

Adoption of Local Law – Moratorium of Disposal of Sludge, Sewage Sludge and Septage

PRESENT: Supervisor Brochey; Councilmembers Bax, Ceretto, Conrad and Winkley; Deputy Supervisor Briglio; Town Attorney Seaman; Building Inspector Masters; Town Engineer Lannon; Finance Officer Blazick; Highway Supt. Janese; Recreation Dir. Dashineau; Sgt. Previte; 2 Press; 33 Residents and Clerk Donna Garfinkel

The Supervisor opened the Public Hearing, followed by the Pledge of Allegiance and a moment of silent reflection.

Clerk read notice into the record:

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Lewiston on the 24th day of August, 2015 at 5:45 p.m., at the Town Hall, 1375 Ridge Road, Town of Lewiston, New York, on the adoption of a proposed Local Law entitled, "Moratorium of Disposal of Sludge, Sewage Sludge and Septage," an abstract of which is as follows:

The Town Board of the Town of Lewiston currently has under review amendments to the Town Code in regard to solid waste and recycling. The Town Board desires to review and address, in a careful manner, provisions relating to solid waste and recycling and the disposal of sludge, sewage sludge and septage on a comprehensive and town wide basis and to amend and/or adopt appropriate provisions to achieve these purposes. The Town Board of the Town of Lewiston finds it prudent and necessary to enact a moratorium applicable to solid waste and recycling and the disposal of sludge, sewage sludge and septage. This moratorium is intended to ensure that no approvals for such land use application be granted or permitted until this Board can complete its planning studies and has had an opportunity to consider and enact appropriate amendments to the Code.

The complete text of said Law is on file at the Office of the Town Clerk, and is available for review by any interested person during business hours.

At such public hearing, all persons interested, who wish to be heard, will be heard.

Ordered by the Town Board August 10, 2015

The Supervisor invited residents to address the Board.

Jolbert, William - 4235 Williams Road - Jolbert is glad the Board will continue the Moratorium, but the real question and the real problem the Town has, is why are we doing this again?

Jolbert has asked the Board several times to resolve this and get it done. Six months ago, Atty. Davis said this is just a temporary fix. The Town needs to have this resolved long term.

Jolbert was given the impression the Board was going to follow up and the law was going to be enacted/changed. Jolbert is beginning to wonder if the Board has any intention of doing this, or is the Board not capable of doing this, what is the answer?

Conrad said there are several Towns that are in the mist of litigation over their laws. Lewiston does not want to write a law that is going to be shot down in court. So what the Board needs to do now is to make sure the law is full-proof. That is the reason for the continuation of the Moratorium.

Jolbert understands this. It was also stated, the longer this is kept a Moratorium, the weaker it becomes. If this is the case, something needs to be done.

Brochey said since the last Public Hearing, he has been to Marilla and West Seneca. Also attended a meeting where a Professor from Cornell University spoke. Brochey has copies of the code from the Town of Pendleton, Town of Wheatfield, Marilla, Town of Porter and Lewiston.

This all was presented to the Town Attorneys. They will look over all and find out the strength in each and implement one for Lewiston.

Jolbert appreciates this effort. Lewiston needs to continue to show the continued efforts being made, if this is ever challenged it would not be for just putting it off. Jolbert has everything to loose, this is his life, his house, quality of life. This is very important to Jolbert and many other people.

Conrad said this is all being done behind the scenes.

Bax MOVED to close the Public Hearing, Seconded by Winkley and Carried 5 – 0. (6:02 pm)

Transcribed and Respectfully Submitted By:

Donna R. Garfinkel
Town Clerk