

Present: Sup. Newlin; Council Members Bax, Edwards, Johnson & Palmer; Town Atty. Leone; Highway Supt. Reiter; Fire Inspector Martin & Town Clerk Brandon. 2 press reps and 3 residents.

The Supervisor opened the special meeting that was preceded by a public hearing on the Wendt's Propane Application.

AGENDA:

Sup. Newlin presented the agenda as follows:

1. Ken Wendt's Propane Application.
2. Councilman Edwards:
 - a. Surplus compost leaves-Highway Dept.
 - b. Surplus sand-Highway Dept.

Motion to approve the Agenda was MOVED by Johnson and Seconded by Newlin. Carried 5-0.

1. Ken Wendt's Propane Application:

Newlin: I would like to thank the members of the public and those from the Wendt project who came tonight and gave their thoughts and explanations. I have spoke with members of the Board and I think we all feel that we prefer acting on this formally once the Fire Board meets. They are the experts in the field and we don't pretend to be. The Board meeting is 4 days after the Fire Bureau meeting and we look forward to your expert advice and consent hopefully, Mr. Martin. Please keep Mr. Johnson who is the liaison and me informed. We look forward to the outcome of your meeting and we will act accordingly.

2a. Surplus Compost Leafs:

Edwards: I have a request from Highway Supt. Reiter that we currently have a surplus of composted leaf material at the garage yard. Supt. Reiter would like this material to be treated the same as the mulch for sale to the public. We currently deliver a load of mulch for \$25.00. He would like to offer it to the residents for the same fee as well as a \$50.00 a tandem that we currently do. I think it is a good idea and it will clean up the yard. It is much needed compost for our gardeners.

Edwards MOVED that composted leaf material be handled in the same policy and procedure as the sale of mulch. Seconded by Johnson and carried 5-0.

2b. Mr. Reiter has a surplus of used sand from the Niagara Falls Airport and Airbase that we received free in the past. We haven't and can't use it and it will not work with our equipment. There is a contractor currently performing work at the Niagara Falls Airbase and Mr. Reiter would like to sell the sand to him. Mr. Reiter has investigated the prices with LaFarge. Play ground sand is approximately seven to eight dollars a ton. He would like to sell this used sand for \$4.00 a ton or \$72.00 a load. If we can get rid of it at no cost to the town I would like to make a motion on this.

Leone: You first declare that it is excess or surplus material and is not needed and then you can sell it anyway you want.

Reiter: We currently have around 5000 tons. They are going to buy about 300 tons.

Newlin said we have to do our best to ascertain fair market value and Mr. Reiter you are confident that you got a good price.

Edwards MOVED that 5000 tons of sand is deemed surplus to the Town. Seconded by Palmer.

Johnson asked Reiter if we are ever going to need this again. We are not going to buy new sand?

Reiter: If the demand came for us to use sand again, the airbase is always looking for someone to haul it away. This is how I got it because I volunteered to haul it away for them. We have used it on several occasions but it is just sitting there taking up space.

On the Motion, carried 5-0.

Reiter: The contractor is doing some type of drainage work at the airbase and they need a mix of sand, topsoil and leaves.

Johnson said he thought that the base has a lot of sand.

Reiter stated that the base got rid of the sand.

Johnson said it would think that up to 500 tons would sufficient.

Bax asked about the excess 4500 tons.

Reiter said at this time he has no one interested in it.

Edwards asked if a resident was putting in a pool or had a need for the sand could they buy it for \$4.00 per ton.

Reiter said yes. The problem with the sand is that it has been certified clean but you could find other items in there. I met with the contractor and he will hold us harmless. The bill of sale should reflect "AS IS/WHERE IS". Reiter said he would make the same offer to a homeowner.

Edwards MOVED to sell up to 500 tons of excess sand AS IS/WHERE IS at \$4.00 a ton, a tandum/\$72.00 a load to LaFarge Inc. Seconded by Johnson and carried 5-0.

Edwards MOVED that any resident in the Town of Lewiston may purchase the excess sand at a cost of \$4.00 a ton. The Town will be held harmless and sold AS IS/WHEREAS and the policy will remain the same as the mulch policy.

Palmer asked how the resident would go about purchasing the sand.

Edwards said they would be referred to the Highway Dept. and payment would made to the Clerk's office.

Johnson asked that a formal request be made up and it be given to the clerk.

Seconded by Palmer. Carried 5-0.

Bax MOVED for adjournment, Seconded by Johnson and carried 5-0. Carried 5-0.

Time: 7:40 p.m.

Respectfully Submitted and Transcribed by:

Carol J. Brandon
Town Clerk