

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; WWTP Chief Operator Timothy Lockhart; Town Engineer Lannon; 1 Press; 12 residents and Clerk Donna Garfinkel

Newlin opened meeting - 7:14 p.m. Residents invited to speak on behalf of the 2007 Budget.

Robert McGee- 4677 West Park Drive – McGee suggests the replacement of old and endangered sewer lines and fix the adequacy of the WWTP be addressed in the 2007 budget. If these are not replaced and/or repaired, it is going to impinge on the welfare of town residents. The cost of the improvements should be shared by the municipalities that use the plant.

Johnson MOVED to close the Public Hearing on the 2007 Preliminary Budget (held November 9, 2006), Seconded by Pacioni and Carried 5 – 0.

Bax requested addition of the following to the agenda: Executive Session issues: 552 Fairway Drive – sewer; Village of Lewiston contract issue.

Leone requested addition to the agenda: Oakhill easement issue.

Boniello requested addition of litigation issues for Executive Session.

Newlin requested addition to the agenda: Health Care Plan base for non-union employees. The deletion of Town of Somerset – Letter of support; Broadview telephone proposal.

Edwards requested addition of the following to Executive Session: New Street Sweeper; Personnel & the HVAC contract.

Johnson MOVED to adopt Agenda as amended, Seconded by Bax and Carried 5 – 0.

First Agenda Item – Approval of Abstract.

Johnson MOVED to approve the regular Abstract - claims numbered 3249 – 3595 and recommend payment in the amount of \$235,727.59 plus a Post-Audit of \$291,421.39, Seconded by Bax and Carried 5 – 0.

Second Agenda Item – Advertise for Boards / Commission applications – 2007.

Bax MOVED to authorize the Clerk's Office to solicit applications for Boards and Commission for 2007, Seconded by Pacioni and Carried 5 – 0.

Third Agenda Item – Saddlewood Lighting. Edwards would like to meet with Lannon, National Grid representative Kim Johnson and resident Dr. Cooper.

Lannon said the Town has criteria for street-lighting. For this situation one light would be needed. The residents are requesting more than one; that would suggest the creation of a lighting district. Lannon to contact Dr. Cooper and report back at next Board meeting.

Johnson suggested in the future, the developer be required to present a lighting proposal at the time of subdivision submittal.

Fourth Agenda Item – Dedication – Vista North. Lannon does not recommend dedication. The contractor/developer needs to submit additional documentation. The erosion has been addressed.

Fifth Agenda Item – SPCA Contract. The Town Clerk would like to sign a one-year contract with the SPCA, because the department is looking into other alternatives.

Johnson MOVED, pending approval of the Attorneys, to authorize the Supervisor to sign a one-year contract with the SPCA, seconded by Bax and Carried 5 – 0.

Boniello said there is an obligation for every municipality, pursuant to the Agriculture & Market Law, that if they do not hire out the SPCA, they have an alternative plan.

Sixth Agenda Item – NYPA – By-Law amendments. Newlin said this amendment to the By-Law would reflect the patrician of the Greenway Fund monies. The total amount is \$510,000/year. This will help to make sure that posterity won't forget the agreement, and the best way to assure that is to incorporate it into the By-Law.

Newlin MOVED to support the concept of including the split of the Greenway funds, ratified by this Board and the Power Coalition as a whole in 2005, into the By-Law of the Power Coalition, Seconded by Edwards and Carried 5 – 0.

Seventh Agenda Item – Sanborn Library Carpet Bid. The Library bid-out for 28-ounce and 26-ounce carpet. If the 26-ounce is used, there will be fewer seams. Therefore, Pacioni would like to allow the bidders which bid for a 28-ounce carpet, bid for the 26-ounces.

Edwards MOVED to go out to bid for 26-ounce carpet for the Sanborn Library, pending review by the Attorneys, Seconded by Bax and Carried 5 – 0.

Eighth Agenda Item – Addition to Haz-Mat Commission.

Bax MOVED to add David Bialas and Rodney Michalak to the Haz-Mat Commission roster Seconded by Johnson and Carried 5 – 0.

Ninth Agenda Item – Drainage Issue – 935 James Drive. The resident sent correspondence outlining the problem in 2004, but the situation was never resolved. He has sent another letter asking the Board to address this. Lannon will go to the site, and report back at the November meeting.

Tenth Agenda Item – Engineering work – Influence Screening. Lockhart has been working with Bernie Rotella to obtain a grant for an Influence Screening. The screening process removes rags and other matter before entering the plant. In order to seek the grant, Lockhart needs engineering information. There is no money in the 2006 Budget to cover this, therefore, CRA Engineering has said they will perform the work and invoice the Town in 2007.

Bax MOVED to authorize Lannon to move ahead with the engineering for the Influence Screening grant, Seconded by Johnson and Carried 5 – 0.

Newlin received information in regards to truck traffic on Creek Road heading to CWM. The CAC (Citizens Advisory Committee) would like CWM to consider adding a blackout time, from 11:30 a.m. – 12:30 p.m., for truck traffic going in front of the Lew-Port campus.

Bax said a resident spoke at a CAC meeting about the amount of trucks convoing in front of Lew-Port. She has brought this to the attention of CWM. The Town of Lewiston, Lewiston-Porter School and the Town of Porter need to get together and address this concern.

Edwards MOVED to authorize the Supervisor, working with the Attorney, to draft a letter in support of the residents concern, Seconded by Pacioni and Carried 5 – 0.

Leone updated the Board on an easement for 4991 Oakhill. The property is for sale, and the Water Pollution Control Center needs an easement for the purposes of maintaining and/or repairs.

Bax MOVED to authorize the Supervisor to execute and sign an easement for 4991 Oakhill, Seconded by Edwards and Carried 5 – 0.

Eleventh Agenda Item – Cell tower. Edwards lives on Upper Mountain Road and there is a tower on the property behind his home. When the power goes out, the light on the tower go to a white strobe, and stays on 24/7. The last incident, the strobe was on for 17 days – day and night. The Clerk's office notified the tower owner several times. Edwards feels the owner is not a good corporate neighbor; not only are they not paying their annual fees, they are a lousy neighbor. There is a petition circulating amongst residents to do something about this. Edwards feels there should be fines per day. This should be addressed in the Town Tower Law.

Bax MOVED to have the Attorney forward a letter to the tower owner outlining the concerns, Seconded by Newlin and Carried 5 – 0.

Twelfth Agenda Item – Town Hall parking lot report. It was suggested arrows be painted designating the entrance and exit lanes. Drainage work, along with catch-basins being installed has been completed. Lights are next. The Town Clerk is researching different types of marquees for the front sign. At this time, the project is under budget.

Edwards MOVED to accept the bid from O’Connell Electric Company in the amount of \$20,370 for the installation of the Town Hall parking lot lights, Seconded by Bax and Carried 5 – 0.

Edwards request the Board pass a resolution for a new Street-sweeper. There is a grant from the Dept. of State Shared Municipal Services. The Village of Lewiston and Town of Porter are not included in the resolution and that makes Edwards uncomfortable. Newlin will contact Mayor Soluri and the Town of Porter to discuss this.

Richard Skurski, Building Inspector, distributed the new changes in minimum standards for Administration and Enforcement of State Building and Fire Codes. This is being mandated by the State for 2007. The Town may need to update the local law to comply with the regulations. Board members, Attorneys, Fire Inspector and Engineer asked to review for comments or additions by the next meeting.

Edwards said in some municipalities the Code Enforcement Officer is deputized, and it was questioned if Skurski should be deputized. Skurski asked to look into this.

Newlin MOVED to hold a Budget meeting on Friday, November 17th at 2:30 p.m., Seconded by Edwards and Carried 5 – 0.

Bax MOVED to enter into Executive Session to discuss health coverage for non-union employees, personnel and several litigation items, Seconded by Edwards and Carried 5 – 0.
(8:15 p.m.)

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Edwards MOVED to exit Executive Session, Seconded by Johnson and Carried 5 – 0. (8:25 p.m.)

Bax MOVED to identify Independent Health Flex-Fit as the base plan for non-unionized employees of the Town of Lewiston, Seconded by Johnson and Carried 5 – 0. (8:27 p.m.)

Bax MOVED to enter back into Executive Session to discuss litigation, Seconded by Pacioni and Carried 5 – 0.

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Discussion on HVAC issue at the town hall; sewer complaint - 552 Fairway Drive; Open contract with Village of Lewiston regarding sewer flow at the Treatment Plant, and settlement of litigation decision.

Board came out of Executive Session (9:45 p.m.)

Board MOVED to pay Angela DiFranco \$600.00 for settlement of snow damage to vehicle.

Board MOVED to exit Executive Session and Adjourn the meeting. (9:47 p.m.)

Transcribed and Respectfully submitted by: