

TOWN BOARD MEETING January 26, 2004 7:00 p.m.

Present: Supervisor F. Newlin; Council Members J. Ceretto, M. Johnson, D. Kilmer & D. J. Langlois; Dpty. Sup. E. Elgin; Tn. Atty. J. Leone; Dpty. Tn. Atty. D. Boniello; Eng. D. Britton; Adm./Op. T. Lockhart; Fin. Officer E. Evert; Police Sgt. F. Previte; Parks/Rec. Director M. Dashineau and Town Clerk C. Brandon. 15 residents and 4 press reps.

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

The Supervisor asked if any resident wished to speak and no one did.

AGENDA:

Johnson asked to add Tort Law to his agenda.

Ceretto MOVED to approve the Agenda with the addition. Seconded by Kilmer and carried 5-0.

MINUTES:

Johnson MOVED for approval of the minutes of 11-24-03 P.H. re: Brush Pickup/Worksession; 12-08-03 P.H. re: Cluster Housing Law; 12-08-03 P.H. Re: Recycling Law; 12-08-03 RTBM; 12-22-03 Worksession; 12-29-03 Final Audit. Seconded by Ceretto and carried 4-0-1. (Newlin)

Johnson MOVED for approval of the minutes of 1-05-04 Reorganization Meeting and the 1-12-04 Worksession. Seconded by Ceretto and carried 5-0.

ABSTRACT:

Kilmer MOVED to approve the Abstract of Claims Nos. 1-260 and recommend payment in the amount of \$883,981.58, plus a Post Audit of \$60,862.66. Seconded by Johnson and carried 5-0.

OLD BUSINESS:

1. Street Lighting Request – 1250 Saunders Settlement Rd.

Johnson MOVED that this request be addressed at the Feb. 23rd RTBM so that the Lighting Cmte. can meet and discuss this item. Seconded by Ceretto and carried 5-0.

2. Appointment Town Physician.

Johnson MOVED for the appointment of Dr. J. Ulatowski as Town Physician. Seconded by Ceretto and carried 5-0.

CORRESPONDENCE:

1. The Planning Board meeting in regular session on December 18, 2003 reviewed a one-lot subdivision request from Judith Rhue, for property located at 1918 Langdon Road, SBL#75.00-1-22. The Planning Board recommends approval of the subdivision as presented. Attached are the Niagara County Planning Board's recommendation and the Environmental Commission's recommendation for a Negative Declaration for approval.

Johnson MOVED for approval of a Negative Declaration for the property located at 1918 Langdon Road SBL#75.00-1-22. Seconded by Langlois and carried 5-0.

Johnson MOVED for approval of the one-lot S.D. SBL#75.00-1-22 as presented. Seconded by Langlois and carried 5-0.

COUNCILMAN KILMER:

Liaison Reports:

Item #1. Reminder that on Friday at 3:30 p.m. we will hold a meeting with our department heads, attorneys and our professional service to discuss ways to run things smoother in the Town. I want to put a program in place so that certain committees have documentation on issues.

Item#2: At the work session this month, we were presented with a comparison of highway personnel on Grand Island. I called the Highway Supt. for the Town of Grand Island and there were some incorrect items on the cover sheet that was presented. Of the 14 men in Grand Island, only 12 are in the Highway Dept. 2 are mechanics. On our side, we have a total work force of 14. We have 13 and 1 mechanic. On the services part, the Highway Supt. informed me that all they do is brush pickup all summer. So, it is not limited. It is a full service of brush and pickup. They don't do the leaf pickup. The reason they don't have a compost program is because their Highway Supt. directs them that as they grind and chip it on the road and then deliver it right to the resident's houses as they request it. I wanted to give you a fair and accurate comparison of items that were misstated in this report. We were sidelined at the work session and we didn't know which way we were going with the 2 man plows and we didn't have this type of comparison. This is my response.

Item #3: Reiterate Policy Forbidding sale of material to private contractors/businesses. We have to let our Dept. Heads know that material for the Town is owned by the Town. If they are going to sell it or give it away it has to be addressed by the Town Board. We had an issue where salt was being sold to a private contractor. It came to your attention (Newlin) and you resolved it. It is a state bid and we don't pay taxes on it. I felt it was inappropriate last year. Ms. Maslen and I brought to the attention and asked for it to stop. It did last year but it started up again this year. I think that all departments need to realize that trucks, leaves, salt etc. and if it is a material it is the Town's and this Board is the body that determines how to dispose of it. I don't know if we need to send a letter to department heads reiterating that.

Newlin: We will bring it up at the work session for a memo to go to department heads.

Langlois asked if he could comment on the article that Mr. Kilmer is talking about. (Selling salt)

Newlin: We will only discuss matters if there is a motion on the floor otherwise it is that person's agenda.

Langlois MOVED that the Highway Dept. not be allowed to sell salt to private contractors because it is against the law. Seconded by Kilmer.

Johnson MOVED to Table this item until the work session to discuss this.

Johnson said to discuss something that we were not aware of and had time to review. I would like to bring up things that have to do with my department (the Highway Dept.) which I would appreciate if people would talk with me first i.e. highway agendas and or any other agendas that I might be the liaison too. I have been on the council for 8 years and I have always given the respect to my fellow colleagues as to what things are going to be discussed at Board meetings and work sessions. I just think that I should be a little more informed as to those items.

Seconded by Ceretto.

Newlin: I think that one of the problems that we have is that we are about to make a decision based on a motion that wasn't on the agenda and also we don't have proper legal advice.

On the Motion to Table: Ceretto, Johnson & Newlin Aye; Kilmer and Langlois Nay. Carried 3-2.

Kilmer: These packets are distributed and you could have called me over the weekend. I am not trying to sideline you because you are the liaison. I am a councilman that is responsible for the materials to the town and when I see something inappropriate being done I will bring it to your attention.

Item #4: Niagara Community Action Program-Home Repair Grants for rural Niag. Co. residents. There are low-income housing grants that the County provides up to \$10,000 per homeowner. I would like to make the public aware of this and I will give documentation to the press.

LANGLOIS:

Liaison Reports:

The Environmental Comm. has not met as of yet and I have no report on this.

Engineering: The sewers are going along slowly because of bad weather but we did get an extension and it is progressing. The water lines will be starting up again in about a month and the cleanup work will be done in the spring.

12/22/03 Worksession Comments: On page 401, Mr. Ceretto stated that “the Planning Board even accused Langlois of being unethical”. This is incorrect. Absolutely incorrect. I didn’t argue at the time because sometimes you miss things at meetings. I went back and checked with the Chairperson and others on the Planning Cmte. as well as the transcript and the tape of the meeting and there was no such statement by any member of the Planning Board. I would ask that this correction be included in this Board meeting to indicate that I certainly was not accused of being unethical by the Planning Board.

Newlin: Mr. Langlois, if you don’t mind, I think your observation is a point well taken, but you just approved the work session minutes and with the minutes you did reflect what was said accurately at that meeting and now you have a point of information here.

Langlois: That is correct. The minutes reflect what was said and that is why I didn’t correct those. I am now putting on the official record that what was said is incorrect. It is now on the record.

CERETTO:

Liaison Reports:

Sanborn Seniors: I would like to put on the agenda for the next work session a discussion with the Sanborn Seniors and the representatives of the Sanborn Fire Co. regarding fixing up the old garage there and turning it into a Senior Center and also be used for other types of community events. I think the first step is to meet with the Board and see if the Board approves of a plan. We don’t know how much the cost would be.

Comprehensive Planning Cmte. We met regarding completing the zoning codes this past Saturday. There will be meetings on Jan. 28th, Feb. 2nd and Feb. 10 at 6 p.m. here at the Town hall. At the meeting last week, the Board asked that the committee select a chairman and vice chairman. On the committee’s recommendation I will make the following motion.

Ceretto MOVED that Ralph Guerrucci and Evan Elgin be appointed Chairman and Vice Chairman of the Comprehensive Planning Cmte. Seconded by Johnson and carried 5-0.

Golf Course Cmte. will be meeting this Thursday, Jan. 29th at 7:00 p.m. here at the Town hall. Our engineer will be there to give up an update on the SEQRA process in addition to our attorney. Mr. Dowd will represent the developer.

Recreation: We met on Jan. 21st and discussed priorities. There is a capital account with \$105,000 and the committee would like to use this money for improvements such as the bathrooms at Kiwanis Park. We have met with some members of the Kiwanis Club. They are interested in sharing with us the cost. We are going to invite them to the next recreation meeting and discuss this in terms of costs. Another item is the parking issue at Pletcher Park. It has become an unsafe environment at times.

WPCC:

For your information, Mr. Lockhart is seeking a training grant for on site training at no cost to the Town. The employees would attend during normal working hours and it would be offered to the three major departments of the Town with 38 employees as stated.

Item #1: Certification Training. (Plant)

Ceretto MOVED to send trainees Jeff Ritter and Marty Lauer to attend an Activated Sludge Course in Buffalo, N.Y. from April 5-8, 2004. The total cost for this one-week course will be \$1000. Funds to come from 8130.400-SS1. Seconded by Kilmer and carried 5-0.

Item #2: Certification Training (Outside Sewer)

Ceretto MOVED to send Dave Harvey, Don Haseley, Don Moyer, Ryan Treichler and Dave Alexander to an Operation and Maintenance of Wastewater Collection Systems training course sponsored by the NYS DEC in Lockport, N.Y. from March 10-12, 2004. The total cost would be \$800 with funds to come from SS-2. Seconded by Kilmer and carried 5-0.

JOHNSON:

Liaison Reports:

Lighting Cmte. will be meeting sometime this month and we will deal with the Saunders Settlement request. There was also a request for a light at Bridgeman Road/Saunders Sett. Rd. The DOT stated that there was not a necessity for a light there. The residents on Bridgeman Road were sent the Town's request and response from DOT. Since then, the residents wish to know what time of the day was the study done. We will respond back after the Lighting Cmte. discusses it.

Cable Comm.:

Elgin: We expect to have a meeting within the next week or so.

Johnson: Mr. Elgin has taken over the chairmanship with the election of Mr. Newlin and we will report next month on this.

HAZMAT/Fire Bureau: We have meetings scheduled this week. I would like to acknowledge that John Cecula who is present was honored at the Lew. Fire Co. #2 installation dinner for his work on our behalf to receive a weapons of mass destruction trailer for Lewiston. It will be housed at the Lew. Fire Co. #2 fire hall. We appreciate his efforts. We will be looking for more grants. I have spoken with Leg. Lee Simonson and we will be discussing the homeland security issue for the Hazmat building.

With respect to that, Atty. Leone did receive the contract from the church for the land on Upper Mt. Road/Bronson Drive and copies will be provided. We have under contract to purchase the land with contingencies that have to be met including the Phase 1 environmental review. This was given to the engineer from Mr. Leone. I will get the Board members a copy of it and the Supervisor will have to sign on.

At this time, John Cecula was recognized for his efforts.

The Fire Bureau also received a grant for a generator that is used at intersections when there is a power failure. We have only received one, although we did ask

for 6 of them. One area of concern is the intersection of Ward Road and Saunders Sett. Road.

Kilmer asked if the State had approved the sale of the church?

Johnson: Once the Supervisor signs the contract it would be valid. After that all the contingencies have to be met and then approved by the Attorney General's office. The church's attorney has already taken that step forward. We have been waiting for the contract to be returned to Mr. Leone.

Item #2: Highway:

We are currently dealing with Article 78 proceedings. I would like to go into Executive Session to give you an update. With what has been happening in the past year with this department with the litigation, allegations, union issues, I would like to take a different approach with types of things and try to negotiate them before they get into litigation. Last year we spent in excess of \$45,000 in legal fees to proceed on with arbitration, an Article 78 etc. I would like this Board to consider a different approach. I think there are ways that we can attempt to negotiate with our people. If it doesn't work out then you would have to go to arbitration or litigation. I am going to ask this Board that at work sessions if there are highway issues that need to be addressed, I would prefer that we bring the Supt. of Highways in and try to address these in a different fashion than has been done in the past. I am hoping that 2004 will be a year we can put a lot of things resolved and go forward. With respect to selling salt etc. it is incorrect to sell without Board approval unless it is an emergency. Primarily it would be for other governments, not for contractors etc. All monies collected were disbursed to the Finance Office. This is an issue that needs to be addressed. If there are highway issues that anybody has on this Board, I am available to discuss them. I have met with Mr. Reiter and he is willing to sit down with us and try to work with us. I have also met with the union people on several occasions.

Committee Attendance:

We have a policy in our manual regarding meeting attendance and if you miss three meetings in a row you may be terminated. I think that if people cannot make a meeting, their board etc. should be notified. I think we need to reiterate that and I would like the Clerk's office to send to the boards, commissions and committees a letter regarding this policy and if necessary resign.

Kilmer: This issue did come up with the Recreation Cmte. last year and because they are appointed to a six-year term, we cannot remove them but we can ask for their resignation.

Collective Source Bill:

I did give you a letter from Robert O'Toole, Attorney for the Town of Wheatfield regarding this issue, which is a tort action against public employers. We as employers want to be equal with the tort litigation. I think that our attorneys have recommended that we put forth a resolution on it. I would like to discuss this at the work session.

NEWLIN:

Water: Mr. Langlois has addressed this item.

Sewers: I took a tour of the WPCC and was impressed with the fine work being done there. I will be meeting with Mr. Lockhart and Mr. Dave Harvey this week to discuss how we are going to address our I & I problems. This is being more and more mandated (the O & M) by the State and it behooves the Town to pay attention to these problems. If we do not get a handle on the I & I problem our plant will soon run out of capacity and we would have to build another plant costing millions of dollars.

Legal. I did speak with Mr. Reiter regarding the sale of salt and he agreed to cease the sale of salt to outside enterprises.

At this time there was no legal issues with the town attorneys.

NYPA: This Board went into Executive Session at the last work session to address Mark Zito of the Niagara Power Coalition, which is a group of 7 stakeholders that is trying to pool our resources and argue for the best settlement available. The Board agreed to the approval of a \$30,000 annual dues payment to cover legal and staffing expenses for the Coalition.

Johnson MOVED for the payment of \$30,000 Annual Dues to the Niagara Power Coalition. Seconded by Kilmer.

Johnson: Mr. Kilmer and I attended the last meeting and we made it known that where we think the Town of Lewiston should stand at this meeting. We need to stay involved with this group. We also need to move forward with our committee, which Mr. Elgin is going to help put together. We each have selected some people locally and we need to put our comments together. Mr. Langlois has also been very active with this. Mr. Kilmer and I mentioned that we have a hardship based on where the plant is located. With the study that I did, Lewiston has 80-90% of its' assessed values of the land off the tax rolls. We will go forward even though we are spending this money in a collective group and we voice our opinion as hard as we can.

Langlois: I have been attending these meetings since they started for the last 3 years. The Coalition Committee that we are part of has done its' part every year with the \$30,000 and this is a change from what they have done before. Before it was mostly legal advice we were getting. Now, it is becoming an issue of hiring public relations help. Once you do the right things legally you have to get some people in your corner that want to work with you to understand that you are really deserving of something because you have had a lot taken away from you. I also agree that at some point we need to get together and work our own cause very, very hard because we have a much different situation i.e. Town of Wheatfield or the Town of Niagara. Everybody wants to get a part of whatever is available but the land has been taken away from us and the property if it were private would be taxable. We need some additional benefits beyond what we can get with the coalition.

Ceretto: I think this is one issue that we are all together on. We all believe that the Power Authority owes Lewiston. It has taken a lot of tax dollars away from us. It is time for them to pay their fair share just like any other corporate citizen. We give them the services that we give our residents. However, the residents are paying taxes and they are not. It is their time to pay for those services that are rendered. All five of us will work diligently in the next 2-4 years.

Newlin: I will echo the comments made by the Board members and the Town can be assured that this Board in its entirety will pursue the best possible settlement we can with the Power Authority and have every reason to believe this will have the biggest impact on this Town's economic future for the next 20-50 years.

Motion was passed unam. (5-0)

Public Hearing re: Amendment to Ch. 8A-7 Board of Ethics:

Newlin: There is a variance between the Town Policy Manual and the Town Code. One says three and the other says five members. I think this Board broadly is in agreement that it should have five members.

Boniello: We want to amend the local law that is in existence to five. In order to correct (amend) the law we have to put it up for notice.

Johnson said that at the next Board meeting at 6:45 p.m. we could have a public hearing on this.

Newlin: We will have a rough draft ready at the work session and set the public hearing for the Board meeting on Feb. 23rd.

Adopt Procurement Policy:

Johnson MOVED to adopt the Guidelines for Procurement of Goods and Services for the Town of Lewiston for 2004. Seconded by Kilmer.

Town of Lewiston
GUIDELINES FOR PROCUREMENT OF GOODS AND SERVICES

It is the policy of the Town of Lewiston to procure goods and services by advertisement for sealed bids as set forth in the bidding requirements of the General Municipal Law No. 103.

Exception to this policy are allowable pursuant to the General Municipal Law where contracts for public works projects are less than Twenty Thousand (\$20,000) Dollars and contracts for the purchase of goods are less than Ten Thousand (\$10,000) Dollars. In those cases, the exceptions to General Municipal Law No. 103 may be allowed pursuant to General Municipal Law No. 104 and the following:

1. In connection with the procurement of goods having a value of more than Five Thousand (\$5,000) Dollars but equal to or less than Ten Thousand (\$10,000) Dollars and for the procurement of contracts for public works having a cost of more than Ten Thousand (\$10,000) Dollars but equal to or less than Twenty Thousand (\$20,000) Dollars, three (3) written/fax quotations shall be obtained which shall be maintained in a separate non-bid procurement file.
2. For the procurement of goods having a value of more than Two Thousand (\$2,000) Dollars but equal to or less than Five Thousand (\$5,000) Dollars, or goods and services having a cost of more than Five Thousand (\$5,000) Dollars but equal to or less than Ten Thousand (\$10,000) Dollars, three (3) oral quotations shall be obtained.
3. For goods having a value of less than Two Thousand (\$2,000) Dollars, or goods and services having a cost of less than or equal to Five Thousand (\$5,000) Dollars, alternate price quotations are not required/subject to department head approval.

In all cases, the District shall create a written request form for oral and/or written quotations for each non-bid item and the same shall be maintained in the non-bid procurement file in the Town.

All information gathered in complying with the procedures of this guide shall be preserved and filed with the proper documentation supporting the subsequent purchase or service.

It is the policy of the Town of Lewiston to award contracts for the purchase of goods and services to the lowest bidder at the lowest quote. However, exceptions may be made in the event that the lowest bid is not the lowest responsible bidder, or if there is a compelling reason to award the contract to another, such as there is a significant and measurable difference of quality between the lowest bidder and the lowest acceptable bidder, or there is a need for standardization of parts, et cetera. In each such occasion, the person responsible for the procurement shall set forth in writing the reason why the lowest bidder is not recommended or not awarded the contract and such procurement shall be subject to the approval of the Lewiston Town Board.

Unless otherwise directed by the Lewiston Town Board, solicitation of written proposals or quotations is not required under the following circumstances:

- a. acquisition of professional services
- b. emergencies
- c. sole source situations
- d. goods purchased from agencies for the blind or severely handicapped
- e. goods purchased from correctional facilities
- f. goods purchased from another governmental agency
- g. goods purchased at auction
- h. goods purchased under NY State Contract
- i. original equipment replacement parts/service

This policy shall be reviewed annually by the Board of the Town of Lewiston at its organizational meeting or soon thereafter as reasonably practicable.

Motion Carried 5-0.

Draft Zoning Code:

Newlin: Last Thursday, the Comprehensive Planning Cmte. met with the Town Board, members of the Planning Board and Zoning Board of Appeals along with Mr. Spitzer. We are trying to get this document codified as soon as possible.

Resolution-Hazardous Waste Siting Plan:

Newlin: I just received the updated resolution and this is the same resolution that the Town of Porter adopted that expresses our objections to the siting of hazardous waste from the Hudson River that was produced by the General Electric plant. We are stating our objections to having that waste come to CWM and thru the Town of Lewiston's roads.

Johnson asked if we had not already adopted a resolution on this issue.

Kilmer: We did but it was not as detailed as this one is.

Johnson MOVED that the Town of Lewiston declares that the NYS DEC's Hazardous Waste Siting Plan inadequate and unacceptable. Seconded by Ceretto.

**TOWN OF LEWISTON DECLARES HAZARDOUS
WASTE SITING PLAN INADEQUATE AND
UNACCEPTABLE**

The Town of Lewiston Town Board strongly objects to DEC's
Statement that the location of expanded or new hazardous waste
Facilities is "not practical or relevant".

WHEREAS, It has taken the New York State Department of Environmental Conservation (DEC) 16 years to comply with state law and produce a draft Hazardous Waste Siting Plan, and

WHEREAS, This draft has been released and clearly avoids addressing the issues which the original law mandated the DEC to discuss and resolve, and

WHEREAS, DEC has indicated in this proposed document that it has no intentions of developing a plan that will mitigate the importation of hazardous waste into our State and community that is being land filled through its permitting process, and has no plan in managing the hazardous waste which originates within the boundaries of New York that must be land filled, and

WHEREAS, while the document states, "Based on the historic rate of waste receipts and remaining capacity, it is estimated that the (CWM landfill in Niagara County) will reach capacity by 2005, it does not provide any alternatives, ideas or options of what the state should do when the capacity at this facility is reached, and

WHEREAS, While the document examines historic data and trends, it does not include any information or projections regarding the impact of the largest environmental cleanup in United State history which is planned for the Hudson River, or where the millions of pounds of contaminated PCB soil will be dumped, and

WHEREAS, The document statement contains contradictory statements, such as (page 5-3), "The closet facility may not be the most economical choice for a generator's waste management needs," while suggesting the opposite several pages later (page 6-2), "The nearest permitted hazardous waste disposal facility (to New York) is located in Michigan and may not represent an economically viable option for treated hazardous waste disposal for the northeast," and

WHEREAS, The document categorically states (page 6-3), "A determination of the number, size, type and location by area of new and expanded TSDF's (treatment, storage or disposal facilities) in the State is not practical or relevant," and yet, that determination was the exact reason the State Legislature and Governor required the DEC to present this plan in the first place, and

WHEREAS, Despite the DEC's contention that the number, size, type and location of the new disposal facilities is "not relevant", it admits "the need for developing additional land disposal capacity in the northeast region by 2005," thus contradicting itself again, and

WHEREAS, The document does not explain how the Commissioner Policy-29 Environmental Justice and Permitting, relates to the future need for developing additional land disposal capacity, thus setting the stage for the perpetual injustice that has

disproportionately forced the residents of the Town of Lewiston and Niagara county to host the only licensed commercial hazardous waste dump site in New York State, and

WHEREAS, The people of the Town of Lewiston, Niagara County, and the State of New York, expect and deserve more than halfhearted attempt by DEC to comply with its mandate to produce a plan to satisfy the projected need for additional land disposal capacity, now, therefore, be it

RESOLVED, That it is the considered judgment of the Town of Lewiston Town Board that the draft Hazardous Waste Siting Plan presented by DEC is both inadequate and unacceptable in satisfying the 1987 law which charged DEC with the creation of a plan, and is also woefully deficient in satisfying the mission of the DEC which is to “conserve, improve and protect the States’ natural resources and environment, and control water, land and air pollution, in order to enhance the health, safety and welfare of the people of the state,” and be it further

RESOLVED, That the Town of Lewiston takes strong exception to DEC’s position that the number, size and type and location of new expanded hazardous waste disposal facilities is not relevant, and that the Town of Lewiston believes those issues are extremely relevant to the safety of its citizens and the environment, and be it further

RESOLVED, That the Town of Lewiston, respectfully yet emphatically, requests DEC to rewrite the draft plan to resolve contradictory statements, and to address major issues such as:

1. Where should millions of pounds of contaminated soil from the Hudson River be dumped?
2. Where should hazardous wastes generated in New York State be dumped after its existing capacity is reached in 2005?
3. Why should DEC permit any more landfill permits if adequate capacity exists out of state?

and be it further

RESOLVED, That the effort to revise this draft document include the input from citizens from the Town of Lewiston and Niagara County who are informed, sensitive and better suited to the problems brought about by the inequitable distribution of hazardous waste in the State, and be it further

RESOLVED, That copies of this Resolution be sent to Niagara County’s State Legislators, the Governor’s Office and the Commission of the Department of Environmental Conservation, who is respectfully requested to acknowledge receipt of this resolution, along with a written response to the Town of Lewiston Supervisor and Town Council, c/o Lewiston Town Clerk, 1375 Ridge Road, Lewiston, New York, 14092.

Dated this 26th day of January 2004.

Cc: Governor George Pataki
NYS DEC Commissioner Erin Crotty
Senator Hillary Clinton
Senator Charles Schumer
Representative Louise Slaughter
NYS Senator George Maziarz
NYS Assemblywoman Francine DelMonte
Niagara County Legislature

Langlois: Many of us were at the hearing that was held before in Niagara Falls and many of the lawyers and others made very strong presentations blasting this as just being a “joke” almost. It is just an abomination for what they have done. Another hearing will be held at the Lew-Port campus. We should urge ourselves and other citizens to get out and express our displeasure. It is really hard to believe that they can work for about 12 years and come up with nothing. I think our strong objections are in order.

Newlin: The date for the Public Hearing is March 16th at 6:00 p.m. at the Lewiston Porter Senior High auditorium. I will remind the public that if this DEC plan goes forward and the waste is sited in CWM, it will result in the importation of tons of material through Lewiston’s road and in front of our school system for a period of five years or more every day.

Johnson: I did speak at the afternoon session that was held at the N.F. High School and reiterated that the truck traffic from what they would need to do to move this in here and asked for the DEC to respond on how they were going to

handle the truck traffic coming in. They were talking about 750,000 truckloads. We can fight all we want and I don't know where we are going to get with this but it sounds like the Governor and everybody else is behind moving this forward.

On the MOTION, Carried 5-0.

RESIDENTS:

Ginny Parks of 4303 Lower River Road. It is refreshing to be here and not be talking about Riverwalk. It is refreshing to see that at 8 o'clock a lot has been accomplished. It is refreshing to see Mr. Newlin in your new leadership capabilities and it is refreshing because I hope the Board will be able to work in a more cooperative manner with your leadership. Thank you.

Johnson MOVED to go into Executive Session to discuss personnel issues. Seconded by Ceretto and carried 5-0.

Time: 8:00 p.m.

Executive Session:

Present: Sup. Newlin. Council Members Ceretto, Johnson, Kilmer and Langlois. Town Atty. Leone and Deputy Town Atty. Boniello.

No action was taken.

MOTION by Johnson, seconded by Langlois to exit Executive Session and reconvene. Carried 5-0.

MOTION by Johnson, seconded by Langlois to adjourn the meeting. Carried 5-0.

Time 9:15 p.m.

Respectfully submitted and transcribed by:

Carol J. Brandon
Town Clerk