

Present: Supervisor S. Reiter; Councilmen A. Bax, M. Marra, E. Palmer and R. Winkley; Dep. Sup. G. Catlin; Eng. R. Smith; Atty. M. Davis; Police Chief C. Salada; Finance Director M. Johnson; Highway Supt. D. Janese; 3 Press; 20 Residents and Deputy Clerk C. Schroeder

The Supervisor opened the Regular Meeting.

Councilman Winkley led the Pledge of Allegiance followed by a moment of silent reflection.

Reiter opened the two minute statement period.

RESIDENTS STATEMENTS:

Linda Ternowski, 2022 Swann Road, spoke about a drainage pipe on the east side of her property. I brought it to the attention of the Town at the last two Board meetings and nothing has been done. It has not been addressed to this day. I'm just wondering when it could be addressed and taken care of.

Reiter said he had spoken with Mrs. Ternowski saying he would take a look at it but hadn't gotten there yet. Reiter said he would meet her there tomorrow afternoon and would then discuss it with the appropriate departments to make sure it gets fixed.

Claire Knowles, 538 Riverwalk Drive: I would just like the Board to recognize that this is September and the Riverwalk residents are wondering where we are on drainage, No.1 and where we are on sump pumps, No. 2. I'm hoping we will hear something.

Reiter said the Town is finishing up a sewer project on Rt. 31. Once we finish that project, the Sewer Department will take care of those sump pump issues.

Debbie Gleaton, 1175 Saunders Settlement Road: I've had an ongoing issue with my neighbor about our survey line. We had a survey done in 2010 on the advice of Tim Masters. He assured me that having a survey done would take care of it but my neighbors moved the survey stakes. We have tried to deal with them on our own and with Tim and the police and haven't had any luck. Last spring, we retained a lawyer and she had a survey done for us. The stakes haven't been put in yet because we want Tim or someone from the Town to come out and observe where the stakes are so that we don't have this issue going on anymore. The neighbors are threatening us. It's a matter of bullying. This has been going on for five years. I've been assured the Town would come out and enforce it if I got a survey. Nobody has come out. The neighbor has a fence on my property. They put up "No Trespassing" signs facing me on my property. We have continual harassment. I have a letter outlining what has been going on.

Reiter said this sounds more like a civil matter than a Town issue. He asked that she address this with Atty. Davis. Reiter said he would personally come out to her property tomorrow.

AGENDA:

Additions:

Bax: Signage

Marra: Justice Court Assistance Program

Palmer: Executive Session re Police Personnel

Reiter: Set date for Budget Worksession

Marra MOVED the agenda, as modified. Seconded by Palmer and carried 5-0.

MINUTES:

Bax MOVED to approve the minutes of 8/26/2013 (P.H. – Code Book); 8/26/2013 (P.H. – Special Use Permit); 8/26/2013 (RTBM) and 9/9/2013 (Worksession). Seconded by Marra and carried 5-0.

POST-AUDIT:

Winkley MOVED for approval of post-audit payments to Home Depot - \$624.25; Sam's Club - \$1,719.82; Key Bank - \$89.36; LEAF - \$455.80; General Code - \$2,541.80 and Royal Sealcoating - \$4,615.00. Seconded by Bax and carried 5-0.

OLD/PENDING BUSINESS:

Senior Center Improvements: Reiter said the Board has to discuss what to do with the roof situation. He asked if anyone had any thoughts on that.

Palmer: We need to study this issue a little more. We need to get some facts regarding whether it is actually worth putting upwards of \$200,000 into a building that may not be worth a whole lot more than that. It's been around for many years. It was not constructed for its current purpose. I would like to get more info and explore other options that might be out there before we start throwing a lot of money into a building that is not worth the effort.

Bax: I know this is a sensitive issue with the people down at the Senior Center. Maybe we could start a committee and get some info from them to try and brainstorm some options they might have that would meet with everyone's approval.

Reiter said they should contact the Senior Advisory Board to see what they have to say.

Dog Control Agreement: Reiter said he is looking for authorization to sign the Dog Control Agreement with the Town of Porter that was approved at the last meeting.

Bax MOVED to authorize the Supervisor to execute the agreement. Seconded by Marra and carried 5-0.

CLERK'S CORRESPONDENCE: None

Supervisor Reiter:

Legal: Nothing.

Engineering: Eng. Smith said they have been modernizing and updating the Town Standards Specifications and Construction Details and also the Water and Sewer sections of the Town Code. Currently they are in the hands of the department heads for review, he said. Smith said there are several development projects and public improvement projects in the works right now and on the table. He asked that a Public Hearing be scheduled at the next Town Board meeting in order to get these amended documents adopted.

Reiter said he wanted to make sure that all public works department heads look at the specs. We don't want to keep going back and correcting these, he said.

Smith said it has been in review for the last month.

Lastly, Smith said he would like to commend the Town Water Department on their efforts with helping the Contractor with the installation of the PRV pit on Cliff Street. He also thanked the residents for their cooperation during the water shut off.

Reiter asked for a motion to call a Public Hearing on the Town Specifications at the October 28, 2013 meeting at 5:45 p.m.

Marra MOVED for approval. Seconded by Bax and carried 5-0.

Unpaid Water/Sewer Accounts: Reiter referred to a request from the Receiver of Taxes to place the unpaid water and sewer accounts for the Town of Lewiston on the 2014 Town and County taxes. The breakdown of water and sewer is as follows:

Water	\$ 55,893.82
Sewer (Master)	\$ 75,899.24
Sewer (South)	\$ <u>7,914.41</u>
TOTAL	\$ 139,707.47

Palmer MOVED for approval. Seconded by Marra and carried 5-0.

Councilman Winkley:

Sanborn Business Association:

Winkley MOVED to purchase a Business Sponsorship for the Autumn Fest in Sanborn, October 5 & 6, 2013 in the amount of \$100.00 (Grape Harvester). Seconded by Marra and carried 5-0.

Councilman Bax:

WPCC: The improvements to the center are on schedule and going well.

Highway/Drainage: Janese said he has no issues to bring to the table.

Signs: Bax said there was a request at the last meeting from Mr. Michael Shaw to have a stop sign erected where Morgan Drive and West Park Drive intersect. This was approved. Mr. Shaw also asks for a speed limit and Children at Play sign erected near the intersection of West Park and Morgan Drive facing in a westerly direction.

Bax MOVED for the placement of the two signs pending the approval of the Signage Committee, Seconded by Marra and carried 5-0.

Councilman Marra:

Justice Court Assistance Program: Marra said that the Grant Writer has prepared a resolution in support of the Justice Court Assistance Program 2013 Grant Application. There are no matching funds, he said. **Marra MOVED the Resolution, as follows:**

WHEREAS the State of New York Unified Court System is soliciting applications from local governments under the Justice Court Assistance Program to assist local Justice Departments with needed equipment, automation, furniture supplies and training.

WHEREAS the funding available under the State of New York Unified Court System would facilitate local efforts in upgrading the Town's Justice Departments.

RESOLVED that the Supervisor of the Town of Lewiston is hereby authorized and directed to file an application with the Justice Court Assistance Program.

Seconded by Winkley. The Clerk was directed to poll the board.

Councilman Bax: Aye

Councilman Marra: Aye

Councilman Palmer: Aye

Councilman Winkley: Aye

Supervisor Reiter: Aye

Motion Carried 5-0.

Winkley asked the Grant Writer to look for grant funding to purchase a Community Sign for Sanborn. Rotella said there are a couple of sources that he would explore. He would discuss the details with Winkley.

Councilman Palmer: Palmer requested an executive session re police personnel.

Lastly, Reiter said the Town Board would meet with the Budget Officer on Thursday, September 26th in the Supervisor's office concerning budget issues at 3:00 p.m.

Marra MOVED to enter into Executive Session re Personnel. Seconded by Marra and carried 5-0. Time: 6:20 p.m.

*EXECUTIVE SESSION:

PRESENT: S. Reiter, A. Bax, M. Marra, E. Palmer, R. Winkley & G. Catlin
ALSO PRESENT: Brian Doyle, Atty. M. Davis

ISSUES DISCUSSED:

1. Police Personnel/Discipline

Marra MOVED to exit executive session and reconvene RTBM. Seconded by Palmer and carried 5-0.

ACTION TAKEN: Authorized Town Attorney to sign Settlement Agreement with Police Union regarding members of union. Authorized Police Chief or designee to complete all paperwork.

*Minutes Transcribed by Supervisor Reiter.

Marra MOVED to adjourn the Regular meeting, Seconded by Bax and carried 5-0.
Time:

Transcribed and
Respectfully submitted by:

Carole N. Schroeder
Deputy Town Clerk