

**REORGANIZATION MEETING    January 7, 2010        7:00 P.M.**

Present: Supervisor S. Reiter; Council Members A. Bax, M. Johnson, M. Marra & E. Palmer; Adm./Op. T. Lockhart; Bldg. Inspector T. Masters & Town Clerk C. Brandon. Also 2 press and 77 residents.

The Supervisor opened the meeting at 7:00 p.m. followed by the Pledge of Allegiance and a moment of silent reflection.

Meeting Schedule 2010

Regular Town Board Meetings will be held on the 4<sup>th</sup> Monday of each month. Jan. 25<sup>th</sup>; Feb. 22<sup>nd</sup>; March 22<sup>nd</sup>; April 26<sup>th</sup>; May 24<sup>th</sup>; June 28<sup>th</sup>; July 26<sup>th</sup>; August 23<sup>rd</sup>; Sept. 27<sup>th</sup>; Oct. 25<sup>th</sup>; Nov. 22<sup>nd</sup> and December Final Audit to be decided.

Work Session Meetings will be held on the 2<sup>nd</sup> Monday of each month. Jan. 11<sup>th</sup>; Feb. 8<sup>th</sup>; March 8<sup>th</sup>; April 12<sup>th</sup>; May 10<sup>th</sup>; June 14<sup>th</sup>; July 12<sup>th</sup>; August 9<sup>th</sup>; September 13<sup>th</sup>; Oct. to be determined; November 8<sup>th</sup>; Dec. 13<sup>th</sup> and Dec. Final Audit to be determined. All meetings to start at 6 p.m.

**Palmer MOVED for the adoption of the 2010 Regular Town Board Meeting and Work Session Meeting Schedule as presented. Seconded by Johnson and carried 5-0.**

2010 Holiday Schedule

**Bax MOVED for the adoption of the 2010 Holiday Schedule as follows: Jan. 1, Jan. 18, Feb. 15, April 2, May 31, July 5, Sept. 6, Oct. 11, Nov. 11, Nov. 25 & 26, and Dec. 23/24 or 24/27\* (\*To be determined). Seconded by Marra and carried 5-0.**

2010 Pay Schedule

Bax: We have an amendment to the schedule. We are going to strike the lines for the 2 attorney positions from the salary schedule.

**Bax MOVED for the adoption of the 2010 Pay Schedule with the amendment as noted. Seconded by Palmer and carried 5-0.**

2010 Mileage Rate

**Palmer MOVED to approve the 2010 mileage rate at 50¢ per mile per IRS rate. Seconded by Bax and carried 5-0.**

2010 Fee for Non-Certified Copies

**Bax MOVED for the 2010 fee for non certified copies be set at 25¢ per sheet. Seconded by Johnson and carried 5-0.**

Official Newspaper

**Bax MOVED that the official newspapers of the Town be the *Niagara Gazette* and the *Sentinel*. Seconded by Johnson and carried 5-0.**

Official Town Depositories

**Palmer MOVED that HSBC and First Niagara be designated as the official town depositories. Seconded by Marra and carried 5-0.**

Town Physician

**Marra MOVED that Dr. Jerome Ulatowski be designated as the Town Physician. Seconded by Bax and carried 5-0.**

Procurement Policy

**Bax MOVED that the Town adopt the procurement policy currently in place. Seconded by Marra and carried 5-0.**

Roberts Rules of Order

**Bax MOVED that the Town adopt the Roberts Rules of Order for 2010. Seconded by Johnson and carried 5-0.**

Adoption and Confirmation

1. Assessor Dept.

**Johnson MOVED for the appointment of Acting Assessor Gene Virtuoso and Information Clerk Linda Johnson. Seconded by Bax and carried 5-0.**

2. Building Dept.

**Bax MOVED for the appointment of Building Insp./Building Records Officer Timothy Masters and Typist Sandra VanUden. Seconded by Palmer and carried 5-0.**

3. Clerk/Engineering

**Palmer MOVED for the appoint of John Sharpe, part time clerk for Engineering. Seconded by Bax and carried 5-0.**

4. Engineering Services

**Reiter MOVED for the appointment of Nussbaumer and Clarke Inc. be appointed as Engineers for the Town. Seconded by Marra and carried 5-0.**

5. Fire/Hazmat Dept.

**Bax MOVED for the appointment of Fire Inspectors P/T Pat Martin & Don Cosentino; Typist P/T Kathy Kifer and Fire Prevention Chair Les Myers. Seconded by Johnson and carried 5-0.**

6. Highway Dept.

**Palmer MOVED for the creation of Deputy Highway Supt. and appoint Kevin Payne to that position. Also appointment of Patricia Yacus, Typist and the adoption of the Highway/Drainage employees for 2010. Seconded by Marra. On the motion, carried 5-0.**

Reiter explained that the reason that the Town has to appoint a Deputy Highway Supt. is that we need someone who can sign for the bills and also it will not obstruct his ability to go back into the union after we appoint a full time Highway Supt. I would ask that the Clerk advertise for the position. Also, they would have to run in the November election.

**Palmer MOVED for a \$2.00 per hour stipend for Mr. Payne during this appointment. Seconded by Marra and carried 5-0.**

7. Historian

**Bax MOVED for the appointment of Mark Davis as Historian for the Town. Seconded by Palmer. On the Motion, 4-0-1. ( Johnson Abstained).**

8. Justice Clerks

**Palmer MOVED for the appointment of Maria Sicurella and Kathy Stafford as Justice Clerks for 2010. Seconded by Marra and carried 5-0.**

9. Parks Department

**Palmer MOVED for the appointment of Michael Dashineau as Parks Supt. and Joel Jueckstock as laborer. Seconded by Johnson and carried 5-0.**

10. Police

**Bax MOVED for the appointment of Christopher Salada as Police Chief; Liza Rizzo as typist and Sergeant, Officers and Constables per 2010 salary schedule. Seconded by Johnson and carried 5-0.**

11. Deputy Receiver of Taxes

**Palmer MOVED for the appointment of Darlene Norwich and Rosalie Kilmer as Deputy Receivers of Taxes for 2010. Seconded by Marra and carried 5-0.**

12. Recreation Director

**Bax MOVED for the appointment of Michael Dashineau as Recreation Director and Sandra Wizner as Typist P/T. Seconded by Marra and carried 5-0.**

13. Registrar, Records Access Officer and Recycling Officer

**Palmer MOVED for the appointment of Carol J. Brandon as Registrar, Records Access and Recycling Officer. Seconded by Marra and carried 5-0.**

14. Senior Services

**Marra MOVED for the appointment of Jeanette Collesano as Director of Senior Service; Aging Service Aides Catherine Burnett and Kathleen O'Connor; P/T Van Drivers Gerald Burnett, Arthur Fitzpatrick and Edward Schieffelin; Laborer Donald Clark and Senior Citizens Leader Susan Letourneau (Sanborn). Seconded by Palmer and carried 5-0.**

15. Supervisor's Confirmation

Reiter: The Budget Officer's position will remain open at this time following further interviews.

Bax: This is a position for an accountant who would be under the Budget Officer and the responsibilities would be to assist the budget officer in their function and additional duties with any other issue to be researched etc. One of the issues raised by the Modern CAC with respect to the compliance issues and the contract that the Town currently has with Modern Disposal. It would be an additional position part time.

**Bax MOVED for the position of part time accountant at a salary of \$37,000. Palmer seconded the motion and carried 5-0.**

**Marra MOVED for the appointment of Barbara Cich as Confidential Secretary/Sr/Typist/Risk Manager. Seconded by Johnson and carried 5-0.**

**Marra MOVED for the appointment of Gary Catlin as Deputy Supervisor for the Town. Seconded by Bax and carried 5-0.**

**Bax MOVED that Pat Brown of Brown & Co. be retained as Auditor for the Town. Seconded by Johnson and carried 5-0.**

**Bax MOVED that Bernie Rotella be retained as Grant Writer for the Town. Seconded by Palmer and carried 5-0.**

16. Town Clerk's Appointments

**Bax MOVED for the following appointments: First Deputy Town Clerk /Deputy Registrar Carole Schroeder; Deputy Town Clerk/Sub Registrar Donna Garfinkel; Deputy Town Clerk Barbara Joseph; Laborer Kevin Norwich; Dog Control Officer P/T David Sherriff and Deputy P/T Dog Control Officer Kevin Norwich. Seconded by Marra and carried 5-0.**

17. Water Personnel

**Marra MOVED for the appointment Steven Reiter as the Administrator of the Water Dept. and the Water Employees per the 2010 Salary Schedule. Seconded by Palmer.**

Reiter stated that the reason he will be the administrator because otherwise they would have to appoint a Water Supt. with no salary benefits and the employees of that department would have to take a civil service test for the position. Mr. Nablo has done a fine job.

**Motion carried 5-0.**

18. WPCC

**Palmer MOVED for the reappointment of Admin./Chief Operator Tim Lockhart; WPCC Employees (SS1) and Outside Sewer (SS2 & SS3) Per 2010 Salary Schedule. Seconded by Marra and carried 5-0.**

19. Town's Appointment to Police Commission

**Palmer MOVED to appoint Robert S'Dao to the Police Commission. Seconded by Marra and carried 5-0.**

20. Bingo Inspector

**Bax MOVED for the appointment of David Sherriff as Bingo Inspector for the Town for 2010. Seconded by Marra and carried 5-0.**

Liaisons

Reiter: I will do these as we do the appointments.

1. Police Commissioner and Deputy Commissioner

**Johnson MOVED for the appointment of E. Palmer as Police Commissioner and M. Marra as Deputy Police Commission. Seconded by Bax and carried 3-0-2. (Palmer and Marra abstained)**

2. Stormwater Management Officer

**Bax MOVED for the appointment of Robert Gallucci as the Stormwater Management Officer. Seconded by Marra and carried 5-0.**

3. Minority Business Officer

**Palmer MOVED to appoint Katelyn Farnham as the Minority Business Officer. Seconded by Marra and carried 5-0.**

4. Women's Business Officer

**Palmer MOVED to appoint Carol J. Brandon as the Women's Business Office. Seconded by Marra and carried 5-0.**

5. Electrical Inspectors

Reiter: We will hold off with appointments until interviews are held with the Board.

Appointment to Board, Commissions and Committees

1. Cable Commission

**Bax MOVED for the appointment of James Abbondanza, Vice Chairman; Edward DeVantier, Chairman; Karl Frankovitch; Robert Ciszewski & John Sharpe. Liaison/Palmer. Seconded by Marra and carried 5-0.**

2. CWM Siting Board CAC

**Bax MOVED for the appointment of Gary Catlin; Robert DiFrancesco, Vice Chairman; Dr. Mark Gallo, Chairman; Jamie Mandell and Amy Witrovl. Liaison/Bax. Seconded by Marra and carried 5-0.**

3. Environmental Commission

**Palmer MOVED for the appointment of James Allen, Vice Chairman; Keith Fox; Jacqueline Halpin; Debra Korpinski; Michael McNerney and Jerauld Wolfgang, Chairman and Dawn W. Timm. Liaison/Bax. Seconded by Marra. Carried 5-0.**

4. Board of Ethics

**Marra MOVED for the appointment of Barbara Carter, Chairman; Susan Casper; Suzanne DiFlorio-Olds; Robert DiFrancesco and Mark Davis. Ex-Officio/Town Atty. Seconded by Palmer and carried 5-0.**

5. Historic Preservation Commission

**Palmer MOVED for the appointment of Zachary Collister with a term to expire on 12/31/13. Mark Davis as Ex-Officio and Steven Reiter as Liaison. Seconded by Marra and carried 5-0.**

6. Lewiston Library Board of Trustees.

**Bax MOVED for the re-appointment of Linus L. Ormsby with term to expire on 12/31/14. Liaison/Bax. Seconded by Marra and carried 5-0.**

7. Lighting Advisory Board

**Marra MOVED for the appointments of John Barber; Suzanne DiFlorio-Olds; Debra Korpinski; Daniel Vitich and Jeffrey Williams, Chairman. Liaison/Palmer and Ex-Officio Officer/Deputy Highway Supt. K. Payne. Seconded by Palmer and carried 5-0.**

8. Modern CAC

**Palmer MOVED to appoint Eugene Dimet; Richard Haight; Patricia Schultz; William Waters; Ryan Hanna; Paul Hutchins; Vincent DiMarco, Chairman & Keith Fox, Vice Chairman. Liaison/Bax. Seconded by Bax and carried 5-0.**

9. Parks & Recreation Advisory Committee

**Palmer MOVED for the appointment of Rob Nichols with a term to expire on 12/31/14 and Dave Perreault with a term to expire on 12/31/16. Seconded by Marra. Liaisons/Marra & Bax. Carried 5-0.**

10. Personnel Committee

**Marra MOVED for the appointment of Barbara Cich and Carol Brandon. Liaison/Palmer. Seconded by Bax and carried 5-0.**

11. Planning Board

**Bax MOVED for the re-appointment of Helen Haseley. Joan Wolfgang/Chairman and Robert Martinez, Vice Chairman. Liaison/Palmer. Seconded by Marra and carried 5-0.**

12. Police Commission

- **Previously appointed M. Marra and E. Palmer.**

13. Senior Advisory Board

**Palmer MOVED for the appointment of Jessie Massing; Althea Montgomery; Sara Ortner and Stella Reed with terms until 12/31/12. Liaisons/Reiter/Marra. Ex-Officio Officer/Collesano. Seconded by Bax and carried 5-0.**

14. Signage Committee

**Marra MOVED for the appointment of Douglas Burnett; Gary Wasko; Robert DiFrancesco and William Taczak. Liaison/Palmer. Ex-Officio Members C. Salada & Highway Supt. Seconded by Johnson and carried 5-0.**

15. Tower/Wind Energy Research Committee

**Marra MOVED for the appointment of Karl Frankovitch; Ryan Hanna; Cory Sanoian; Frank Silvernail, Paul Hutchins; William Conrad, Vice Chairman and Emily Latko, Chairman. Liaison/Bax. Seconded by Palmer and carried 5-0.**

16. Town Hall Renovation Committee

**No appointments made at this time.**

17. Zoning Board of Appeals

**Palmer MOVED for the re-appointment of Robert Linn. Term to expire on 12/31/14. Alternates to be Ryan Hanna and Paul Hutchins. Liaison/Bax. Seconded by Marra and carried 5-0.**

Attorney Appointments:

Johnson: With the experience and continuity with Mr. Leone, I would like to ask this Board to retain him to take your new attorney's up to date, if he so desires.

Palmer asked if you are talking about a period of three months.

Johnson: I think maybe the attorneys can decide that between themselves.

Reiter: Why don't we have the attorneys report back to us on that with Mr. Leone's comments also?

**Johnson MOVED to retain Atty. Joseph Leone for a period of time to assist with the transition into the new attorneys at the current salary. Seconded by Palmer and carried 5-0.**

The Clerk was asked to read the following Resolution:

**WHEREAS, the Town Board of the Town of Lewiston, New York (the "Town") has determined that the office of Town Attorney and Deputy Town Attorney is no longer required for the proper conduct of the affairs of said Town; and**

**WHEREAS, the town Board has determined that it is proper to engage two Attorneys for the Town by consulting contracts to act as co-counsel on legal matters involving the Town; and**

**WHEREAS, the Town Board has determined that it is preferable to engage Attorneys for the Town having substantial experience in municipal law; particularly New York State Town Law and government finance law; and**

**WHEREAS, the Town Board has reviewed a number of consultants seeking to provide services as Attorneys for the Town,**

**NOW, THEREFORE BE IT RECOLVED, that the office of Town Attorney and Deputy Town Attorney of the Town, is abolished effective January 1, 2010,**

**FURTHER RESOLVED, that Michael J. Down, Esq., having offices located at 920 Center Street, Lewiston, New York 14092 and Mark J. Gabrielle, Esq., having offices located at 800 Main Street, Niagara Falls, New York 14302 may be engaged as Attorney's for the Town pursuant to terms and conditions to be set forth in consulting agreement for a period not exceeding one year and in amounts not to exceed that budgeted for legal services for the Town for 2010; and be it**

**FURTHER RESOLVED, that Steven L. Reiter, Town Supervisor, is hereby authorized and empowered to execute consulting agreements on behalf of the Town consistent with this resolution.**

Bax asked that is the billing as contemplated in the resolution, will we be getting monthly vouchers.

Reiter: Absolutely... showing time.

Palmer: But the annual payment will not exceed the budgeted amount. (That is part of the contract).

**Marra MOVED for approval of the Resolution as presented. Seconded by Palmer and carried 5-0.**

Work Session will be held on Monday, January 11, 2010 at 6:00 p.m.

**Bax MOVED for adjournment at 7:40 p.m. Seconded by Marra and carried 5-0.**

Respectfully Submitted and Transcribed by:

Carol J. Brandon  
Town Clerk

