

Town Board Worksession November 14, 2005

PUBLIC HEARING

Amendment of 2005 Budget

6:45 p.m.

PRESENT: Supervisor Newlin; Councilmembers Ceretto, Johnson and Langlois; Deputy Supervisor Elgin; Budget Officer DiRamio; Attorney Leone; Deputy Attorney Boniello; Town Engineer Lannon; 7 residents and Clerk Donna Garfinkel

ABSENT: Kilmer – Excused

Clerk read notice into record.

TOWN OF LEWISTON
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Town Board of the Town of Lewiston, New York on the 14th day of November, 2005 beginning at 6:30 p.m. at the Town Hall, 1375 Ridge Road to consider an amendment of the 2005 Town Budget by emergency appropriation to the Highway Fund (BD) of an amount not exceeding \$36,000 for the purchase of a one-ton dump truck. All persons, for or against such proposal, will be given the opportunity to be heard.

By order of the Town Board
October 24, 2005
Carol J. Brandon
Town Clerk

Supervisor asked if any resident wished to speak.

Langlois MOVED to close the Public Hearing, Seconded by Ceretto and Carried 4 – 0. (6:50 p.m.)

PUBLIC HEARING Final Plat Approval Vista North Subdivision 6:50 p.m.

PRESENT: Supervisor Newlin; Councilmembers Ceretto, Johnson and Langlois; Deputy Supervisor Elgin; Budget Officer DiRamio; Attorney Leone; Deputy Attorney Boniello; Building Inspector Coulter; Fire Inspectors Martin and Cosentino; Town Engineer Lannon; 7 residents and Clerk Donna Garfinkel

ABSENT: Kilmer - excused

TOWN OF LEWISTON
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Town Board of the Town of Lewiston, New York on the 14th day of November, 2005 beginning at 6:45 p.m. at the Town Hall, 1375 Ridge Road to consider Final Plat approval of a 34-lot single family subdivision, known as Vista North, on property located on the south side of Ridge Road SBL# 102.10-1-29.1, and whether or not approval should be given to such proposal. All persons, for or against such project, will be given the opportunity to be heard.

By order of the Town Board
October 24, 2005
Carol J. Brandon
Town Clerk

John Giusiana, developer of the project reviewed the project.

It is a 34-lot single family subdivision located off of Ridge Road on 26 acres. There is one access road on Ridge Road, to a loop with a sub-street to the west, which is undeveloped land at this point. The south and east of the property are completely developed.

Supervisor asked if any residents would like to ask questions.

Newlin asked Patrick Martin, Town Fire Inspector, to present his overview and where the Fire Bureau stands.

Martin said the Bureau has met several times with the developer. The Bureau is concerned with the accessibility to the subdivision. There is only one-way into the development and the Bureau feels this is a danger. A divided highway has been discussed, but with the limited amount of space for development of the road, no agreement has been reached. The Fire Companies are not enthused with one-way in to service 34 homes.

There is a further complication with the slope of the road. The Town standard for this indicates a maximum slope of 6%. This subdivision is showing slopes up to 10% in some areas. In the winter time this makes the accessibility, to reach someone's home even worse than the one access.

This has been addressed in two previous subdivisions, Oak Hill and Four Seasons. The precedence has already been set with limited access, one-way into the subdivision and variance requested by the developer for the slopes. The trade-offs to grant these variances, and overlook the one-way into these subdivisions, was to make plans in the future of providing another road as development occurs, and the inclusion of residential sprinkler systems.

The current proposal, with the divided roadway initially showed merit, but it appears to compound the problem.

The Fire Bureau, through conversations with the Chiefs servicing the area, this project is not meeting with the expectations.

Giusiana said that Martin has been very reasonable to work with. The divided road was done based on Martin's request. It would be cheaper to do a single road and put a gravel drive, as done in other subdivisions in the Town. The proposed divided road is actually a paved area bigger than the width of Ridge Road. There will be a cut-thru in the middle of the divider. There is access to the west, by way of a 66 ft. wide dedicated sub-street.

Giusiana is trying to respond to the concerns. The NYS Building Code emphasis's a sprinkler system only in three story or above buildings. They emphasis a smoke alarm and detection system to make people aware of a fire, so they can get out. Saving of the building is not of the States concern. Their issue is life safety; they want to get people out.

Martin agrees with the sprinkler comments from Giusiana, but accessibility is supposed to be guaranteed. This project can not give that guarantee and that is the basis of the argument. To push it through and find in the future there is a problem, is not the answer. We should try and work them out ahead of time.

Langlois MOVED to close the Public Hearing, Seconded by Johnson and Carried 4 – 0. (7:05 p.m.)

Reconvened Worksession.

7:20 p.m.

Newlin requested an amendment to the agenda by adding an award announcement and an executive session at the end of the meeting.

Newlin asked those present to keep in their prayers the newly born grandson of Councilman Johnson.

Langlois MOVED to amend the Agenda, Seconded by Johnson and Carried 4 – 0.

Johnson requested addressing the Vista North Subdivision. Newlin said without the confirmation of the Engineer and with Martin's concerns, no vote will be taken tonight. Newlin will try to meet with Lannon, Giusiana and Martin and possibly vote on Thursday, November 17th.

First Agenda Item – Approval of Abstract. Johnson said there is a sizable amount of invoices for Armand Cerrone for the paving project. Johnson asked Lannon if anyone is watching this. It looks like they are doing the job. Johnson is concerned that the monies are staying within the budget of the bond.

Lannon has spoken to Reiter on a regular basis in regards to this. Reiter has expressed that budgetary, he is doing fine. Lannon will review the invoices.

Johnson MOVED to approve abstract claims # 3272 – 3648 – in the amount of \$661,644.83, plus a Post Audit in the amount of \$225,296.50, Seconded by Ceretto and Carried 4 – 0.

Second Agenda Item – Assessor – request to update computer system. Gene Virtuoso, Town Assessor states in a letter that it is necessary to upgrade the present computer system as soon as possible due to the present system reaching its capacity. Also Microsoft 2000 is obsolete.

Johnson MOVED to approve the expenditure of \$7,959.00 with funds coming from account A1000.3089-.0300, Seconded by Newlin

Also stated in Virtuoso's letter, a new domain network for the office is requested. This will be completely separate from the Town of Lewiston domain network, due to a system overload. Elgin said this will change the security scheme of the entire network. Elgin asked to contact the Assessors office to discuss this.

Motion Carried 4 – 0.

Third Agenda Item – Highway / Drainage Superintendent – transfer of funds.

Ceretto asked the Attorneys if it is necessary to have a motion to transfer the dollars for the one-ton dump truck from the Public Hearing. (2005 Budget) The Attorneys said yes.

Ceretto MOVED to transfer to the Highway fund (DB) in a amount not to exceed \$36,000 for the purchase of a one-ton dump truck, Seconded by Johnson and Carried 4 – 0.

Reiter submitted a letter requesting \$21,000 be transferred from 5140.04 BD to 5110.04 BD, due to the rising fuel costs.

Ceretto MOVED to approve the request to transfer \$21,000 from 5140.04 BD to 5110.04 BD, Seconded by Johnson and Carried 4 – 0.

Fourth Agenda Item – Resolution – Grant request – NYS Quality Communities for the Lower Niagara River Region Chamber of Commerce.

Newlin MOVED the following resolution, Seconded by Johnson

WHEREAS the State of New York is soliciting applications from local governments under the Quality Communities Demonstration Program to encourage collaboration in community planning for creative locally developed projects.

WHEREAS the funding available under the Qualities Communities Demonstration Program would facilitate local efforts through the Lower Niagara River Region Chamber of Commerce to develop a collaborative marketing plan for the Town of Lewiston, the Town of Porter, the Village of Lewiston and the Village of Youngstown.

RESOLVED that the Supervisor of the Town of Lewiston is hereby authorized and directed to file a joint application with the Town of Porter, the Village of Youngstown and the Village of Lewiston to request funding under the Qualities Communities Demonstration Program for the Lower Niagara River Region Chamber of Commerce “**Marketing & Collaboration Plan for the Towns of Lewiston & Porter and the Villages of Lewiston & Youngstown**”.

Langlois would like to have the Town of Lewiston's contribution contingent upon the other municipalities meeting their obligations.

Newlin amended the motion – Town of Lewiston's payment is contingent upon the equal financial participation of the other three communities mentioned, Seconded by Johnson

Clerk polled the Board

Michael Johnson - Councilman	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Darwin J. Langlois - Councilman	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
John Ceretto - Councilman	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Fred Newlin - Supervisor	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Daniel Kilmer - Councilman	Excused	

Fifth Agenda Item – Ripley subdivision approval – Moore Road.

Langlois MOVED a Negative Declaration for Ripley - Moore Road, SBL# 76.00-2-38, Seconded by Johnson and Carried 4 – 1.

Langlois MOVED for approval of the subdivision as presented for Ripley, Seconded by Johnson and Carried 4 – 0.

Sixth Agenda Item – Town Clerk – fund transfer request. The Town Clerk requests a transfer of \$1,000 to cover costs of major repairs to the Dog Control van.

Johnson MOVED to approve the transfer of \$1,000 from A1620.400 to A3510.400, for repair of the Dog Control van, Seconded by Langlois and Carried 4 – 0.

Seventh Agenda Item – Receiver of Taxes – fund transfer request. The Tax Receiver requests a transfer of \$452.41 for the cost of a printer. The current printer only works every couple of attempts.

Newlin MOVED to approve the transfer of \$452.41 from the 2005 STAR account to A 1330.0200 for the purchase of a printer, Seconded by Johnson and Carried 4 – 0.

Eighth Agenda Item – Drainage problems – 2779, 2787, 2793 Saunders Settlement Road / 5469 Bridgeman Road.

Ceretto spoke to Reiter and he said to correct this problem he needs about 150 foot of 12 inch pipe, costing approximately \$1,000.

Lannon said this would be an extension of the work done at the Ceccato property. The Town will pipe the ditch between two residents. This ditch is where the Ceccato property drains to, to get to Saunders Settlement Road. Britton and Reiter concur on the piping of the ditch. Reiter told Lannon the dollars are in his budget to cover the cost.

Ceretto MOVED to authorize the monies to correct the problem at 2779, 2787 & 2793 Saunders Settlement Road, with the amount not to exceed \$1,000, Seconded by Johnson.

Langlois said that fixing the Ceccato property has resulted in the water flowing to two new residents and the Town now needs to fix this.

Carried 4 – 0

Lannon spoke in regards to 5469 Bridgeman Road. This is a separate problem. Reiter has done all that can be done, within the right-of-way, to improve the problem. There is an undersize culvert under Bridgeman Road which needs to be replaced. Reiter has already purchased the pipe and will be doing this work. There is also another pipe near there that will be worked on also.

Ninth Agenda Item – Oak Run Estates – Negative Declaration needed.

Langlois MOVED to declare a Negative Declaration for the Oak Run Estates, Seconded by Johnson and Carried 4 – 0.

Tenth Agenda Item – Non-Union employee health care coverage plan. The Board needs to designate a health care coverage plan for non-union employees.

The final cost of the plans has not been determined by the respectful companies.

Langlois MOVED to table the decision, Seconded by Newlin and Carried 4 – 0.

The Board will discuss this on the 17th, if more information can be collected.

Ceretto notified the Board that Lafarge North America has announced the Town of Lewiston Highway Dept. has been awarded the showcase award for Asphalt Paving from the New York Construction Material Assoc.

Langlois MOVED to enter into Executive Session to discuss personnel and wages, Seconded by Johnson and Carried 4 – 0.

PRESENT: Supervisor Newlin; Councilmembers Ceretto, Johnson and Langlois; Deputy Supervisor Elgin; Budget Officer DiRamio; Attorney Leone and Deputy Attorney Boniello.

Ceretto MOVED to exit Executive Session and Reconvene the Worksession, Seconded by Johnson and Carried 4 – 0 (8:27 p.m.)

No action taken.

Meeting adjourned.

Transcribed and Respectfully submitted by

Donna Garfinkel
Deputy Town Clerk