anyone to take a tour of the plant.

At the last Work Session, a webinar was discussed, regarding obtaining a grant through NYS Environmental Facilities Corporation. The Town Engineer has been asked to help with a proposal. The deadline will not be met, but perhaps for the next round.

Lannon was tasked with implementing the Greenway Funding for the Comfort Station on Lower River Road. In speaking with Britton, GHD Engineers, GHD will handle the road crossing and the WPCC forces will do the rest. The electrical work will go outside Town forces.

Geiben requested locks be placed on Town owned open pits located in the Army Corp. property on Pletcher Road. With the help of Tim Masters this was completed.

Broderick invited Dave Trane to address highway issues this evening.

Trane distributed a 284 Agreement to spend funds for permanent improvements for paving. At this time it is unclear where a paver will come from. The Town generally utilizes the County's. Trane is requesting \$310,000, which is in the budget for the listed streets. Once in office it will be a bit clearer the direction the Town can go in with the paving.

Bax MOVED to approve the 284 Agreement to Spend Funds for Permanent Improvements for 2016, for the following streets – Scovell Drive, Florence Drive, Adams Circle, Bronson Drive, Marywood Drive, Fuller Place, Watts Drive, The Circle Drive and James Drive, Seconded by Ceretto

Geiben questioned if there is no access to the County paver, will one be rented per job. Trane said that will depend on what arrangement can be made with the Village, Town of Porter and Village of Youngtown.

Geiben questioned if drainage issues will be worked on also. Trane said no.

Blazick asked Trane to explain why Pletcher Road is not on the list. Trane said it is his understanding that National Fuel or National Grid wants to come under the road. They have not committed to whether they will dig it up or push it through. There are drainage issues to address. This will be dealt with next year so their issues can be addressed first.

Carried 5 – 0.

Trane requested to hire Damon DeCastro II, at \$15/hour for part-time summer employment.

Bax MOVED to hire Damon DeCastro II at \$15/hour, part-time Highway summer employment, Seconded by Geiben and Carried 5 – 0.

APPROVAL OF MEETING MINUTES

Bax MOVED to approve PH – Fire Co. Contracts / RTBM - 4/25/2016 and Work Session – 5/9/2016, Seconded by Geiben and Carried 5 – 0.

AUDIT PAYMENT

Ceretto MOVED to approve the Regular Abstract of claims numbered 1323 – 1508 and recommend payment in the amount of \$283,506.71, plus a Post-Audit of \$10,647.17, Seconded by Geiben and Carried 5 – 0.

OLD BUSINESS

Commission / Committee / Board Appointments – Clerk asked to provide an updated list of Committees needing appointments.

Bereavement Leave Policy – Tabled due to union negotiations.

Main Server / Computer Quotes – Blazick was asked to requests quotes for the main server and two computers. Three were received: Computers – Network Services - \$1002.00/each; CS Business - \$1099.08/each; Dell Direct – \$1,128.99/each. Main Server – Network Services - \$4,395.00; CS Business - \$5,560.00; Dell Direct - \$5,897.00.

Blazick suggests the Board go with Network Services, LLC for the server. It is so inter-quality entwined to go with an independent company.

It is critical this be decided soon. The server was down for almost a total of three working days, at limited capacity. This is getting to be a huge problem. We are losing so much productivity the way it is.

Geiben questioned the funding. Blazick suggested Capital Fund H-99.

Seaman said for the purpose of goods; Blazick received three required quotes and recommends the lowest bid. For the purpose of professional service; they are authorized to do the service.

Broderick MOVED to approve the purchase of two computers and the main server from Network Services, LLC in the amount of: Computers - \$1002/each and Main Server - \$4,395.00, Seconded by Bax and Carried 5 – 0.

Broderick MOVED to award the Service Contact to Network Services, LLC, Seconded by Bax and Carried 5 – 0.

Senior Fire Inspector – Patrick Martin has been the Town Fire Inspector for 26-years. Les Myers is requesting Martin be given the title Senior Fire Inspector.

Broderick MOVED to appoint Patrick Martin, Senior Fire Inspector with no monetary compensation at this time, Seconded by Geiben and Carried 5 – 0.

Policy – Records Availability – At the May 9th Work Session, Seaman distributed a proposed policy and requested feed back from both the Board and the public.

It was requested the Environmental Commission (EC) be included. Seaman said this can be done if the Board wishes. EC will be added in section 1) a). The Board can approve tonight as amended.

Geiben asked the Clerk if this would be time consuming. Clerk said no this can be done.

Broderick MOVED to add the Environmental Commission to the policy and approve as amended, Seconded by Bax and Carried 5 – 0.

NEW BUSINESS

At this time the Board invited Sara Capone, Executive Director - Niagara Falls Heritage Area (NFHA) to speak: This area is one of 49 national heritage areas in the nation. This designation is done by US Congress. The NFHA has been involved in the communities of Lewiston, Youngstown and Niagara Falls since 2008. They have provided grants to Lewiston through the Historical Association and the Council of the Arts.

The hop-on, hop-off shuttle service was in the management plan as a cooperative effort of local tourism leaders, public officials and other organizations.

There are approximately 8 million visitors to Niagara Falls yearly. We want them to come to Lewiston and Youngstown, to see the community's landscapes, stay longer and spend more money.

There are two brand-new trolleys which will run from Niagara Falls to Youngstown, 9 am–7 pm, May 25 – October 19th. This year the service is free. Each vehicle has a Wi-Fi hot spot; and bike racks available. They are ADA compliant, giving accessibility to all visitors.

For year one, all partners are committed for the approximately \$850,000 project. Dollars for year two are short and the NFHA is seeking a cooperative, Greenway commission between the Towns of Lewiston, Niagara, Niagara County and City of Niagara Falls. It a total request of \$180,000, with it being \$50,000, \$50,000, \$50,000 and \$30,000.

Capone said it is really, really critical for the success of this, to have all the municipalities and local businesses involved. It took an enormous effort to convince the State Developments around the table to go below the escarpment. It was originally designed for traveling back and forth between Niagara Power Authority and the Niagara Falls State Park. There would not have been any economic impact into our community, and also the disconnect between the wonderful cultural attractions there are below the escarpment.

All riders will need a ticket. It is scanned to help to calculate the users of the system. With these numbers, better decisions can be made to update/improve. Bax asked if this can be shared with the Town's Chamber. Capone said yes.

Lewiston can partner with the NFHA in future years, having people park at the Power Authority or NU, shuttle them to Artpark and back. This would alleviate a lot of the parking issues.

NY Power Authority has distributed \$500,000 over the next two years. NY State Parks will give \$1 for every Discovery Pass they sell, which is approximately \$200,000/year. Capone said the funding came through 8-weeks ago, and this has all been implemented since.

Again Capone said the success of the project is the regional cooperative forces that came around the table. It is important because as a community, as a region, we don't have all those parties sitting around the table and agree on anything, but they are all in agreement with this.

Morreale said Capone is requesting funding for 2017. There may be a fee in the second year.

Broderick commended Sara on her great job and receiving the funding for this year.

SUPERVISOR BRODERICK

Liaison Report

Broderick read the following letter: "I would like to notify you that I am retiring from my position as Senior Typist with duties of confidential Secretary to the Supervisor. My last day of employment with the Town of Lewiston will be June 3, 2016. While I look forward to this new chapter in my life, I will miss many Town employees with whom I have had the privilege of knowing and working with the past 20 years."

Bax MOVED to accept, with regret Barb Cich's retirement, Seconded by Ceretto and Carried 5 – 0.

Bax said Cich has always been a constant professional, always a smiling face.

Seasonal Water Dept. Hire – Townsend requested to hire a seasonal employee, for 6-months, starting June 1st at \$15/hr.

Geiben MOVED to hire Derek Tracy Seasonal Water Dept, starting June 1st at \$15/hours, Seconded by Bax and Carried 5 – 0.

Legal

Catalano has been working on two sub-committees, River Bank and Escarpment Committee, and presented the resolutions.

Geiben would like the Supervisor to make the appointment of the Chairperson for both committees. When a committee picks their own chairman sometimes it causes division and can become awkward. Board members agree.

Geiben MOVED to accept the AD HOC Escarpment Committee and the AD HOC River Bank Committee Resolutions, as amended, Seconded by Bax and Carried 5 – 0.

Clerk asked to post the application requests for the board/commission vacancies on the board outside and Town web-site.

Engineering

Lannon was asked to prepare a cost estimate for preliminary construction of the waterline replacement projects. Lannon met with Townsend to discuss this and the cost estimate is in the area of \$10 million.

Financing of the project is the next step. This would be the case whether the Town finances this or if it goes to EFC (Environmental Facilities Corp.); either case there needs to be a bond resolution. The first step in this would be to develop a Map, Plan and Report. This will describe the project; address the environmental conditions and methodology of financing.

Geiben questioned the funding of the development of the Map, Plan and Report. Lannon proposes expending engineering funds from the current engineering budget.

Broderick said the June 15, 2016 deadline for the grant, 60% up to \$3 million, is impossible, but it will be offered next year. Lannon spoke with the DOH and they suggested the Town watch for the announcement of round three of this grant, which could be late fall or earlier in 2017.

There are conditions with the grant. A minimum of 75% of the grant dollars will be allocated to those with hardship funding. The municipality's immediate household income is below that of the State level, and you have to have a categorical score once the project is submitted to the Health Dept. and EFC. The worse that municipality is, the higher the score. It is a highly competitive application process.

Morreale questioned if this would go out to bid. Lannon said yes. A design is done, an engineers report, plan specifications, and an application is forwarded to the Health Dept. They review and approve and then permission is given for construction. The same documents are then used for advertising the jobs.

Bax asked that if the Map, Plan and Report are done, and the Town can get a shovel in the ground before the snow flies, would this jeopardize the grant money. Lannon said not necessarily. When speaking to EFC, Lannon asked if the Town advanced the project, can the Town get this re-financed by the EFC. They said yes.

There are three levels of funding that EFC can give the Town. 1 – Market Rate Financing, which Lannon believes the Town would be eligible for, is where the Town enters into a contract with EFC to finance the project regardless of what the score is. 2 – Subsidize Interest Rate – whatever the interest rate is the Town would get half of that subsidized, or $\frac{3}{4}$, it depends on the score.

Blazick suggests the Board contact Municipal Solution, the Town's bonding agent. They can give a lot of information and help on this. The Town has existing bonds with EFC.

Geiben suggested the indebtedness, bond rating etc., be a topic for a Work Session.

Broderick MOVED to authorize Lannon to prepare the Map, Plan and Report, based on the Water Line Replacement Project, Seconded by Geiben and Carried 5 – 0.

The following streets are in the project scope: Lower River Road (Chicora Road to Porter Line); Morgan Drive (West Park Lane to Lower River Road); Mayflower Road, Sweet Home Road, Hermitage Road and Interconnection; Creek Road (Pletcher Road to Porter Line); Lewiston Road (Irving Drive to Mt. View Drive) Military Road and Homestead Place; Pletcher Road (Lower River Road to Creek Road); County Club Trail (Willow Lane across Fish Creek to Pine Grove Lane).

Finance

The Board approved the Pekin Fire Co. contact for \$1/year. Blazick requests to pay them “in advance” \$5. Board okayed.

Blazick has an invoice for the required CPR classes employees take. Blazick requests this be taken from H-97.

Geiben MOVED to pay the CPR invoice from the H-97 fund, Seconded by Bax and Carried 5 – 0.

COUNCILMAN BAX

Liaison Report

Ritter requests the following items be declared excess, to be sold, auctioned or donated: Pick-up truck – LE 54 1992 Chevrolet Cheyenne 2500 – VIN #1GCFC24H3NE194823; Onan Generator / Welding Machine; Gardener-Denver Blower with 60 hp motor; Large Industrial Fan.

Bax MOVED to declare the above as excess, Seconded by Geiben and Carried 5 – 0.

Seaman suggested the Town sign up with an auction service.

Ritter will report back how the material was disposed of.

On the agenda is a credit application for the Recreation Dept. Seaman said the company wants the Town to verify its financials; therefore the Town will not apply for the credit.

The Environmental Commission forwarded a letter to Bax asking a letter be sent to the Village of Lewiston notifying them the Commission wishes to remain an interested party for the development at 709 Center Street. The Commission also requests that an Archeological Study be done.

Lannon said the Archeological Study is typically part of the SEQRA process. A letter is forwarded to State Historic Preservation Office, and they determine if one should or shouldn't be done.

Clerk to forward a letter stating the Commission would like to be kept apprised of the process on the project.

The Commission sent a letter to the DEC stating their support of Resolution 2016-10, adopted by the Board, opposing the permitting, siting or operation of commercial hazardous waster treatment, storage and disposal facility in Niagara County.

The EPA is conducting field activities on property at the Holy Trinity Cemetery. The Commission requests the Town forward a letter to the EPA asking that testing of all the homes in the geographic area surrounding the Holy Trinity Cemetery be tested also. Broderick will forward a letter.

COUNCILWOMAN CERETTO

All is well with all departments she is liaison to.

COUNCILMAN GEIBEN

Geiben has been driving past the barricades at Indian Hill and Ridge Road and finds them to be very ugly and not respectful to those that live in this area.

It is unclear who owns them, who put them up, can they be modified, etc... Research needs to be done.

Broderick MOVED to have Geiben pursue this, report back at the Work Session, Seconded by Ceretto and Carried 5 – 0.

COUNCILMAN MORREALE

The Lewiston Historical Commission held its first meeting in a long time. New officers were voted in: Chairman - Louise Maggard; Vice-Chairman – Heather Cafarella; Secretary – Zachary Collister.

The Commission will work on defining historical sights; the criteria for historical landmarks and address cemeteries in the Town.

Geiben suggested Rotella attend a meeting to discuss any grants that are available.

Riverwalk Phase 4A - Public Hearing - Final Plat

Morreale MOVED to hold a Public Hearing on June 13th at 6 pm, for the purpose of Final Plat approval for Riverwalk Phase 4A, Seconded by Geiben and Carried 5 – 0.

Broderick announced there will be a tree dedication on June 1st at the Highway garage for Doug Janese at 1 pm.

Masters requested the Environmental Commission meet prior to the Planning Board. If not all June applications will be on hold for another month. Broderick will talk to them.

Broderick MOVED to enter into Executive Session to discuss Collective Bargaining Issues, Seconded by Bax and Carried 5 – 0.

PRESENT: Supervisor Broderick; Councilmembers Bax, Ceretto, Geiben and Morreale; Deputy Supervisor Conrad; Finance Officer Blazick; Town Attorneys Seaman & Catalano; Union Rep. Doyle

Bax MOVED to exit Executive Session, Seconded by Morreale and Carried 5 – 0.

No action was taken

Ceretto MOVED to adjourn the Board meeting, Seconded by Morreale and Carried 5 – 0.

Respectfully Transcribed and Submitted by:

Donna R. Garfinkel
Town Clerk