

Present: Sup. S. Reiter; Council Members A. Bax, M. Marra & E. Palmer; Deputy Sup. G. Catlin; Attorneys M. Dowd & M. Davis; Eng. R. Smith; Ad./Op. J. Ritter; Highway Supt. D. Janese; Police Chief C. Salada; Bldg. Insp. T. Masters; Finance Officer m. Johnson; Town Clerk C. Brandon & Deputy Town Clerk C. Schroeder.

Absent: Councilman R. Winkley  
3 press & 8 residents.

The Supervisor opened the Work Session which was preceded by the Re-organization Meeting.

AGENDA:

**Bax MOVED to add Sullivan Court issue and Niagara University plan. Seconded by Marra & carried 4-0.**

Transfer of Water Funds:

**Marra MOVED to transfer \$2503.12 from SW1-8310.400 to SW-18340.400 from the 2012 budget. Seconded by Bax and carried 4-0.**

Letter of Resignation:

Senior Van Driver Edward Schiefflin tendered his resignation effective 12/31/12.

**Marra MOVED to accept the resignation and a letter of regret be sent To Mr. Schieffelin. Second by Bax and carried 4-0.**

Association of Towns:

a. Authorize payment of Membership Dues \$1500.00

**Palmer MOVED to authorize payment in the amount of \$1500.00 for 2013 Dues. Seconded by Marra and carried 4-0.**

b. Approval of Attendance at 2013 Training School and Annual Meeting, Feb. 17<sup>th</sup>-20<sup>th</sup>, 2013.

Reiter: None of the Town Board is going. The Town Clerk is planning to attend.

Dowd: I would like to attend with the Town of Porter splitting the expenses.

c. Voting Delegate & Alternate.

**Palmer MOVED that Carol Brandon be appointed as the voting delegate and Mr. Dowd as the alternate. Seconded by Marra.**

Johnson: Katelyn Allan and John Sharpe plan to attend.

**Carried 4-0.**

Assistance/Water & Sewer Lines on Vrooman Drive:

Reiter: Mrs. C. Sirianni, I would request that we **table** this tonight and ask that you come and talk with me, because the prices as quoted by the building inspector should be looked at. I believe that we can do a little better with the cost.

C. Sirianni; Can I submit to you our first proposal.

Reiter: Please do it through Mr. Masters.

**Bax MOVED to table request. Seconded by Marra and carried 4-0.**

Close Public Hearing on Legacy Drive (6/25/2012)

Dowd: As you know one of the owners of Legacy Drive died a while back. The party's family dispute has been going on and we allowed a sort of language but we didn't figure it out and they cannot resolve it. I think the prudent thing to do will be re-advertise for the public hearing. I would like to

close the public hearing that we already had and ask that we re-advertise for the January 28<sup>th</sup> meeting and then we will serve the proper notice on the estate of Mr. Massaro who passed away. Hopefully, we will be ready to take action if the parties cannot resolve by themselves.

Reiter: So you need a motion to close the June 25<sup>th</sup> public hearing.

**Bax MOVED to close the Public Hearing of June 25, 2012. Seconded by Marra and carried 4-0.**

**Bax MOVED to re-advertise for a Public Hearing to be held on January 28, 2013 at 5:30 p.m. Seconded by Marra and carried 4-0.**

Authorize Issuance for RFP's-Recreation Center:

Reiter: I understand Mr. Rose & Mr. Laduca are here. I would like to ask the Town Board's permission after interviews by the Committee that we engage with the Advanced Design Group for engineering services and Bammel Architect who did interviews and I would like to chose those for the recreation center.

**Bax MOVED to engage Advanced Design Group for Engineering Service and Bammel Architect for Architectural Services for the Recreational Center. Seconded by Marra and carried 4-0.**

Reiter: They have prepared an RFP for construction of the recreational center and all that this does is put us in a position to see what the prices are and what the market will bare. They would like to release those RFP's this week. Probably Thursday or Friday.

Bax: This is only to get prices?

Reiter: This is only to get prices.

Dowd: This Board has asked as I get it for construction management services and I think the bid form asked that they provide estimated prices. I think ultimately it is up to the construction management company to engage the contractor to do the work. I have looked at it and it appears to be okay.

**Marra MOVED to release the RFP's on the project. Seconded by Bax and carried 4-0.**

Reiter said they will work with the Clerk as to when they are received.

Dowd: You know that there is a land acquisition matter that is pending to purchase the property. I received last week a copy of a letter of intent from the school district and I think that the Board has it. I think it would be prudent that so long as the Council approves the content of the letter of intent, that they authorize you to execute it so that we can get that going as well. The letter of intent is a non-binding.

Bax: It is contingent upon a number of other things falling into place.

Dowd: it lays out the parameters for the formation of a formal contract, so I ask the Board to authorize you to execute the letter of intent once we get the final draft from the school.

**Bax MOVED to authorize the Supervisor to execute the letter of intent with the Lewiston Porter School District. Seconded by Marra and carried 4-0.**

Chemical Bulk Storage Renewal Application:

A letter from Jeff Ritter, WPCCC stating that the 2 year registration for our 5

chemical bulk storage tanks will soon expire.

**Bax MOVED that authorization for the WPCC to expend \$625.00 for the renewal of the registration for our 5 chemical bulk storage tanks. Funds to come from #8130.400 SS1. Seconded by Palmer and carried 4-0.**

Ritter explained that a major electrical upgrade at the plant which will take about 26 weeks to complete.

Parks Personnel:

**Marra MOVED for approval for the hiring of Ryan Carney, Joseph Kostryka, Jeffrey Lester & Derek Tracy as laborers at a rate of \$15.00 per hour effective today in the Parks Dept. Seconded by Bax and carried 4-0.**

Ice Rink Update:

Marra: As of 33 days, we have had 7500 attend the ice rink and that is as many as 61 days last year and the revenue of those 33 days as far as skate rental and concessions is equal to the 61 days the rink was open last year. It is almost twice the number of people and twice the number of revenue.

Assessment Review Board:

**Marra MOVED that Thomas Deal be appointed as Chairman of the Assessment Review Board. Seconded by Palmer and carried 4-0.**

Reiter: The ice rink this year has been enlarged and it has shown a lot of use. It is good clean fun for teenagers and others and I appreciate the support that the Village of Lewiston has given us.

Rezoning Application:

Palmer: I have an application for rezoning for Niagara University that has acquired a parcel (115.00-1-24) which formally belonged to the NYS Power Authority. It was zoned SPA as is all State Power Authority property. The zoning requested by the University is PD-1 to bring it in line with the rest of their property.

**Palmer MOVED that the re-zoning request be sent to the Planning Board. Seconded by Marra and carried 4-0.**

Sullivan Court S.D.

Reiter: At the last Planning Bd. Meeting the engineer did not get his letter in saying that everything meets their thoughts on the changing of the front yard set backs which was 40' to 50' on either side of the road to 30' and the change from side yards are set back from 15% to a 10' minimum. The reason this was done and I will not blame past Town Boards because it was all woods and they did not go up there and they weren't able to see...but after the roads were put in and you have a visual of that subdivision, the cliff was so steep on one side that the houses would have been hanging out in the air. As a result, we have had no building there whatsoever. Recently, we have had some interest in building on the subdivision and if we move the setbacks which are well within our discretion....there has been interest in using this subdivision again and I think that any time we add building stock to the Town we are doing a good thing. So, I ask that the change in the front yard setbacks be as such...30' for front yard and the side yard setback to a 10' minimum.. Is that correct Mr. Masters?

**Palmer MOVED that front setbacks be set at 30' and side yard setbacks be set at 10' in the Sullivan Court Subdivision. Seconded by Marra and carried 4-0.**

Reiter: I will also ask that anyone who applies for a building permit in that

subdivision that there be special parameters set for by the Building Inspector and also the Highway Supt. Mr. Janese, there will probably be a lot of fill to be moved there and I ask that the Building Inspector notify you so that you can make sure that they are properly protecting the road because they are building on that subdivision.

Janese: Mr. Masters and I will co-ordinate on this.

Reiter: I would like to echo what Mr. Marra said about the ice rink. In the past week I had the opportunity to meet with Mr. Maziarz about some of the projects in the Town... our Greenway projects. Lewiston has been doing very well, particularly our recreation facilities have grown to the extent to just giving him numbers i.e. 7000 people in the ice rink. Last year we had over 220 baseball teams come from outside of Niagara County. Of the 220 teams, they had anywhere from 10-20 players. Every family/player averaged 3 people per trip here. It was excellent to see all these little baseball jerseys in different restaurants and facilities in the Town. That is sales tax that goes to our Town and helps Lewiston grow and I appreciate it.

Janese: I ask the question regarding the muck pumps and as far as upgrading or replacing. One of the residents, Mr. Brooks asked about them. Perhaps at the regular meeting, Mr. Brooks could attend.

People have asked me now that the contract for the Highway Dept. has not been settled are the terms and conditions of that contract still in place or is it totally void now?

Palmer: You mean the employee contract? Was it ratified?

Reiter: The contract has been approved and we are just waiting .....the union has not sent me the signed copies that they have ratified.

Janese: I would like to request a very brief executive session for a couple personnel issues. Perhaps we can do it another night.

Reiter: We will do it another night.

**Marra MOVED to adjourn the Work Session. Seconded by Palmer and carried 4-0.**

Time: 6:45 p.m.

Respectfully Submitted and Transcribed by:

Carol J. Brandon  
Town Clerk