

PRESENT: Supervisor Reiter; Councilmembers Bax, Marra, Palmer, Winkley; Deputy Sup. Catlin, WWTP Chief Oper. Ritter; Building Inspector Masters; Police Chief Salada; Highway Supt. Janese; Town Attorneys Dowd and Davis; Engineer Smith; 9 residents; 3 Press and Clerk Donna Garfinkel

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

Supervisor noted the Public Hearing for the application to Re-Zoning 2938 Saunders Settlement Road to build a *Tim Hortons Restaurant*, has been withdrawn because the site can not accommodate the newly designed building.

APPROVAL OF AGENDA

Additions requested: Street-light request Oak Run, NYS Dept. of Transportation item; Paving of Old Military Road; Call a Public Hearing - Legacy Drive, Standard Work Day; Rec/Park Hires.

Bax MOVED to approve Agenda as amended, Seconded by Marra and Carried 5 - 0.

APPROVAL OF ABSTRACT

Palmer MOVED to approve Regular Abstract of Claims numbered 1370 to 1836, and recommend payment in the amount of \$423,570.81, plus a Post-Audit of \$144,735.64, Seconded by Marra and Carried 5 – 0.

AWARD GOVERNMENT RECORDS MANAGEMENT GRANT

Town Clerk requests the Board award the contract to Nanoark Corp. in the amount of \$19,460. This is a 100% funded grant that funds/implements an electronic content management system.

Marra MOVED to award the contract to Nanoark Corp. in the amount of \$19,460, Seconded by Winkley and Carried 5 – 0.

PROCUREMENT POLICY MODIFICATION – Tabled for May 26th Board meeting.

INSURANCE CLAIM - Palmer asked for an Executive Session

Palmer MOVED to enter into Executive Session at the end of the Worksession to discuss an insurance claim, Seconded by Marra and Carried 5 – 0.

1573 SWANN ROAD – Request Board Postpone Demolition

Marra informed by Building Inspector Masters that the owner of the property did not fulfill his requirements; property was demolished and put back on tax roll. No action necessary.

NEW YORK STATE DEPARTMENT OF TRANSPORTATION

Marra said at the Information Meeting of May 9th held in Sanborn, a request was made to have the speed limit lowered and mark the area as a School Zone.

Marra MOVED to petition NYS Dept. of Transportation to lower speed limit on Saunders Settlement Road and mark area at West Street as a “School Zone”, Seconded by Bax and Carried 5 – 0.

RECREATION / PARKS HIRES

Marra MOVED to hire Michael Ziobrowski, Laborer P/Tat \$9.25/hr; Andrew Quaranto, Laborer P/T at \$8.75/hr and Karen Torrie, Recreation Leader P/T at \$10.15/hr, Seconded by Bax and Carried 5 – 0.

PERSONELL - Retirement

Supervisor received a letter from Timothy Henderson, Operator - LWPCC notifying the Board he will retire effective May 24, 2012.

Winkley MOVED to accept, with regrets, the retirement of Timothy Henderson effective May 24, 2012, Seconded by Marra and Carried 5 – 0.

WPCC – Connection, Inspection and Infrastructure Fees

Fees have been approved, but there is one modification. Ritter requests the Non-New Built inspection fee be increased to \$75/weekday or \$100/weekend, to cover expenses.

Bax MOVED to increase the WPCC Connection, Inspection and Infrastructure Fee for Non-New Built to \$75/weekday or \$100/weekend, Seconded by Marra and Carried 5 – 0.

ADOPTION OF WORKPLACE VIOLENCE PREVENTION PROGRAM

Program is the result of a New York State Dept. of Labor policy. Jeff Ritter will conduct the necessary classes for employees.

Palmer MOVED to adopt the Workplace Violence Prevention Program Policy and have it placed in the Town of Lewiston employee Policy Manual, Seconded by Winkley and Carried 5 – 0.

Town Clerk Carol Brandon thanks Bax, Ritter and Janese for their help on this.

ADOPTION OF EMERGENCY MANAGEMENT PLAN

Plan is the result of a New York State Dept. of Labor policy. Reiter appreciates the hard work done by the Town Clerk on these two important items. A Liaison is necessary.

Winkley MOVED to adopt the Emergency Management Plan, Seconded by Marra and Carried 5 – 0.

Winkley MOVED to nominate Councilman Bax as Liaison, Seconded by Marra and Carried 5 – 0.

ORDER TO DETERMINE LSSD TO BE IN PUBLIC INTEREST

Board needs to determine that the LSSD improvements are in the public's interest, adopt the order, advertised and file in the Niagara County Clerk's Office.

Winkley MOVED to adopt the Order To Determine LSSD to be in Public Interest, Seconded by Bax for roll call:

Roll Call:	Bax	Aye
	Marra	Aye
	Palmer	Aye
	Winkley	Aye
	Reiter	Aye

Motion Carried 5 – 0.

ADOPTION OF BOND RESOLUTION LSSD

Winkley MOVED to adopt the Bond Resolution LSSD, Seconded by Palmer for roll call:

Roll Call:	Bax	Aye
	Marra	Aye
	Palmer	Aye
	Winkley	Aye
	Reiter	Aye

Motion Carried 5 – 0.

STANDARD WORK DAY AND REPORTING RESOLUTION

Board needs to approve the Resolution changes and authorize Town Clerk to sign.

Palmer MOVED to authorize the Town Clerk to sign Standard Work Day and Reporting Resolution, Seconded by Winkley and Carried 5 – 0.

OLD MILITARY ROAD

The New York Power Authority (NYPA) built a warming house and in the process tore up Old Military Road. NYPA contacted Mark Cerrone Inc. to have repairs and paving done from the warming house to Military Road, with the cost being paid by them. The contract does not include a portion of Old Military Road to the south, which leads to one house and the entrance of Memorial Park Cemetery. Reiter requests the Town pay Cerrone to have this portion done. Highway Superintendent Janese to contact Jeffrey Salvatore, Chief Estimator- Sr. Project Manager - Mark Cerrone Inc. to coordinate any concerns.

Marra MOVED to have Highway Sup. Janese contact Cerrone Inc. regarding the paving of the remaining portion, with cost covered by Town, Seconded by Palmer and Carried 5 – 0.

PUBLIC HEARING – PROPOSED ACQUISITION OF LEGACY DRIVE

Dowd said Legacy Drive has been built and is ready for dedication, but it has not happened because there is a parcel, approximately 81' x 150', that adjoins Northridge Drive. There has been a dispute among the owners. There are buildings that are not being utilized. A Resolution has been prepared to set a public hearing for the potential condemnation of this property. The Public Hearing needs to be held between 10 and 30 days of the acceptance of this Resolution. The notice needs to be in the paper for 5 days. The owners need to be notified and the property needs to be appraised. Then the Board needs to decide if they want to condemn the property, then purchase and then dedicated. Certificate of Occupancies can then be issued, and the buildings can be put on tax roll.

Bax MOVED to approve the Resolution to conduct a Public Hearing regarding Legacy Drive, Seconded by Marra and Carried 5 – 0.

Bax amended his motion to include having the Public Hearing on June 25th, prior to the Town Board meeting, Seconded by Marra and Carried 5 – 0.

JOSEPH DAVIS STATE PARK UPDATE

Reiter has been contacted by the Academy of Model Aeronautics, Inc. requesting to use the old pool area at Joseph Davis Park to fly their planes. Attorney to review Certificate of Liability Insurance, if all correct, Reiter will notify them.

Reiter received an e-mail from Andrew Beers, Deputy Commissioner of State Parks. With the help of Senator Maziarz, Assemblyman Ceretto and representatives of the Governors office, the Town of Lewiston has been given a 20-year lease. The 20-years will begin upon the approval of the plans. They can not give Lewiston a 20-year option because different parks have different allotment times; Joe Davis has 20-years. They will initiate legislation to give Lewiston an option. More details need to be worked out.

The State gave Lewiston Lead Agency Status for the SEQRA process. They removed the 30-day out clause; it will now be "for cause".

Reiter thanked Board members, Governors office, Senator Maziarz and Assemblyman Ceretto for all their help.

AMERICAN LEGION BOYS STATE – SPONSORSHIP

Board approves sponsorship of a Town resident to attend the American Legion Boys State conference.

OAK RUN ESTATES SUBDIVISION STREET LIGHT REQUEST

Winkley asks Clerk to forward request for street lights in the Oak Run Estates Subdivision to Lighting Committee.

Winkley MOVED to have Clerk forward the Oak Run Estates street light request to the Lighting Committee, Seconded by Marra and Carried 5 – 0.

HIGHWAY

Superintendent Janese received calls from residents regarding paving of roads and greenspace. Janese has told them the Highway Department is not responsible for greenspace, and the Board is working on funding for paving of roads.

Bax MOVED to enter into Executive Session to discuss insurance claim, Seconded by Marra and Carried 5 – 0. (6:30 pm)

EXECUTIVE SESSION

PRESENT: Supervisor Reiter; Councilmembers Bax, Marra, Palmer and Winkley; Deputy Sup. Catlin, Town Attorneys Dowd and Davis

Discussion - Insurance Claim - Ridge Road resident

No Action Taken

Winkley MOVED to exit Executive Session and Adjourn Worksession, Seconded by Bax and Carried 5 – 0. (7:45 pm)

Respectfully Transcribed and Submitted by,

Donna Garfinkel
Deputy Town Clerk