

REORGANIZATION MEETING JANUARY 3, 2008 7:00 p.m.

Present: Sup. F. Newlin; Council Members A. Bax; S. Edwards, M. Johnson, E. Palmer; Tn. Atty. J. Leone; Dpty. Tn. Atty. D. Boniello; Eng. R. Lannon; Adm./Op. T. Lockhart; Bldg. Insp. T. Masters; Deputy Sup. E. Elgin & Tn. Clerk C. Brandon. Also 5 residents.

The Supervisor opened the meeting at 7:15 p.m. followed by the Pledge of Allegiance and a moment of silent reflection.

Adoption:

2008 Regular Meeting Schedule:

Newlin: There has been some discussion regarding the scheduling.

Palmer said that the Town Board meetings themselves which are scheduled at 7:00 p.m. on the 4th Monday of each month would stay the same under any change that we have been discussing but the only difference would be 2 work sessions per month starting at 5:30 p.m. with the first being the second Monday and the second work session being the 4th Monday preceding the 7:00 o'clock Board meeting with July and August in recess for work sessions. However, we still have Board meetings on those particular months. This is open for discussion.

Newlin said what Mr. Palmer is proposing that with the exception of the summer months we would continue having our work session on the 2nd Monday starting at seven but then we would perhaps beginning earlier maybe at the 5:30 time ...considering anyway with the 4th Monday of the month having a brief work session before the regular Town Board meeting and then perhaps taking a break.

Palmer said both work sessions would begin at 5:30 p.m. under what I am proposing.

Newlin: So, 5:30 p.m. starts on all meetings and then after the 5:30 p.m. meeting on the 4th Monday of the month we would go right into our regular board meeting. The hope would be that we shift our work sessions a little bit earlier and not stay so late.

Johnson: I think it is a great idea. I think what we could do right now if we could is take the Town Board meetings that are scheduled here and if everybody agrees with those except for the May date we can take our 7:00 p.m. Town Board meeting and then after that I have asked the town attorneys to check into it....we can alter these schedules throughout the year as long as we notify the public. Correct?

Leone: You are required to have one regular town board meeting per month.

Johnson said that the work sessions other than the first one that is next week and maybe by then Mr. Palmer, we could put something more definite down that we could propose for. We can do the Town Board meetings now. If we come in earlier on the Town Board meetings for a work session we can just put that under the work session category and say we are going to have a work session at 5:30 p.m. on January 28th.

Edwards asked if we were going with 5:30 p.m. on January 14th or after that.

Newlin said we will do them all at 5:30 p.m. and start the Town Board meetings at 7:00 p.m. on the 4th Monday of every month with the May meeting being on the 19th.

Palmer MOVED that the Town Board meetings will start at 7:00 p.m. on January 28, February 25, March 24, April 28, May 19, June 23, July 28,

August 25, September 22, October 27, November 24 and December (Final Audit) to be determined. Seconded by Johnson and carried 5-0.

Palmer: We would meet at 5:30 p.m. for the regular work sessions and then another 5:30 p.m. work session prior to the Town Board meetings. I think we are making more meetings but with less time.

Newlin said that Mr. Palmer's intention is that if we have some time to discuss at 5:30 p.m. we could then keep the 7:00 p.m. meeting shorter.

Palmer: The 7:00 p.m. meeting would be for voting. We would have already discussed the issues.

Newlin asked if there were any problems with the department heads present and the attorneys (No problems).

Bax stated that if we had time we could close an executive session and go into an open session. It does not limit us.

Johnson: We are going to have public hearings occasionally and we could leave time for them.

Edwards: I would like to see this for a simple reason because I want our work sessions to include our department heads and we do get a lot of conversation and with a true work session which we do get a lot done...but I don't see our Recreation Dept. at a lot of work sessions and I would like everybody here and have some conversations.

Newlin said we will have a 5:30 p.m. work session before the Town Board meeting in which we will have dialogue with the department heads and try to be finished by 6:30 p.m., take a break or have a public hearing and then return to session for probably only voting. Let's give it a try.

Palmer said he thinks it is good because it restrict our time on some of these meetings.

Edwards MOVED to have Work Sessions begin at 5:30 p.m. on January 14, February 11, March 10, April 14, May 12, June 9, September 8, October 20, November 10, December 8 and December* (Final Audit) *Date to be determined. No work sessions in July & August. Seconded by Palmer and carried 5-0.

Edwards MOVED that Work Sessions prior to Town Board Meetings will begin at 5:30 p.m. starting with January 28 and ending with November 24, 2008. Seconded by Bax and carried 5-0.

2008 Holiday Schedule:

Edwards said he did agree with the holiday schedule with the exception of Christmas and the day after. I am fine with the schedule as long as we have a Memorandum of Understanding (MOU) with the bargaining units that we have contracts with.

Johnson stated that the contracts for the unions state that it is the day before the holiday. This schedule would give you a longer weekend. The last time we did this the unions had their day off and the Town employees had their day off .

Edwards MOVED that the 2008 Holiday Schedule will be January 1, January 21, February 18, March 21, May 26, July 4, September 1, October 13, November 11, November 27 & 28 (Thanksgiving), December 25 and that all employees take the day after Christmas (December 26) off with a Memorandum of Understanding (MOU) from the Teamsters or the bargaining unit. Seconded by Bax and carried 5-0.

Salary Schedule:

Newlin said you have the salary schedules which are for all employees.

Johnson MOVED to accept the Salary Schedule as presented with the exception of the Dog Control Officer and Bldg. Dept. Personnel. The Department Heads will meet with Payroll Clerk B. Cich with the changes. Seconded by Bax and carried 5-0.

2008 Mileage Rate:

Edwards MOVED that the 2008 Mileage Rate* to reflect the IRS Schedule. Seconded by Palmer and carried 5-0. (*IRS rate is 50.5¢ per mile.)

Non-Certified Copy Fees:

Edwards MOVED that the 2008 Fee for Non-Certified Copies be set at 25¢ per page. Seconded by Palmer and carried 5-0.

Official Town Newspaper:

Edwards MOVED that the Niagara Falls Gazette be designated as the Town's Official Newspaper. Seconded by Palmer. Carried 5-0.

Palmer MOVED that the Public Notices be placed in the Sentinel as well as the Gazette. Seconded by Johnson and carried 5-0.

Official Depositories:

Palmer MOVED that the Official Depositories for the next 30 days be: HSBC and First Niagara. Seconded by Johnson and carried 5-0.

Town Physician:

Johnson MOVED that Dr. Ulatowski be designated as Town Physician. Seconded by Edwards and carried 5-0.

Procurement Policy:

Edwards MOVED to adopt the 2008 Procurement Policy. Seconded by Bax and carried 5-0.

Roberts Rules of Order:

Johnson MOVED to adopt the Roberts Rules of Order. Seconded by Palmer and carried 5-0.

Appointments & Confirmations:

1. Assessor's Dept.

Johnson MOVED the appointment of Gene Virtuoso as Acting Assessor. Seconded by Bax and carried 5-0.

Johnson MOVED the appointment of Linda Johnson as the Assessor's Information Clerk. Seconded by Palmer and carried 5-0.

2. Town Attorneys:

Johnson MOVED the appointment of Town Atty. Joseph Leone Jr. and Deputy Town Atty. David Boniello. Seconded by Palmer and carried 5-0.

3. Building Dept.:

Johnson MOVED the appointment of Timothy Masters as the Building Inspector/Bldg. Records Officer. Seconded by Edwards and carried 5-0.

Johnson MOVED the appointment of Sandra VanUden as Clerk Typist for the Building Dept. Seconded by Bax and carried 5-0.

Johnson MOVED the appointment of Kenneth Kenney as the Part Time Code Enforcement Officer. Seconded by Palmer and carried 5-0.

4. Clerk/PT Engineering:

Johnson MOVED the appointment of John Sharpe as the Part Time Clerk/Engineering. Seconded by Bax and carried 5-0.

5. Engineering Services:

Bax MOVED for the appointment of CRA Engineers for the Town of Lewiston for 2008. Seconded by Palmer and carried 5-0.

6. Fire/Hazmat Dept.

Johnson MOVED for the appointment of Patrick Martin as Fire Inspector Part Time. Seconded by Edwards and carried 5-0.

Johnson MOVED for the appointment of Don Cosentino as Fire Bldg. Inspector Part Time. Seconded by Palmer and carried 5-0.

Johnson MOVED for the appointment of Kathy Kifer as Typist Part Time. Seconded by Palmer and carried 5-0.

Johnson MOVED for the appointment of Les Myers as Chairman of the Fire Prevention Bureau. Seconded by Edwards and carried 5-0.

7. Highway Dept.

Edwards MOVED for the appointment of Barbara Travis as Typist. Seconded by Johnson and carried 5-0.

Edwards MOVED the appointment of the Highway/Drainage Employees as per the 2008 Amended Salary Schedule. Seconded by Bax and carried 5-0.

8. Historian:

Edwards MOVED for the appointment of Marcia Rivers as Town Historian. Seconded by Johnson and carried 5-0.

9. Justice Clerks:

Palmer MOVED for the appointments of Maria Sicurella and Kathleen Stafford as Justice Clerks. Seconded by Johnson and carried 5-0.

10. Parks:

Edwards MOVED for the appointment of Parks Supt. Michael Dashineau. Seconded by Bax and carried 5-0.

Edwards MOVED for the appointment of Steven Reiter as Deputy Parks Supt. Seconded by Bax and carried 5-0.

Bax MOVED for the appointment of Joel Jueckstock as Laborer in the Parks Dept. Seconded by Johnson and carried 5-0.

11. Police:

Johnson MOVED for the re-appointment of Christopher Salada as Police Chief. Seconded by Palmer and carried 5-0.

Johnson MOVED for the appointment of Liza Rizzo as Justice Clerk. Seconded by Palmer and carried 5-0.

Johnson MOVED to change the title of Liza Rizzo to Typist per civil service regulations. Seconded by Edwards.

Palmer MOVED for the appointments of Sergeant, Officers and Constables as per 2008 Salary Schedule. Seconded by Johnson.

Edwards noted that at the last Commission Meeting it was discussed with regard to two (2) sergeant positions. Does the pay schedule reflect that? (The answer was no).

Johnson asked about the listing of a possible retired officer.

Boniello said that the officer as not officially retired at this time and there is no additional information at this time which had a 30 day requirement.

On the Motion, carried 5-0.

12. Deputy Receiver of Taxes:

Johnson MOVED for the appointments of Darlene Norwich and Rosalie Kilmer. Seconded by Bax and carried 5-0.

13. Recreation:

Palmer MOVED to reappoint Michael Dashineau as Director of Recreation. Seconded by Bax and carried 5-0.

Bax MOVED for the appointment of Sandra Wizner as Typist/Part Time. Seconded by Edwards and carried 5-0.

14. Registrar, Records Access Officer & Recycling Officer:

Edwards MOVED for reappointment of Carol J. Brandon. Seconded by Bax and carried 5-0.

15. Seniors:

Bax MOVED for the appointment of Director Jeanette Collesano; Aging Service Aides Catherine Burnett & Kathleen O'Connor; Van Drivers P/T Donald Clark, Gerald Burnett, Wm. Fitzpatrick & Ed Schieffelin and Sr. Citizens Leader P/T Ella Shugarts. Seconded by Johnson and carried 5-0.

16. Supervisor's Confirmations:

Newlin MOVED for the reappointment of Alice DiRamio, Finance Officer. Seconded by Palmer and carried 5-0.

Newlin MOVED to reappoint Barbara Cich as Sr. Typist/Confidential Secretary/Risk Manager. Seconded by Bax and carried 5-0.

Newlin MOVED that the Deputy Supervisor be Evan Elgin. Seconded by Bax and carried 5-0.

Newlin MOVED that Brown & Co. is the Town's Auditor for 2008. Seconded by Palmer and carried 5-0.

Newlin MOVED for the reappointment of Bernie Rotella as the Town's Grant Writer. Seconded by Johnson and carried 5-0.

17. Town Clerk's Appointments/Confirmations:

Edwards MOVED for the reappointment of First Dep. Town Clerk/Dep. Registrar Carole Schroeder; Dep. Town Clerk/Sub Registrar Donna Garfinkel; Dep. Town Clerk Barbara Joseph; Laborer Kevin Norwich; Dog Control Officer P/T and Dep. DCO David Sherriff & Kevin Norwich. Seconded by Johnson and carried 5-0.

18. Water Personnel:

Johnson MOVED that Sup. Newlin be the Administrator of the Water Dept. Seconded by Bax and carried 5-0.

Johnson MOVED for the reappointment of the Water Dept. employees per the 2008 Salary Schedule. Seconded by Edwards and carried 5-0.

19. WPCC:

Bax MOVED for the reappointment of Timothy Lockhart as Admin./Chief Operator. Seconded by Edwards and carried 5-0.

Bax MOVED for the reappointment of the WPCC Employees (SS1) as per the 2008 Salary Schedule. Seconded by Edwards and carried 5-0.

Bax MOVED for the reappointment of Outside Sewer Employees (SS2 &SS3) as per the 2008 Salary Schedule. Seconded by Edwards and carried 5-0.

20. Bingo Inspector (No appointment in 2007). Item to be placed at the next work session agenda.

Appointments:

1. Board Liaisons:

Newlin MOVED for the following Liaisons:

Committee-Board-Commissions

Councilman

Cable Commission

Palmer

CWM Siting Advisory Committee

Bax

Fire Bureau

Johnson

Haz-Mat

Palmer

Highway/Drainage

Edwards

Historical Preservation

Palmer

Lewiston Council on the Arts

Bax

Library

Edwards

Lighting Advisory Board

Palmer

**Lower Niagara River Region Chamber
of Commerce (GLBPA)**

Palmer

Parks & Recreation Advisory Committee

Edwards

Personnel Committee

Palmer

Planning Board

Palmer

Recreation

Bax

Senior Citizens

Bax/Edwards

Signage Committee

Johnson

Tower/Wind Energy Research Committee

Bax

Water

Johnson

WPCC

Bax

Zoning Board of Appeals

Bax

Seconded by Bax and carried 5-0.

Newlin stated that any omissions would be taken up at the next work session.

2. Police Commissioner/Deputy:

Newlin MOVED that he continue as Police Commissioner and Councilman Johnson be the Deputy Police Commissioner. Seconded by Johnson and carried 5-0.

3. Stormwater Management Officer:

Johnson MOVED for the appointment of Timothy Masters as the Stormwater Management Officer. Seconded by Bax and carried 5-0.

4. Minority Business Officer:

Newlin MOVED that Councilman Palmer be the Minority Business Officer. Seconded by Johnson and carried 5-0.

5. Women's Business Officer:

Bax MOVED that Town Clerk Carol Brandon be the Women's Business Officer. Seconded by Palmer and carried 5-0.

Appointments to Boards, Commissions & Committees:

Edwards MOVED for the establishment of a Plumbing Board. Seconded by Palmer and carried 5-0.

Masters said that he sees that the Town does not have a clear handling on plumbing

matters and if there is a Board then residents and contractors would have insurance on file thus keeping everybody insured and in compliance with NYS Codes. This would protect current and future residents.

1. Cable Commission:

Johnson MOVED that James Abbondanza, Karl Frankovitch, Daniel Kilmer, Mark Sarro and Johns Sharpe be appointed to the Cable Commission. Seconded by Bax and carried 5-0.

2. CWM Board Community Advisory Committee:

Newlin MOVED that Robert DiFrancesco, Alvin Ogg, Amy Witryol, Mark Gallo and Alfonso Bax be appointed to the CWM Board. Seconded by Johnson and carried 5-0.

3. Environmental Commission:

Newlin MOVED that Elisa Scrufari and Michael McNerney be appointed to the Environmental Commission with terms to expire on 12/31/10. Seconded by Bax and carried 5-0.

4. Board of Ethics:

Johnson MOVED for the reappointment of Barbara Carter, Susan Casper, Suzanne DiFlorio-Olds, Robert DiFrancesco and John Malinchock to the Board of Ethics. Seconded by Bax and carried 5-0.

5. Greenway Advisory Committee:

Appointments to be made at the work session.

6. Historic Preservation Commission:

Newlin MOVED for the reappointment of James Mudd with a term to expire on 12/31/12 to the Historic Preservation Commission with Marcia Rivers as Ex-Officio. Seconded by Edwards and carried 5-0.

7. Library Board of Trustees:

There is no town vacancies at this time.

8. Lighting Advisory Board:

Johnson MOVED that John Barber, Suzanne DiFlorio-Olds, Kenneth Kenney (Chairman) Debra Korpolinski and Daniel Vitch be appointed to the Lighting Advisory Board. Seconded by Bax and carried 5-0.

9. Parks & Recreation Advisory Committee:

Johnson MOVED for the appointment of Mark Gabriele to the Parks & Recreation Cmte. for a term to end on 12/31/14. Seconded by Bax and carried 5-0. Carried 5-0.

10. Personnel Committee:

Newlin MOVED for the appointment to the Personnel Cmte., David Boniello, Carol Brandon, Barbara Cich, Sean Edwards, Evan Elgin and Fred Newlin. Seconded by Palmer and carried 5-0.

11. Planning Board:

Palmer MOVED to reappoint Joan Wolfgang to the Planning Board with a term to expire 12/31/14. Seconded by Bax and carried 5-0.

12. Senior Advisory Board:

Johnson MOVED to reappoint to the Senior Advisory Board Jean Gaul, Harry Lehman and Charles Stojak with terms to expire 12/31/10. Seconded by Edwards and carried 5-0.

13. Signage Committee:

Palmer MOVED for the reappointment of Robert DiFrancesco, Thomas Radomski and William Taczak to the Signage Cmte. with Ex-Officio Officers Christopher Salada and Steven Reiter. Seconded by Edwards and carried 5-0.

14. Tower/Wind Energy Research Cmte.:

Johnson MOVED for the reappointment of James Ditzel, Andrew Ellis, Karl Frankovitch, Emily Latko, James Mudd, Wayne Rivers, Cory Sanoian and Frank Silvernail to the Tower/Wind Energy Research Cmte. Seconded by Bax and carried 5-0.

15. Town Hall Renovation:

Johnson MOVED that Alfonso Bax, Carol Brandon, Sean Edwards, Timothy Masters, Michael Johnson, Fred Newlin, Ernest Palmer, J. Lester Myers and Christopher Salada be appointed to the Town Hall Renovation Cmte. Seconded by Bax and carried 5-0.

16. Zoning Board of Appeals:

Newlin MOVED to appoint Mark Sarro to the Zoning Board of Appeals with a term to expire on 12/31/12. Seconded by Johnson and carried 5-0.

17. Zoning Codification Cmte.:*

Newlin MOVED to appoint Wm. Conrad to the committee. Seconded by Palmer and carried 5-0. *It was noted that this committee was disbanded in 2006.

Chairman Appointments:

Newlin MOVED to appoint Daniel Kilmer as Chairman of the Cable Comm. Seconded by Bax and carried 5-0...

Newlin MOVED that the Board of Ethics Chairperson be Barbara Carter. Seconded by Palmer and carried 5-0.

Newlin MOVED that James Allen be Chairman and Keith Fox be Vice Chairman of the Environmental Commission. Seconded by Johnson and carried 5-0.

Newlin MOVED that Robert Martinez be reappointed as Chairman of the Planning Board. Seconded by Bax and carried 5-0.

Bax MOVED that Emily Latko be reappointed as Chairman of the Tower/Wind Energy Cmte. Seconded by Palmer and carried 5-0.

Newlin MOVED that Evan Elgin be appointed as Chairman of the Zoning Codification Cmte. Seconded by Bax and carried 5-0. (At this time, no committee exists.)**

Zoning Board of Appeals:

Leone stated that this Board selects its' Chairman and Vice-Chairman. Currently our code states that we have 7 members while we have five (5) and the NYS Law says it should be five. We will need to amend the local law.

Johnson: We have 2 alternates that we can choose at the next Town Board Meeting for the Planning Board. I would like to have a public hearing for the Zoning Bd. of Appeals to also have 2 alternates.

Leone said we would have to amend the local law first. I will have to redraft the local law in accordance with the State law. I will inform you whether there are any provisions for alternates. There is for people who have a conflict of interest but whether or not there is for people who cannot attend the meeting, I am not familiar with that at this time. I will check into that for the next meeting.

Johnson commented that the County Planning Board is also looking into that. They are an advisory committee to us but the Zoning Board is autonomous. If they don't have a quorum and they are deadlocked it could create some problems. At the next meeting we could appoint 2 people for the Planning Board.

Motion by Palmer to adjourn. Seconded by Johnson and carried 5-0.

Time: 8:25 p.m.

Respectfully Transcribed and Submitted by:

Carol J. Brandon
Town Clerk