

PRESENT: Supervisor Brochey; Councilmembers Bax, Ceretto and Conrad; Deputy Supervisor Briglio; Town Attorneys Davis and Seaman; Building Inspector Masters; Town Engineer Lannon; Finance Officer Blazick ; Highway Supt. Janese; Chief Opt. WWTP Ritter; Recreation Dir. Dashineau; Sgt. Previte; 3 Press; 12 Residents and Clerk Donna Garfinkel

EXCUSED: Councilman Winkley

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

AGENDA APPROVAL

Agenda additions: Bax: Police department vacancies; Brochey: Executive Session regarding employment of an individual; Conrad: railroad crossing in Sanborn.

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

TWO-MINUTE STATEMENT - RESIDENTS

Warren, Rosemary – 5842 Griffon Street – Words can have a lasting impression. At the last meeting the boy scouts were in attendance. At the end of the meeting Warren turned to the family behind her and told them she was a Cub Scout den mother. The father said his older son was here a few years back, and said that a lady spoke regarding a town truck not having a town decal. The father asked Warren if that was her, Warren said yes.

Secondly, Warren can not believe the agenda says department heads can only speak for two minutes. This is disrespectful to them, and for the residents who pay their salary. If they have anything more to say after two minutes, it is not important to the Board? Warren has never seen it abused. Someone like Doug Janese may want to speak longer on road conditions, equipment needs and work being done.

Lastly, each morning Warren prays for elected and appointed officials who turn to God for guidance and wisdom. For some the guidance may be to step aside, as Brochey has decided. Blood is thicker than water, blood is your family. Water will be on the rest of us, who after five-years are going to say “Dennis who? Rosemary who?”, people will forget.

Glasgow, Paulette – 836 The Circle – Glasgow requests the Board and Attorneys speak into their microphones, residents cannot hear.

TWO-MINUTE STATEMENTS – DEPARTMENT HEADS

Sgt. Previte said Town Police are getting ready for one of the busiest seasons.

Janese thanked Mrs. Warren for her words.

Muckland Pump

Janese received the cost of \$21,500 from Moley Magnetics for the Muckland pump repair. In staying within 1,000 miles for a contractor, Moley is the closest. Bax asked if the pump was pulled by the Highway Dept., Janese said yes, at a cost of about \$1,100. The department separated and took the motor apart. Janese was unable to determine what was wrong.

One sleeve bearing was basically worn down until there was nothing, it then ceased, but before it did that, it allowed the impeller to open destroying the housing below. It snapped the stainless steel shaft, took the threaded pushing and stripped all the threads off.

The pumps are at an age where you can't buy replacement parts. Every component in this pump is either broken beyond repair or worn to the point where it is non-existent. Instead of simply doing an upgrade, the parts all have to be made. It has been mentioned there was a company about 200 – 300 miles away that can do this.

Janese likes doing business with a local company, the work is not being shoved at anyone. Janese knows no one at Moley. In dealing with warranty issues, it is nice to have someone that is 20-miles away. The pump is over 2-feet in diameter, 14-feet long with a 2-ton motor on top. Transporting this is not an easy task.

Conrad asked if Moley could write a scope of work on this. Janese does not know if they would compete with themselves for free. Janese will discuss this with Lannon after the meeting.

Brochey asked Seaman to explain the procurement policy for this. Seaman said the procurement policy says the Town would need three written quotes. If the Town makes a legitimate effort to get the quotes, and can't get three, Janese would need to document all of his efforts.

Lannon said this repair is approaching the cost of a new pump. The Board needs to consider, do they want a rebuilt one, with all new custom parts that needs to be custom maintained, or get a new pump, with a full warranty. A new pump could cost \$35,000 - \$40,000.

To answer Ceretto, Janese said the existing pumps are 30-years old. If they are properly maintained they will last a long, long time. The pump should be maintained by a mechanical contractor.

Riverwalk / Joe Davis Pipe

Janese asked if the figure of \$200,000 is correct for the installation of the pipe. Lannon said that is the estimated figure for the installation by a private contractor. Janese has stated, four times in public, that the department is willing to do this. Janese knows this job can be done for a fraction of that cost. A private contractor won't do a better job than the Highway Dept.

Bax asked if the Town needs to bid for this if it's known the Highway Dept. can come in under estimate. Seaman said no. The Town may have to bid for the actual purchase of the materials.

Lannon has forwarded all necessary documentation to Parks for them to forward to Albany. It is hoped that an easement will be forwarded for the Supervisor to sign and enter into on behalf of the Town, to allow the Town to tap into that pipe.

If the Highway Dept. is going to do the work, this will allow Lannon to put together a more abbreviated set of plans. Conrad suggests Lannon prepare the abbreviated specifications so when the easement comes in, the Town is ready to go.

Janese said this is not a long term project; nevertheless it is not something that will be finished in a day, with one man either. Janese wants to caution the Board about the cost.

Janese said once again he will be requesting additional funds to seal blacktop. Sometimes with the temperature variance in Lewiston, blacktop cracks. Myers Hill Road is now 3-years old and should have been crack sealed 2-years ago. There are 17 municipal entities in Niagara County, 16 out of 17 seal the cracks, and Lewiston does not.

Bax asked Janese what an appropriate budget would be. Janese said all roads should be sealed every year. In the past Janese has requested \$40,000 simply to get to the better roads. Lewiston is going backwards, by working on good roads first.

The Board gave Janese \$250,000 for paving; Pletcher Road alone will cost \$306,000.

Brochey suggested these costs be put in the budget. The Board will then know what is needed.

Janese said he came to a budget meeting armed with a whole bunch of papers, explained the requests which were different from what was being granted. When Janese sat down, the Finance Director told him "we are not going through the budget line by line tonight, I want to get out of here". Janese doesn't know how to ask for any different funding when you are told, sorry, what is in front of you is what you are getting. These meetings are for department heads to have the opportunity to address their budget with the Board.

Brochey said the Board presented the budget and the numbers were there. If you had any additions to it, that was the time.

Janese said he doesn't want to argue with Brochey about this, we have been around this block several times. Anyone interested in listening to the recording, Janese has it. Those were the words verbatim. Every department head in this town should have the opportunity to go through their budget with the Board. If they are not given a chance to explain when spending millions of dollars; that is, in a single word, dumb.

Bax said that moving forward there needs to be some sort of element for paving, maintenance and incorporating the dollars year to year. This is going to be a hard knock for the Town, the budget will not balance.

Janese said he has people asking him all the time, how is the Town doing with finances? Nobody knows this, it is a secret. If the Town is doing well this year, maybe we can find some additional funds, if it is not, I understand it. This autumn Janese would like the opportunity to go line by line.

Brochey said residents are welcome to see the budget at anytime.

Conrad said the process needs to be started earlier. Department heads should be discussing their budgets with all Board members.

Blazick has already told department heads it will not be that way this year, each department will be heard. Talking about things that can't be changed, does not help the Town. They need to be dealt with the way they are today.

There is \$250,000 in paving. There is also CHIPS money; Can this be used for sealing? Janese said CHIPS money has to be approved every year by the Senate, Assembly and signed by the Governor. They have used this money as revenue. Former Budget Director Paul Kloosterman told Janese that is the only way they could use it. This money cannot be used for maintenance or sealing. It is Capital Highway Improvements. It has to have a 10-year life span.

Bax asked Janese if he is asking the Board to convert some of the paving budget into sealing/maintenance budget, then supplement with the CHIPS dollars. Janese said absolutely yes. Janese suggests taking some of the money in Permanent Improvement and put it into General Repair Contractual. This money can then be used for sealing.

APPROVAL OF MEETING MINUTES

Bax MOVED to approve meeting minutes of RTBM – 4/27/2015 and Work Session – 5/11/2015, Seconded by Conrad and Carried 4 – 0.

POST AUDIT PAYMENT

Ceretto MOVED to approve the following Post Audit payments: 360 Professional Services; Group, Inc. - \$105.00; Blue Cross & Blue Shield - \$11,640.92; Election Inspectors - \$1,787.50; Independent Health - \$18,255.96; Key Bank - \$405.13; Lewiston, Village of - \$15.00; Lifetime Benefit Solutions - \$27,122.82; Moore, Ray - \$1,150.00; Niagara Frontier Publications - \$49.36; Niagara Power Coalition - \$4,111.50; NYS Teamsters Council - \$34,502.37; Office of the State Comptroller - \$25,136.50; Pitney Bowes - \$268.05; Sam's Club - \$1,256.88; Time Warner - \$315.89; Wex Bank - \$2,872.31; Youngstown, Village of - \$587.48, Seconded by Bax and Carried 4 – 0.

OLD BUSINESS

Water – Nablo's Replacement

Brochey asked if this is the item Seaman requested to discuss in Executive Session. Seaman suggested this would be appropriate for Executive Session because it has to do with the employment of a particular individual. It is up to the Board if they want to go into executive session.

Brochey said he is all for transparency. Brochey forwarded a letter to all Board members regarding Ceretto and Brochey's findings after interviewing Daniel Zahno and Mike Townsend, Mr. Nablo's recommendation and the letter from the Union on this matter.

Bax received correspondence from Conrad and Seaman regarding the Union contract. Conrad said he was requesting clarification on an item from a previous session in that correspondence.

Bax MOVED to enter into Executive Session for a discussion regarding a particular individual, Seconded by Conrad and Carried 4 – 0. (6:46 pm)

PRESENT: Supervisor Brochey; Councilmembers Bax, Ceretto and Conrad; Deputy Supervisor Briglio and Town Attorneys Davis and Seaman

Discussion on employment decision regarding a particular individual.

Bax MOVED to exit Executive Session, Seconded by Conrad and Carried 4 – 0.

Conrad MOVED the following Resolution: WHEREAS, A position in the Water Department for the position of Water / Wasterwater Maintenance II is open due to the retirement of Robert Nablo, two individuals have applied for and been interviewed, Dan Zahno & Mike Townsend. Both were found to be qualified for the positions. Townsend has 28-years experience within the bargaining unit, 24 of which are in the Water Department. Zahno has 16-years of experience, all of which are in the Water Dept. Consideration has been given to the fact that Zahno has worked in the position being hired for in a satisfactory manner, but this does not outweigh Townsend's additional experience and seniority. As both individuals are highly qualified for the position, the fact that Townsend has seniority is the deciding factor. Now, therefore be it resolved that the position of Water / Wastewater Maintenance II be offered to Mike Townsend, Seconded by Bax and Carried 3 – 1 (Brochey).

Brochey is going by Bob Nablo's recommendation that Zahno is top pick, and the union's decision that the position should go to an employee in the department.

Conrad said the other Board members vote was based on the fact the collective bargaining agreement between the unions' states that seniority would be the deciding factor when there is a case of two employees being similarly qualified for an open position.

Lewiston-Porter CSD – Water Abatement Charges

At the Board meeting of May 11, 2015 the Board approved to reduce the water bill. After discussion with Ritter, the Town can waive sewer charges, not water.

Bax MOVED the following payment, Sewer - \$6,181.11 and Water - \$9,331.53, for a total of \$15,512.64, Seconded by Ceretto and Carried 4 – 0.

NEW BUSINESS

Item No. 1 – *Confirm Darlene Norwich appointment as Deputy Town Clerk*

Bax MOVED to confirm the appointment of Darlene Norwich as Deputy Town Clerk at her current rate of pay of \$20.10/hr, Seconded by Conrad and Carried 4 – 0.

Item No. 2 – *Declare 23 Town phones surplus / authorize donation - "Cell Phones for Soldiers"*

Bax MOVED to declare 23 cell-phones worthless and authorize donation to "Cell Phones for Soldiers", Seconded by Conrad and Carried 4 – 0.

SUPERVISOR BROCHEY

Liaison Report

Artpark Update – Artpark has offered to pay the Town \$14,500 to open the Parkway for 12 Tuesday nights and 7 Wednesday nights. Last year the Parks Dept. set up the cones with a Police escort and at the end of the night the Police would remove the closure material. Police Chief Salada is not interested in continuing this.

Seaman does not recommend the Parks Department doing this. If the Town is going to be doing this, the Police would be the proper agency to open and close highways. Brochey will notify Artpark to make other arrangements.

Land Conservancy – Brochey tabled their presentation until June 22nd.

Health Care Consortium – Brochey has been working with Daniel Engert, Town of Somerset Supervisor. Since the beginning of 2014, towns and villages in Niagara County have been working on the Health Care Consortium to save thousands of dollars on health care benefits. Presently there are 12 towns/village and 12 school districts. Albany has given its blessing as long as all follow the strict guidelines.

At this point in the process a feasibility study needs to be completed to see how much money will be saved. The group wants to hire a grant writer for this. Each municipality is asked to contribute \$417. It is possible it could be implemented as early as September 2015.

Conrad MOVED to approve payment of \$417.00, funds from 9060 - Health Insurance, to the Association of Town Supervisors for the purpose of a grant writer for a Feasibility Study for the Health Care Consortium, Seconded by Conrad and Carried 4 – 0.

Great Contraption Race – Dashineau said this is all set

Legal – Nothing to discuss

Engineering

Lannon is working on the roof at the Senior Center and Water Pollution Control Center along with the reconstruction of the cul-de-sac in Lauren Court. Documents have been drafted and Lannon is requesting permission to advertise for construction, contingent on department head review. An estimate has been done on what the approximate energy savings would be with the current insulation value and the upgrade insulation on the Senior Center roof.

Masters believes the reduction in energy cost could be near 50%. The current unit on the roof is using approximately 29 amps of electricity to run. The unit that was replaced 2 years ago only uses 17.5 amps. Just replacing the units will save a lot of electricity and gas.

Brochey asked if the air conditioning at the Senior Center will be addressed at the same time. Lannon said no but strongly recommends doing the roof and air condition as one project. The Town doesn't want to put on a new roof then a month later put holes in it for an air conditioner.

The Board has decided to combine the roof, air and furnace at the Senior Center. Lannon asked to draft the necessary documents.

The Waste Water Treatment Plant is different; there are no roof-top units. Lannon said the two buildings can be advertised for separately, but one bid for both, could save the Town money, by using one contractor.

FINANCE

Blazick forwarded a memo to the Board regarding the Town financial depositories. It has been narrowed down to two banks, M&T and First Niagara. Blazick really likes M&T Bank, but it's hard to get past the obstacle that there is no branch in Lewiston; it is located in the Town of Niagara.

Blazick said both banks require the Town to give up the CBA accounts, and they be non-interest bearing accounts. This does seem atrocious, but when Blazick looked at the interest from last year, it was \$600.

Blazick recommends First Niagara Bank and requests authorization to set-up the accounts.

Bax MOVED to authorize the Finance Director to change all current Key Bank accounts to First Niagara Bank, Seconded by Ceretto, and Carried 4 – 0.

Blazick requests permission to transfer funds in the Highway Dept. Barb Cich did an analysis, from January to March 13, 2015 on amount of time-worked and it reflected this need. This will cover what has been spent to date, but will need to be revisited in November or December.

Bax MOVED to transfer \$114,000 from Highway General Repair Personal Services to Snow Removal Personal Services account, Seconded by Conrad and Carried 4 – 0.

The Lewiston Library employees received EMS training from John Malinchock and reimbursement is being requested.

Bax MOVED to approve the expenditure of \$90 from H-97, to John Malinchock for EMS training at the Lewiston Library, Seconded by Conrad and Carried 4 – 0.

Blazick asked if any Board member would like a copy of the Annual Updated Document Report. No Board member did.

COUNCILMAN BAX

Ritter said all Water Pollution Control Centers and Sewer Treatment Plants in New York run under a State Pollution Discharge Elimination permit. This permit is renewed every five years. The last permit consisted of several unfunded mandates, one being a written report by a professional engineer.

A report called Capacity Management Operation and Maintenance Report (CEMA), deals with repairing the infrastructure. The purpose of the report is to develop, maintain and implement cost effective and efficient ways to monitor and decrease wet weather flows in the system. It will mitigate excessive peak flows to the treatment plant and execute best management principles and practices for the overall systems operations. The recently purchased camera can assist in this report.

The other required report is called No-Feasible Alternative Analysis. This evaluates what is done with the water during high / low situations. Ritter and several other Chief Operators around the area have tried to remove this from the permit process, but to no avail.

The estimate cost of these reports is \$84,000. Funds are available in the budget through SS1 and SS2 for the CEMA, and SS1 for the No-Feasible Analysis.

Bax MOVED to authorize CRA to begin working on the CEMA and the No-Feasible Alternative Analysis Report, Seconded by Conrad and Carried 4 – 0.

Bax addressed Councilman Winkley's agenda items.

Bax MOVED to appoint Daniel Trapasso and Robert Rougeux part-time Police Officers, to fill vacancies in the Police Dept., Seconded by Conrad and Carried 4 – 0.

Recycling Totes

The Town received a request to convert to 50-gallon recycling totes. It was forwarded to the Environmental Commission and member Dawn Timm was looking into the cost. Some residents have shown interest in the totes. Possibly make them available at Town Hall for those residents interested. Bax will reach out to Timm to see where this stands.

COUNCILWOMEN CERETTO

Liaison Report

The Art Council has distributed their program brochure. They are offering painting parties at the Peace Garden.

Ceretto said Dashineau distributed two pay-scale memos for part-time seasonal parks employees. He states they qualify for the raise due to the years of service and responsibilities.

Ceretto MOVED to approve the raises for those individuals on the memos, Seconded by Bax and Carried 4 – 0.

Traffic Study – Townline Road

A resident contacted Assemblyman Ceretto requesting a traffic study on Townline Road. DOT responded one has been completed and another will not be done.

DOT will conduct a study in response to a request for a three-color signal at Saunders Settlement and Garlow Road.

COUNCILMAN CONRAD

Liaison Report

Conrad updated the Board regarding the railroad crossing at Buffalo Street. Conrad has spoken to Janese, the County DOT and has a call into CSX Railroad. The repair at Buffalo Street is CSX's responsibility. It will be scheduled for repair.

The Tower Committee called a meeting but there was no quorum. Conrad will reschedule to discuss the tower fees. There seems to be no members interested. Discussion on possibly a new committee ensued.

Conrad questioned if the unions will be included in the Health Care Consortium plan. Brochey said yes.

In Winkley's absents Bax addressed two resignations.

Bax MOVED to accept the resignations of Police Officers Justin Palumbo and Spencer Barnes, Seconded by Conrad and Carried 4 – 0.

Brochey spoke of his announcement that he will not run for re-election. Brochey has not decided when he will be resigning. He will continue to work on the many projects that are already in the works. He will not walk away from them.

Conrad MOVED to enter into Executive Session for discussion regarding a particular individual and consultation with attorneys regarding an invoice, Seconded by Bax and Carried 4 – 0. (8:58 pm)

PRESENT: Supervisor Brochey; Councilmembers Bax, Ceretto and Conrad; Deputy Supervisor Briglio; Town Attorneys Davis and Seaman and Building Inspector Masters

Discussion on matter concerning employment a particular individual.

Ceretto MOVED to exit Executive Session, Seconded by Brochey and Carried 4 – 0. (10:25 pm)

Conrad MOVED to adjourn the Town Board meeting, Seconded by Bax and Carried 4 – 0. (10:26 pm)

Respectfully Transcribed and Submitted by:

Donna R. Garfinkel
Lewiston Town Clerk