

PRESENT: Supervisor Newlin; Councilmembers Bax, Edwards, Johnson and Pacioni; Deputy Supervisor Elgin; Town Attorney Leone; Deputy Attorney Boniello; Finance Officer Alice DiRamio; Building Inspector Rich Skurski; Town Engineer Lannon; 3 Press; 11 residents and Clerk Donna Garfinkel

Supervisor opened the meeting at 7:12 p.m. followed by the Pledge of Allegiance.

Newlin asked all to take a moment to reflect on the anniversary of September 11, 2001. The Town of Lewiston has lost one of its longest serving, and most dedicated employees, David Quarantillo in a tragic motorcycle accident. Quarantillo was a long-time friend to Highway Superintendent Reiter. Two employees, Darryl May and Michael Dell along with Michael's wife are also recovering from the accident. Newlin asked all to keep them in their thoughts and prayers for a speedy recovery.

Agenda Item One – Riverwalk Subdivision Final Plat 2C approval.

Lannon spoke of a letter submitted by CRA Engineering to Deck, dated September 8th, 06. The letter states the drawing for Riverwalk Phase 2C Final Plat dated August 26, 2006, as submitted are acceptable and in substantial accordance with Town Code.

A letter dated September 11, 2006 outlines outstanding issues for lots 303 & 304 in Phase 2A. Lannon believes Deck has agreed to work on these.

In regards to a resident's inquiry into the repetition of home design, Lannon believes this should be addressed by the Building Inspector at the time a building permit is requested.

Newlin recognized and welcomed the new Town Building Inspector, Richard Skurski.

Johnson said several meetings have been held to address the drainage. Johnson wanted the deficiencies (*as follows*) in the record. It is believed Ryan Homes will perform these.

1) Lot 303 – a drainage swale located along the property line and an 8" storm pipe with an inlet (set 6" below existing grade) shall be installed. The drainage pipe shall be extended a minimum of 5 feet toward the low area at the property line.

2) Lot 304 – a drainage swale shall be constructed along the property line as discussed with Ryan Homes in the field. The swale shall be constructed during the grading operation for the house that is currently under construction.

3) Lot 304 – the pipe inlet located at Mr. Meyer's property line (south line of lot 304) is plugged with silt. The storm pipe and inlet shall be flushed clean.

The final landscaping and additional plantings (to be implemented by Ryan Homes) as described in a letter submitted by Joseph Deck on August 11, 2005 along the south line of lots 303 and 304 has not been completed. (will be completed in October planting season)

No less than one tree per lot (deciduous) is to be planted.

Boniello will submit a letter to Deck stating, no service mounted services, from the Town (water, sewer, drainage) be contracted in a permanent structure of concrete. These services should not be located in the driveway.

Johnson MOVED to approve the Final Plat for Riverwalk Phase 2C with the above stipulations, Seconded by Bax and Carried 5 – 0.

Johnson MOVED to approve the PIP – engineering costs as outlined in the letter from CRA Engineering dated September 8, 2006, Seconded by Bax and Carried 5 – 0.

Second Agenda Item – Approval of Abstract. **Bax MOVED to approve the Abstract of Claims number 2629 - 2931 in the amount of \$314,709.07, and Post Audit in the amount of \$91,512.05, Seconded by Johnson and Carried 5 – 0.**

Third Agenda Item – Environmental Attorney. Last year, the previous Town Board approved a partnership with Niagara County to fund environmental attorney Mr. Abraham & Assoc. to pursue environmental concerns, from a legal standpoint, in regards to CWM. The Board approved an expenditure of up to \$50,000 after the County spent its \$50,000.

Edwards MOVED to allow the Supervisor to pursue a new agreement, with Attorney approval, up to \$100,000 with \$50,000 being spent by the County first, the next \$50,000 being spent by the Town, Seconded by Pacioni and Carried 5 – 0.

Fourth Agenda Item – Local Law #2 – Dogs. Leone has discussed this with the Judges and will have a final draft to the Board and the Clerk by Friday.

Bax MOVED to hold a Public Hearing on September 25, 2006 at 6:45 p.m., Seconded by Pacioni and Carried 5 – 0.

Fifth Agenda Item – Lighting proposal – Saddlewood Drive. Lannon received a letter from National Grid outlining the cost of a light for 823 Paddock Lane.

Johnson MOVED to authorize the recommendation of Town Engineer, pending the review of the Lighting Committee, Seconded by Bax and Carried 5 – 0.

Sixth Agenda Item – Power Coalition By-Laws. Boniello said the Board has the options to approve, not approve or take no action. There is one point the Supervisor is concerned with. That is the amount of members needed to call a special meeting. Newlin would like it to be one, but the by-laws read two.

Boniello requests the Board review Article V – Officers. Boniello suggests accepting the following.

“The officers of the Corporation shall be a President, one or more Vice-Presidents, Secretary and the Treasurer. Any two or more offices may be held by the same person, except the office of the President and Secretary; and the President and Treasurer. The Officer of the Corporation maybe an employee of a member, however, the designee of a member and any elected officer of a member shall not be an officer of the Corporation.”

In regards to Riverwalk, Boniello suggested to the developer, his attorney and McIntyre, that the restrictions in regards to manholes in driveways, be placed directly on the actual subdivision map. No one objected to this.

Newlin would like this restriction applied to all subdivision.

Johnson MOVED to have Boniello prepare language in regards to this restriction as to be part of all future subdivision applications at the time of filling, Seconded by Edwards and Carried 5 – 0.

Seventh Agenda Item – Overgrown grass – 5912 Garlow Road. Edwards said this has been addressed.

Seventh Agenda Item – Sidewalk repair – 5861 Buffalo Street. Edwards forwarded this to Highway Supt. Reiter. Reiter will determine if there is a public safety issue, if there is, it will be addressed right away, if not, it will be addressed with the planned streetscape project.

Eighth Agenda Item – Sanborn Library – Carpet replacement. Pacioni said one estimate has been received and will report back at the next meeting.

Ninth Agenda Item – sewer connection – 523 Mt. View Drive. Lannon has spoken to Lockhart and they agree this would be a candidate for a grinder pump station. It is very difficult to get sanitary flow from the home to the street by gravity.

Historically, by the Town, the grinder pump is purchased by the resident and maintained by the Town. An agreement needs to be written for an easement to maintain.

Tenth Agenda Item – Lower Niagara River Region Chamber President Sandra Hayes-Mies, requests \$5,000 to pay for regional event advertising.

Johnson MOVED to approve the funding of \$5,000, from budget-line item A-1990-0400, Seconded by Pacioni and Carried 5 – 0.

Eleventh Agenda Item – Mascaro Estates – Miller Road Sanitary Sewer PIP. A letter dated September 8th from CRA Engineering states the conditions for the PIP have been met. Niagara County Health Department approval has been received, along with record drawings. Two copies of the maintenance bond have been issued.

Johnson MOVED to accept construction of the sanitary sewer extension to service eight lots along Miller Road (Mascaro Estates) as complete, with a letter outlining the driveway/manhole issue, Seconded by Bax and Carried 5 – 0.

Twelfth Agenda Item – Police Bargaining Unit Discussion. The Town will be entering into the negotiation process and the Board needs to appoint someone to represent the Town.

Johnson MOVED to appoint Supervisor Newlin, Councilmen Edwards and Bax, to represent the Town in upcoming union negotiations, Seconded by Pacioni and Carried 5 – 0.

Bax MOVED to enter into Executive Session to discuss personnel and engineering matters, Seconded by Pacioni and Carried 5 – 0. 8:05 p.m.

PRESENT: Supervisor Newlin; Councilmembers Bax, Edwards, Johnson and Pacioni; Town Attorney Leone; Deputy Attorney Boniello and Town Engineer Lannon

Discussion on bids for paving the town hall parking lot.

Engineering issues related to possible town litigation.

Discussion on personnel issues related to Parks & Highway.

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

No actions taken.

Johnson MOVED to adjourn the Worksession, Seconded by Bax and Carried 5 – 0.
9:15 p.m.

Respectfully Transcribed and Submitted by,

Donna Garfinkel
Deputy Town Clerk