

PRESENT: Supervisor Reiter; Councilmembers Bax, Marra, and Winkley; Deputy Supervisor Catlin; Town Attorneys Dowd and Davis; Building Inspector Masters; WWTP Chief Oper. Ritter; Highway Superintendent Janese; Engineer Smith; Police Chief Salada; Finance Officer Johnson; 3 Press; 12 Residents and Clerk Donna Garfinkel

EXCUSED: Councilman Palmer

Supervisor opened meeting, followed by the Pledge of Allegiance and a moment of silent reflection.

TWO-MINUTE STATEMENTS BY RESIDENTS

Supervisor asked if any resident wished to address the Board. No resident addressed the Board.

AGENDA APPROVAL

Marra requested addition of Parks & Recreation; Reiter requested addition of Uniform Bid approval and Reservoir Park.

Bax MOVED to approve the agenda as amended, Seconded by Marra and Carried 4 – 0.

APPROVAL OF MINUTES

Bax MOVED to approve the minutes of PH – 2% CAP - 10/22/2012; PH – Noise Ordinance – 10/22/2012; RTBM – 10/22/2012; Special Meeting – 10/24/2012; and PH – Budget – 11/1/2012, Seconded by Marra and Carried 4 - 0.

Reiter requests to review the minutes of the Joint Village / Town meeting of October 29, 2012.

POST AUDIT PAYMENT

Bax MOVED to approve Post Audit payment to DeLage Landen - \$116.10, Seconded by Marra and Carried 4 - 0.

PENDING BUSINESS

Legacy Drive – Land Acquisition – Dowd has spoken to the Attorney for the landowner. They are dealing with an on-going dispute between two landowners.

Land Purchase – Coppins – Masters, Dowd, Marra and Reiter have met with Mr. Coppins in regards to the sale of land behind his house at 711 Powell Lane. Dowd has researched this and feels that it is in the best interest of the Town, as far as property not being a liability to the Town. Coppins will be responsible to maintain it.

The Board has decided to sell the land to Mr. Coppins. If other neighbors are interested in the land abutting them on Powell Lane, this would relieve the Town of this excess property.

Dowd prepared a Resolution for consideration. Dowd spoke to the Town Assessor and the assessed value of the vacant land is \$2,000/acre. Coppins will be responsible to pay all additional fees, survey, closing cost, title search etc. Until the parcel is surveyed it is not known the exact size. It will then be calculated with the price of \$2,000/acre.

Bax MOVED the following resolution,

At a duly constituted meeting of the Town Board of the Town of Lewiston, New York held at the Town Hall on the 26th day of November, 2012 at which a quorum was present and upon the resolution of the Board it was found that:

Whereas, the Town of Lewiston Town Board has determined that certain real property owned by the Town is surplus property which is not utilized for Town purposes; and

Whereas, it has determined that the sale of this property is deemed in the best interest of the Town: and

Whereas, the Town is authorized to convey surplus real property pursuant to Town Law Section 64; and

Whereas, the conveyance of any real property is subject to permissive referendum;

NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Lewiston, hereby authorizes the sale of a certain parcel of land to Jay Coppins which is located adjacent to the rear property line of property owned by said Jay Coppins located at 711 Powell Lane, for the sum of \$2,000/per acre, as adjusted by the parcel dimensions, in addition to any costs incurred by the Town of Lewiston to complete the conveyance of this parcel, and it is further

RESOLVED, that the Town Supervisor may execute any and all documents necessary to complete this conveyance at the expiration of time permitted for any interested citizens to petition for a referendum as required by Law.

Seconded by Marra

Reiter asked what a resident would have to do to have a referendum. Dowd said anyone interested would need 5% of the residents who voted in the last gubernatorial election to sign a petition to request such a referendum. If the petition is complete then it would be on the ballot.

Winkley asked if the property abuts on anyone else. Dowd said this particular parcel extends back from the back of Coppins property.

Motion Carried 4 - 0.

NEW BUSINESS

Niagara University Liquor License Renewal – Town Board acknowledges receipt of two renewal notices from the State of New York Executive Department – Division of Alcoholic Beverage Control State Liquor Authority for Perboyer Hall and Dwyer Arena at Niagara University.

SUPERVISOR REITER

Engineering – Smith discussed a permit given to the Power Authority two years ago to repave and curb Old Military Road and extend the waterline to serve the pavilion. Nussbaumer recommends the Public Improvement Project be closed out and the Town takes acceptance to the road and waterline. This is contingent upon the New York State Power Authority providing two (2) year maintenance bonds.

Winkley MOVED the Town take acceptance to Old Military Road and the waterline, pending the New York State Power Authority provide two (2) year maintenance bonds, Seconded by Marra and Carried 4 - 0.

Finance - Reiter to set Final Audit meeting at the December 10th meeting.

Personnel – Reiter requests an Executive Session to discuss union contracts.

Water Dept. – Water Meter / Backflow Preventer – Joe Davis State Park. Smith distributed photos of the poor state of the meter and back flow device. Reiter would like to review this with the Engineer before any decisions is made. Reiter does not believe this size meter is needed.

Uniform Bid – Town Clerk's office received one (1) bid proposal for uniforms for employees of Lewiston. Doritex Corp was the bidder.

Marra MOVED to accept the contract bid from Doritex Corp., for a three year period, beginning January 1, 2013, Seconded by Bax and Carried 4 - 0.

COUNCILMAN BAX – No agenda items

COUNCILMAN MARRA

Building Dept. Vehicle – At this time three (3) employees in the Building Dept. use one vehicle. Masters uses his own vehicle quite often. State bid is \$27,000. Funds are available.

Marra MOVED to approve the purchase of a 2013 Ford Escape for the Building Dept., at a cost of \$23,261 – Equipment line B1990-0401-0200, Seconded by Winkley and Carried 4 - 0.

Parks & Recreation

The Lewiston Family Ice Rink will have a thank you reception for donors to the rink. Marra requests the Town Clerk prepare Resolutions for major donors to be presented at reception. Ice Rink will open December 1, 2012.

Marra MOVED to request the Town Clerk prepare Resolutions for the major donors to the Lewiston Family Ice Rink, Seconded by Winkley and Carried 4 - 0.

COUNCILMAN PALMER – Excused

Bax MOVED to table Councilman Palmer’s agenda item, Seconded by Marra and Carried 4 - 0.

COUNCILMAN WINKLEY

Addition to Fire Company Rosters

Winkley MOVED to add Tom Reed, 5292 Cambria Road, Sanborn to the Sanborn Fire Company roster, Seconded by Marra and Carried 4 - 0.

Winkley MOVED to add Vincenzo Magro – 70 David Drive, Saranac Lake & Nora Fiore – 4691 Jason Court to the Upper Mountain Fire Company roster, Seconded by Bax and Carried 4 – 0.

Reiter reminded all of the Hurricane Sandy fund drive the Town is sponsoring.

Reiter thanked all departments for their help and support at the ice rink.

Marra MOVED to enter into Executive Session to discuss Personnel & Union Contracts, Seconded by Bax and Carried 4 - 0.

PRESENT: Supervisor Reiter; Councilmembers Bax, Marra, and Winkley; Deputy Supervisor Catlin; Town Attorneys Dowd and Davis; Engineer Smith

Discussion on Union Contracts for the Highway Dept. and WWTP.

Reiter MOVED to exit Executive Session and Adjourn Town Board meeting, Seconded by Marra and Carried 4 - 0.

Respectfully Transcriber and Submitted by,

Donna Garfinkel
Deputy Town Clerk