

Present: Supervisor Newlin; Council Members Bax, Edwards, Johnson & Palmer; Town Atty. Leone; Deputy Tn. Atty. Boniello; Deputy Sup. Elgin; Eng. Lannon; Adm./Op. Lockhart; Bldg./Insp. Skurski & Town Clerk Brandon. 3 press reps and 18 residents.

The Supervisor opened the meeting at 7:10 p.m. The Pledge of Allegiance was recited and a moment of silent reflection followed.

RESIDENTS:

Donna Ogg of 4803 Oakridge Lane. I am here to let the Board know on behalf of RRG (Residents for Responsible Government) what our reply which is in the works will be to Sen. Maziarz relative to his introducing S-2726 last week without our knowledge that he had any intent of doing so. We are writing to the Senator and we are asking him to withdraw S-2726 and to submit a companion bill to A-248 which has been introduced this session by Assemblywoman DelMonte. That is the same bill that was introduced into both houses of the Legislature last year and passed unanimously by the Senate and with 1 nay vote in the Assembly. We wanted you to be aware of where RRG is coming from and we will make copies when the final wording is available to you.

Margaret Wooster of 135 Woodward Ave., Buffalo. I am with the Buffalo-Niagara Riverkeeper and we are all from the same Niagara River region. On behalf of the BNR we really hope that the Town council will consider approving the Niagara River Greenway Plan. We have 6 of the 13 municipalities along the Niagara River who have spoken yes. I am aware that the Town did not submit a plan and we hope that you will consider approval.

Ken Sherman of 646 Pasadena Ave. Niagara Falls. Trails are an important part of this community but why would you take Greenway funds and put them into something that is not a greenway trail. The Greenway funds are for greenways only. Support the plan.

Phil Romeo of 4063 Calkins Road. I have had water in my basement. I have lived there for 34 years and have never had a problem. In a letter I was told that the water shorted all of the pumps and I would like you to know about this.

Michelle VanStrom of 400 Glengrove Drive, Youngstown. Regarding the Greenway, history is resting in your hands right now. Your name will be forever attached to the decisions made regarding the Niagara River Greenway and its' vision in the next 50 years. In the river corridor we may get the opportunity to not only do something great but we are being given the funds to create and preserve something magnificent. We are not doing well living up to that responsibility. According to Robert Kennedy Jr. the role of government is to protect the common, the air we breathe, the water we drink, the fisheries, the wildlife, our public land. Those resources are our safety nets. The environment is the infrastructure of our communities and the nations as a civilization. It is our obligation to create communities for our children that provides them with opportunities for dignity and with good health. When we destroy nature, we diminish ourselves and impoverish our children. Mr. Kennedy also said that good environmental policy is identical to good economic policy 100% of the time. Economy, we can measure it two ways. We can base our assessment on whether it produces jobs over the long term and preserves a community asset or we can do as polluters are asking us to do...treat the Niagara Falls region as if it were a business in liquidation and convert our natural resources in cash as quickly as possible. That is pollution based prosperity. It creates the illusion of a prosperous economy but our children pay for this joyride. They pay for it with the muted landscapes, poor health and huge cleanup costs. Environmental injury loads the cost of our generation's prosperity onto the backs of our children. As our regions elected officials we expect you to know environmentalism has become the

most important civil rights issue. We anticipate steps that will fully research each pollution banks prosperity in order to understand social, economic, health, environmental and quality of life benefits our community needs by creating a genuine river focus greenway. The predetermined ownership of the Niagara Greenway Fund and focus of the river greenway plan was in place long before the process was officially implemented making two county compliance almost impossible. You can rectify that. You can do something great. You can give the public what they have asked for at the Citizens Advisory Meeting. An unanimous vote to accept the river focus plan and acknowledge that the Niagara River Greenway means more than the flow of cash. It is also about core values, civility and working towards a common good that should benefit every individual in our region not just the support that covers the goal of a very select few. In terms of the environment, the Niagara Frontier Wildlife Habitat Council invites this group and the public to the Niagara Falls Library on March 19th for a screening of an Oscar winning document. Thank you.

AGENDA:

Edwards asked to add the Frizlen Group proposal to his agenda.

Johnson MOVED to approve the amended Agenda as presented. Seconded by Bax and carried 5-0.

Newlin: We will move on to Mr. Sam Ferraro who is the Director of the Niagara County Planning & Development. He has been extremely helpful in his capacity within the Niagara Power Coalition. He is going to layout the history with regards to the Greenway with where we are now and where we can see some hope for the future.

Sam Ferraro: I am here to address all of you regarding a passionate topic relative to our region particularly Niagara Cnty. I am here tonight as staff to the Niagara Power Coalition to hopefully clear up some of the misconceptions if not all of them to the position that has been taken by members of the Niagara Power Coalition. Reported in the *Niagara Gazette* that this was my position and contrary to that this is **not** my position. This is the position that has been expressed by members of the Niagara Power Coalition for well over a year now. I have provided you with a series of handouts that I would like to go through and I will try to get through these as quickly as possible but understanding that the information as contained in these handouts are extremely important and obviously relevant to the position that have been expressed by the Coalition members over the past 15 months.

The first handout is a copy of the Scope of Services. The Scope of Services presented a foundation and the framework upon which the consultant Wendel Duchscherer was to prepare the Greenway Plan. The Scope of Services is the approved Scope of Service work that was approved by Wendel Duchscherer and ultimately by the Greenway Commission and was to serve again as the foundation for the document.

Task 3-B is the draft vision/goals specifically and one is to develop a corridor trail system with complementary connection to inland access points. Also identify opportunities for economic development. In Task 3-C Greenway Concepts the plan is to develop linkage to special places and destinations. Also address heritage tourism and economic development.

In my presentation, there is going to be some redundancy relative to these comments and that was upon which the platform that the Power Coalition used in addressing the plan comments and concepts once it was released. Once this scope of services was approved between Wendel Duchscherer and the Commission the work began early last year. A series of committee meetings by the government leaders of the region as well as the Citizens Advisory Board. The process began with the recommendation of a boundary. The boundary issue was important to all of the stakeholders including the Coalition members but we were not prepared to see that boundary so early on and its recommendation for the boundary. Very early on, several groups had already been in a position where they felt it was necessary to advocate and endorse the boundary concept.

I have a copy of that boundary that was advanced early on. The boundary was to parallel the local waterfront revitalization plan boundaries for the region as well as the coastal zone management boundaries. We as a Coalition were not in a position to advocate for a boundary once that was advanced and realizing it was advanced we as Coalition members felt a need to respond. The Coalition asked the staff to come up with a response to the endorsed boundary. The Coalition members asked us to look across the state at other types of Greenway Commissions that have effective working management plans but also a model upon which the Coalition could advocate that could work as a proposed boundary for Niagara County. We looked across the state and the one example was the Hudson River Valley Commission. Their boundary map was given to the Coalition members very early on as a possible boundary concept that could be considered. There are more communities involved than the 13 here. The boundaries on the map follow the municipality boundaries and do not follow the river. It was left up to the municipality as to where those funds should be directed and where priorities should be implemented. With all of this information we gathered we came up with a recommendation for the Niagara County municipalities and the Niagara Power Coalition members. (Referring to the map) This map shows the proposal that we recommended to the Coalition. We felt it would be necessary to incorporate the municipal boundaries of all of the communities that directly adjoin the Niagara River which would be from Porter south all the way to No. Tonawanda incorporating their entire communities. All of the 7 host communities would be represented. The county being 1/7 of the Coalition will receive funds under the settlement with NYPA. (approximately \$390,000) With the inland and upland connections to the communities and looking at the State designated trails, we felt the connections to this greenway could only be reinforced if we look at the trails. But, not to be part of the actual boundaries but to serve as those upland and inland connections. Several of the counties park facilities as linkage to the greenway also rest within those trail corridors. Looking at a way to maximize the legislation, maximize the greenway concept we in Niagara County advocated for those trail connections. We tried to find a comprehensive and cohesive manner in which to allocate our funds townwide. After review the Coalition recommended this boundary.

A letter was sent to Chairperson Bernadette Castro on May 31, 2006 with an endorsed boundary proposal with attached resolutions from the seven entities. The entities advocated for a linkage boundary. Other communities outside of the coalition also endorsed the proposed plan. We as the Coalition have consistently advocated our position and have backed it up with communications going back to last year. A letter of June 22, 2006 to Bernadette Castro again endorsing the boundary proposal with a reply received in July. The members of the Coalition were hoping that when the document was released in November 2006 that a number of their concerns would be addressed. Around November 27, 2006 the draft document was released. Many of the concerns of the Coalition were not addressed. A memorandum of December 5, 2006 was sent to Chair Ronald Moline addressing the plan. There are 15 criteria spelled out in the State legislation that will be used in determining project eligibility. (Criteria description on file.) We pointed out our objections and offered recommended solutions. The report states that nearly all of the municipalities fronting the Niagara River have prepared Local Waterfront Revitalization Program while only 3 of the 7 have done so. (refer to Table 2, criteria description for further reference). Reference was made to the map with the geographic priorities/projects. If this priority stands as proposed, all NPC members will forfeit their ability to exercise their right to use their funds within their designated greenway boundary, as intended in the HCA.

The Coalition had asked that I present this position at the hearing held on December 12, 2006 and was read into the record. The Greenway Plan is presented in a manner that provides an extremely narrow interpretation for project implementation. The document provides a platform that interprets legislation in favor of the Niagara River exclusively and not the region as a whole as was originally intended in the legislation.

The reports disregard for many of the 15 items in the enabling legislation skews the direction of the plan's focus to the river. The plan's recommended use of strict guiding principles will force the NPC members to be held at a higher standard for its projects. Our HCA provides project consistency as determined by the Host Communities in Niagara Cnty. The NPC lobbied for a municipal boundary. The Greenway needs to recommend principles consistent with the legislation. We respectfully request the Niagara River Greenway Commission include in the Niagara River Greenway Plan endorsing the Niagara Power Coalition that the Greenway Commission recognizes, acknowledges and congratulates the work of the Niagara Power Coalition and their unique agreement with the NYSPA and that the Greenway Commission will support and endorse the projects of the Host Community Greenway Fund Standing Committee. Based on the discussion with the members of the NPC it is the consensus that the NPC is not in a position to accept, nor support, the draft Greenway Plan as written.

It is important for the public to understand that we have done our job as the Coalition has asked. We have advocated and presented our case, our issues and our concerns and solutions. We remain optimistic that these will be addressed that will be acceptable to the Coalition members.

Newlin: This is a very complicated discussion and agreement with a long history and I thank you. Greenway and ecological tourism has been going on in Lewiston for a long time and we have more visitors to the area and we know that is where our success lies in the future. We have no disagreements with anybody in the Greenway Commission etc. We all have a great interest in the environment and ecology of Lewiston. We hoped that the plan would compliment what we have started here. In the end as Board members we have to represent the interest of the residents. Flaws have come to light which make it difficult at this time for this Board to approve this plan. We will not be voting on this tonight. One flaw is an attempt at one size fits all plan. We have to look at the map and who are we covering. There are differences of needs and what needs to be addressed in the future. We have done a lot of build up along the river and need to look at the interior of the Town which will compliment the river. There was no submission of the Town of Lewiston for projects early on. Any professional planners will tell the plan is suppose to drive the project. The projects are not to drive the plan. We have no way of addressing the needs and desires of our communities 20-30-40 years hence. We need to preserve as much flexibility in a current plan to address the needs that we cannot foresee. Here, they put the cart before the horse. Specifically in the map there seems to be inequities....this priority corridor extends 3-4 miles in Buffalo, No. Tonawanda, Niagara Falls but in Lewiston there is no inland extension. The Town will have \$510,000 each year for fifty years and the Town has very little land adjacent to the river and in future years there will be projects in Lewiston that the river areas have...i.e. Sanborn, the wine trail. Those places can help the tourism etc. This plan that was negotiated was for the benefit of all town residents and it is difficult to distribute a benefit that has accrued to the Town (cash payment) unequally among our residents. Residents in both the east and west parts of the Town have been impacted financially because of 2400 acres of prime real estate that is off of the tax rolls because of the Power Authority. The benefit has to be applied equally and evenly. NYS taxpayers are all paying for the Hudson River Greenway but here this is being solely funded by a local resource. At the end of this process we have to unite and ask Albany to invest in our region.

Johnson: I commend you Mr. Ferraro on the presentation and the package presented. I thought the Greenway Commission that was put in place is a great idea. I am disappointed that they did not put more money into it. (Power Coalition) Now there is money out there for others from the State and the Power Authority. 90% of the properties in Lewiston are off of the tax rolls. The State has done nothing with respect to the Joseph Davis Park. I think we fought real hard to get what we could get and with the Coalition's alternate suggestions, I am hopeful for the Greenway Commission to get more money.

Palmer: I learned more about the Greenway Plan tonight and I still have hope for this project but I have a hard time believing that the Greenway Commission could be so closed minded as to disregard the needs and desires of the community most impacted by the power project. I hope the Greenway Commission keeps that in mind. The amount of property taken off of the tax rolls and we have to look out for the residents of the entire town. I think this Town deserves better from the Commission.

Edwards: I do agree with the concept of the Greenway as we have failed as a society to protect the environment along our rivers and lakes. The biggest hang up is geographic borders. Also, how we can spend the money to make it a better place to live.

Bax: One thing to be mentioned, this isn't a zero sum game. Changing the boundaries as much as the environment (cleaning up the lower river) is a priority, I don't think that changing the boundaries necessarily takes that off of the table. I think we still have the same focus...it is a matter of providing the flexibility that is necessary in the future to apply these monies to cover the most efficient ways. I think we are all saying the same thing and I too learned a lot tonight with the presentation.

Newlin: We are anticipating as members of the Power Coalition a response back from the Greenway Commission tomorrow night.

Sam Ferraro: At the meeting tomorrow night, we are anticipating a release of a revised draft and we are hopeful that our concerns and comments will be addressed. There is a legislative obligation to have this Greenway Plan finished by March 27th.

Newlin thanked Mr. Ferraro for his presentation.

MINUTES:

Johnson MOVED for approval of the Minutes of 1-22-07 RTBM; 2-1-07 Public Hearing re: SDEIS (Golf Course) and 2-12-07 Work Session. Seconded by Bax and carried 5-0.

POST AUDITS:

Johnson MOVED to approve payment for the following Post Audits: Home Depot \$542.03; Office Max (HSBC Business Solutions) \$420.16; Office Max (HSBC Business Solutions) \$161.96; Sam's Club \$409.52; Niagara Gazette \$185.64 and Drum Oil & Propane \$12,358.72. Seconded by Edwards and carried 5-0.

OLD BUSINESS:

1. Drainage 4939 Hillview Court:

Lannon stated that he is waiting to hear from the homeowner on this matter.

2. Multi-Modal Grant Program Resolution:

Lannon stated that as part of the Multi-Modal Program between NYSDOT and the Town of Lewiston for the installation of sidewalks in Sanborn in the construction amount not to exceed \$50,000. The Town of Lewiston will advance the money for construction, built the project and then get reimbursed by the State. Part of the agreement requirement is that there is a resolution adopted by the Board. This has been approved before without the resolution.

Newlin read the following resolution:

WHEREAS, a Project for the RI installation of new sidewalks on NYS Route #31, Saunders Settlement Road, (Sanborn) in the Town of Lewiston, Niagara County P.I.N. MA2292.30A, henceforth to be referred as the Project is eligible for funding under Title 23 U.S Code, as amended, and New York State's Multi-Modal Program administered by the NYS Department of Transportation (NYSDOT) and

WHEREAS, the Town of Lewiston desires to advance the Project by making a commitment of advance funding of non-local share and funding of the full local share of the cost of the Project

NOW THEREFORE, the Town Board of Lewiston duly convened does hereby, RESOLVE, that the Town Board hereby approves the above-subject project; and hereby further

FURTHER RESOLVED, that the Town Board of the Town of Lewiston hereby authorizes the Town to pay in the first instance 100% of the cost of construction work for the Project estimated at \$50,000 and it is further

RESOLVED, that the Town Supervisor of the Town of Lewiston be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Multi-Model Program Funding on behalf of the Town of Lewiston with NYSDOT in connection with the advancement or approval of the Project and provided for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal aid and all Projects costs that are not so eligible and it is further,

RESOLVED, that a certified copy of this resolution be filed with the New York Commissioner of Transportation by attaching the necessary Agreement in connection with the Project and it is further

RESOLVED, that this Resolution shall take effect immediately.

Newlin MOVED to adopt the Resolution as presented. Seconded by Bax and carried 5-0.

3. Riverwalk Lighting:

Lannon: I received today the proposal from National Grid and I will review it and report back at the work session on March 12th.

The parking lot light replacement is on order and the original order for the other lights should arrive this week.

Brandon stated that the day of the accident it was reported to the Town's insurance carrier and the police and Ms. Cich is handling it. Also the light pole will be disposed of properly.

Lannon said that the payment for the new light will have to be done thru a change order. This can be done at the work session.

4. 4661 Lower River Rd.

Boniello: Mr. Henderson is the caretaker for the property for the owners who live out of town. The right-of-way is used to clean out the sewer line and the stone is needed to fill in the ruts.

Bax MOVED to approve delivery of stone pending a letter from the owner of the property. Seconded by Johnson and carried 5-0.

Riverwalk Phase 2:

Lannon: Mr. Rush of Ryan Homes and myself have agreed to establish an escrow account in the amount of \$6000 for the installation of twenty (20) 8' trees with an expiration date of May 15, 2007. If not planted by May 15th the Town will retain the escrow account. Mr. Schultz and Mr. Myers have agreed to have the trees planted on their property and their location.

Boniello stated that if all the trees are not planted by May 15th the entire amount will revert to the Town.

Lannon stated there has been discussion on a one year warranty on the trees if improperly installed or diseased. Not weather related.

Johnson MOVED to authorize the Supervisor to execute an escrow agreement in the amount of \$6000 with Ryan Homes for the planting of twenty (20) 8' trees by

May 15, 2007 or the escrow amount will revert back to the Town of Lewiston. Seconded by Bax and carried 5-0.

The clerk was directed to write a letter to Mr. Schultz and Mr. Myers.

CORRESPONDENCE:

1. The Planning Board on February 15, 2007 approved a request from Michael Piecuil for a one-lot subdivision located at 2912 Ridge Road, SBL#90.00.3-20 as presented. Attached are the Environmental Commission's recommendation for Negative Declaration and the N.C. Planning Board's response.

Palmer MOVED to accept the Neg Dec on SBL#90.00.3-20 at 2912 Ridge Road. Seconded by Edwards. Carried 4-0-1 (Abstention/Johnson).

Palmer MOVED for approval of a one lot subdivision located at 2912 Ridge Road, SBL90.00.3-20 for Michael Piecuil. Seconded by Edwards and carried 4-0-1 (Abstention/Johnson)

2. Correspondence from Ms. Elza Hyrick, 273 McKinley Avenue, Buffalo, NY in support of the Niagara River Greenway Plan. Received and filed.

3. Request from the Town of Somerset for support and adoption of a Resolution calling for the investigation on the PILOT granted to AES.

Newlin stated that the county has already authorized an investigation into this issue. This will be considered at the next meeting.

NEWLIN:

Legal:

Leone: Regarding the Mining Moratorium, I have a proposed draft which is an amendment to our excavation law which has called for a moratorium for a period of time. I will provide you with a copy tonight to review and we can discuss this at the next meeting. Due to the fact that this is directly tied into the re-codification and the zoning laws, I think it should go the County Planning Bd. so they are aware of what we are doing and then perhaps a public hearing to determine whether or not the Board wants to go further.

Local Law re: Building Fees:

Leone: There was a proposed fee schedule submitted by Mr. Skurski. If the Town wants to consider adopting it now by way of a resolution as opposed to a local law, then take a look at the suggestion that gives the Town Board authority by local law to amend it from time to time. Mr. Skurski has a proposed a draft of the law which applies to the State requirements for the building code etc. with language that deals with fees so that when we do that one, we adopt it as a whole. I do not see a need to do a piece meal local law that deals with fees only since the law deals with language changes and deals with it in a comprehensive manner. We are waiting for the Fire Inspector who also wants some changes.

I would like an Executive Session at the end of this meeting to discuss litigation matters and notices of claims.

Association of Towns:

A number of officials attended the meetings. This affords us an opportunity for schooling which we will pass on to the other members.

JOHNSON:

Fire Bureau:

A discussion was held on the current alarm law which has the fines dedicated to the general fund. They would like to take both the fire and police fees to go into a dedicated fund for training. I will bring back the information at the work session.

Upper Mt. Fire Co. Roster:

Johnson MOVED to add to the roster of the Upper Mt. Fire Co. the following persons: Christopher Fiedler; Eric Major; Zack DiIuio and Terrance Hailey. Seconded by Bax and carried 5-0.

Building Dept. /Software Update:

I have a request from the Bldg. Insp. R. Skurski to purchase new computer software for his department. This will help us meet all of the State requirements. I would like to transfer \$4,080 from B-3620.400 to B-3620.200.

Johnson MOVED to transfer \$4,080 from B-3620.400 to B-3620.200 (Equipment) for the purchase of software. Seconded by Palmer.

Skurski: This software will tell us what the requirement sections are for the permits i.e. final inspections, expiration date. The State requirement is a 1 year time limit on permits. This will after 11 months print a letter to be sent to the applicant to either renew or contact us. This will assist us with final inspections and will be given to the Assessor's office.

Motion carried 5-0.

BAX:

Wind Energy/Tower Cmte.:

Each member has been give the local law to review and consolidate and this would be something we can consider in the future. It will be given to the Board shortly.

WPCC:

Hung Plumbing/Surface Features:

Leone: I received a request from Mr. Lockhart and I looked at our codes. In 1963 the Town adopted the State Bldg. Code which the Bldg. Inspector has been enforcing. To adopt a local law dealing with these 2 relatively small subject matters, I think what we need to do is first determine what the State Bldg. Code says in relation to this. Assuming that we have the authority to do that and at the time we go forward with Mr. Skurski's proposed local law then maybe we can draft language within there or even a separate local law that deals with this subject. You have a memo that states it needs to occur at a public law because it needs to go into a local law. At this time, I think it is not right to put it in a local law yet.

Bax said so there is no action at this time.

Edwards: Is the hung piping the same as the first basically? (Yes) I understand the reason why we would like to do this, but why would we hinder a bi-level or tri-level home? Basements are your cheapest square footage in a house, so for a resident to put a bathroom in there with this in place it will be a several thousand dollar cost.

Lockhart said this is the first draft only.

Edwards said that if you have a bi-level home (half of the home is in the basement) which under this law your piping would have to be hung. It could not be under a slab of the floor and if you have a family room on that level you would have to get a sewage injector system installed.

Bax asked if you are going to have certain homes grandfathered in.

Lockhart said it would be for new construction only.

Edwards stated that new construction along the escarpment could be a three level home.

Lockhart: Part of what is driving this now is that some of the homes are constructed without anything in the basement and the facilities are installed afterward and the

distance between where the sanitary sewer is and the floor level of the basement may only be a foot difference in elevation. That is not a lot of cushion from the Town's system. A lot of times there is not even any crown in the pipe in the Town's system before you could see a backup in the home.

Edwards: Then I can see geographically mandating some type of sewer ejector in the basement...but we need discussions. Across the board, I would never support this.

Bax said you are talking on a more on a case by case basis.

Edwards. Yes, and leave it up to Mr. Lockhart and their building inspector.

Lockhart: That is where when we get through the first few hurdles, we will have draft language that will go to the Board before it goes out to the public for discussion.

Newlin asked that additional information be given to the Board.

Greater Buffalo Environmental Conference:

Bax MOVED to permit 14 employees to attend the Greater Buffalo Environmental Conference on March 20, 2007 with a cost of \$1,040 with funds to come from 8110.400-SS-1. Seconded by Johnson and carried 5-0.

PALMER:

Lower River Niagara Chamber of Commerce:

There is a proposal that I would like to discuss at the work session on March 12th.

EDWARDS:

Engineering:

We have a proposal from the Frizlen Group regarding renovations to the Town Hall.

Edwards MOVED to give authorization for the Supervisor to enter into a contract with the Frizlen Group in an amount not to exceed \$10,084 for renovations to the Town Hall in 2007 with funds to come from A1620.0400 Town Hall Renovations. Included would be the preparation of the design, the contract documents, putting project out to bid, specifying the project and project managing. Seconded by Bax and carried 5-0.

Highway:

Edwards MOVED to promote Joseph Hosie to the position of MEO2. Seconded by Palmer and carried 5-0.

Mr. Reiter has asked to attend the Association of Towns Superintendents of Highways Conference in Albany on March 6-7.

Edwards MOVED to permit Supt. Reiter to attend Highway Supt. Conference on March 6th and 7th with a cost of \$329.00 with funds from his Personnel A-fund. Seconded by Johnson and carried 5-0.

Bax MOVED to enter into an Executive Session. Seconded by Palmer and carried 5-0.

Time: 9:05 p.m.

Respectfully Submitted and Transcribed by:

Carol J. Brandon
Town Clerk

Executive Session:

Present: Sup. Newlin, Council Members Bax, Edwards, Johnson & Palmer; Town Atty. Leone; Deputy Tn. Atty. Boniello* and Deputy Sup. Elgin.

Issues Discussed:

1. Pending litigation-house assessment status.
2. Potential litigation claim – 50H Hearing.
3. Insurance issues.

No action taken.

Motion by Bax to exit Executive Session and reconvene. Seconded by Edwards and carried 5-0.

Adjournment at 10:30 p.m.

Respectfully Submitted and Transcribed by:

Carol J. Brandon

Town Clerk

* Minutes taken by Deputy Tn. Atty. Boniello.