

Present: Supervisor S. Broderick; Councilmembers A. Bax, B. Ceretto, W. Geiben & R. Morreale; Eng. C. Jarrell; Attorneys B. Seaman & J. Catalano; Sr. Director J. Collesano; WPCC Ch. Op. J. Ritter; Chief F. Previte; Bldg. Insp. T. Masters; Finance Director/Budget Officer M. Blazick; Dep. Sup. W. Conrad; Town Clerk D. Garfinkel; 2 Press; 10 Residents and Dep. Clerk C. Schroeder

Excused: Hwy Supt. Doug Janese

The Supervisor called the Work Session to order, followed by the Pledge of Allegiance and a moment of silent reflection.

AGENDA:

Additions: Broderick –Contract with Cambria (Sanborn Seniors).

Bax MOVED to approve the agenda, as amended. Seconded by Geiben and carried 5-0.

ABSTRACT:

Morreale said he reviewed the Abstract of Claims. There were some vouchers he questioned submitted by the Highway Dept. He deferred to the department's liaison, Councilman Bax to read the vouchers in question. Bax moved to approve the Abstract of Claims, excluding the following payments due to the fact there was a clerical error and need to be re-signed and will not be paid in this cycle:

<u>Vendor</u>	<u>Total</u>	<u>Voucher #</u>
American Rock Salt	\$ 1,753.06	257
“ “	13,543.01	279
Deckman Oil	892.34	314
Eaton Office Supply	170.04	315
Falls Auto Spring, Inc.	427.57	316
Fastenal Company	16.96	260
Jackson Welding Supply	12.92	264
Kurk Fuel	923.50	266
NAPA Auto Parts	393.53	272
“ “	16.55	320
Niagara Supply Corp.	556.05	321
Noco Energy Corp.	587.61	301
North State	135.55	322
Praxair Distribution	234.70	307
Roy's Radiator & Auto Repair	1,295.00	275
Schaefer Supply	19.37	276
Snap On	9.10	325
Stevenson Hardware	49.46	326
Travis, Barbara	7.40	327
Warrens Village Hardware	43.65	331
	<u>\$21,087.37</u>	

Bax MOVED to approve the Regular Abstract of Claims Numbered 8630 to 8655 (F/Y 2015) & 160 to 340 (F/Y 2016) and recommended payment in the amount of \$222,778.27, plus a post audit of \$4,438.91. Seconded by Morreale and carried 5-0.

DEPARTMENT HEAD CONCERNS:

Police: Chief Previte said he would report department statistics at the next meeting. They will be holding a Bike Auction on Feb. 20 for unclaimed bikes recovered by the department.

Bldg/Zoning: Nothing; Dep. Sup: Nothing; Finance: Nothing; Engineer: Nothing; Legal: Nothing

Seniors: Sr. Director, Jeanette Collesano gave an update on activity at the Lewiston Senior Center. She said the roofing job at the Center is excellent. She thanked Tim Masters, the Engineers and H. Byrk and Co. They all worked with her in the process as her main concern was the possibility of asbestos. She also thanked Jeff Ritter and the Highway Dept. for all their help, when asked.

As for attendance, they have had 9,977 people come thru the door. In January, they had 1,027. The Senior Center has an open door policy. She invited everyone to the Valentine's luncheon the following afternoon.

On February 1st, they started the AARP Tax Service. It's every Monday thru April 11th. Anyone interested should contact the Senior Center to schedule an appointment. It's open to anyone. They also have a lawyer that comes every first Tuesday of the month. His services are free or donations are accepted. The Town Assessor will speak regarding the STAR Program on the 16th of this month.

Every month they offer the AARP Driver Training Course that is open to the public, regardless of age.

Collesano noted upcoming events at the Senior Center: Easter Luncheon – March 8th and St. Patrick's Day celebration – March 15th.

All this information is on the Town's Website, Niagara Gazette and Sentinel. She will address the Board on a quarterly basis.

WPCC: Ritter said he would like to present the 2015 Annual Stormwater Report to the Town Board. It will be on display and available thru the Town Clerk's office for public comment. There has been no significant changes from past years. The report was done with the help of the WNY Stormwater Coalition and Town Engineers.

Ritter requested the Town Clerk put a link to the Stormwater Coalition on the Town Website.

Bax MOVED to approve. Seconded by Geiben and carried 5-0.

Ritter said the report talks about a number of stormwater pollution plans that have been issued throughout the year; Inspections of stormwater outfalls with a plan to investigate them to see if there is any illegal dumping, etc.

Town Clerk: Garfinkel asked the Board to create the position of Building Maintenance Person to the Town Roster.

Geiben MOVED to create the position. Seconded by Bax and carried 5-0.

Garfinkel asked that the salary for the position be set at \$16.75/hour.

Geiben MOVED the request for discussion. Seconded by Bax.

Geiben asked if this was in line with other jobs of the same level. The Clerk said it was. Garfinkel said this individual will be taking over the maintenance position; but because of the individual's experience, there is much more that they will be able to do such as HVAC maintenance.

Motion carried 5-0.

Inasmuch as this new individual would take care of the HVAC maintenance, the Clerk asked how to approach those companies who recently bid on the annual maintenance contract. Seaman suggested the Board make a motion to reject all proposals.

Broderick MOVED to reject all proposals submitted for HVAC maintenance bid. Seconded by Bax and carried 5-0.

The Clerk asked the Board's permission to hire George Danielewicz as the Building Maintenance Person.

Geiben MOVED for approval. Seconded by Morreale and carried 5-0.

Finance: Blazick said she had two issues pertaining to the WPCC. The first is the need to get the sewer department its own credit card for various purchases.

Bax MOVED to add Jeff Ritter on the current credit card account thru Key Bank. Seconded by Geiben and carried 5-0.

Secondly, Blazick said the sewer department had a Sam's Club card issued to the former secretary. That card has since been destroyed. She asked for a motion to add Cheryl Militia as an addition user and remove Rosalie Kilmer from the account.

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

For information purposes only, Blazick said the Town is being charged \$65/month in fees to keep aKey Bank account open. She does not want to close out the account yet. She is waiting to see what comes in.

LEGAL:

Atty. Catalano presented the Board a local law extending the moratorium concerning the disposal of sludge, sewage, and septage. He asked the Board to schedule a public hearing on said local law.

Bax MOVED to schedule a public hearing on said local law for February 22, 2016 beginning at 6:00 PM. Seconded by Ceretto and carried 5-0.

OLD BUSINESS:

Appointments to Boards and Commissions:

Board of Ethics: Brockerick said this is a five-member board which includes an elected official or a town employee and four non-employees.

Geiben MOVED to re-appoint Susan Casper, Suzanne DiFlorio-Olds, Robert DeFrancesco, Earl Zortman and Linda Johnson (Town Employee). Seconded by Morreale and carried 5-0.

Geiben asked that these appointments be posted on the web-site with a blub that the appointments are at the pleasure of the Town Board and where this can be located in the Town Code. He asked that this be done for all boards and commissions as they are filled.

Senior Advisory Board: **Broderick MOVED to appoint Jessie Massing, Althea Montgomery, Jerald Wolfgang and Pat Thompson for three-year terms, expiring 12/31/2018. Seconded by Bax and carried 5-0.**

Historic Preservation Commission: Broderick said members of this commission shall preferably be residents of the Town of Lewiston and shall include, if available, two architects, one of whom should be a landscape architect, and one municipal planner. Other appointees shall be qualified by reason of training, experience or demonstrated an interest in law, local law, local business or the history or historical preservation of Lewiston.

Broderick MOVED to David Giusiana, architect; and Heather Caferella to the Historic Preservation Commission. Seconded by Geiben and carried 5-0.

Environmental Commission:

Broderick said there has been discussion regarding the creation of two advisory boards to investigate, research and formulate legislation for the proper development of Lewiston's escarpment and riverbank areas. There had been talk about appointing seven members to each but Broderick suggested having three on each. They would answer to the Environmental Commission. Broderick said they would work on appointing these members. Geiben said they have to come up with a specific sub-committee charge.

Their appointments are at the pleasure of the Board. They are a sub-committee with no compensation.

Seaman suggested this be an Ad-Hoc Committee that reports to the Town Board and Environmental Commission. It would be an Ad-Hoc Committee that the Town Board would control the membership on. Seaman recommended that the creation of this Ad-Hoc Commission be established by written resolution.

Broderick said he, Councilman Bax and Attorney Seaman would work on that and report back at the next meeting.

Bax said this is going to be a one shot committee. They will give us their feedback as to their issues and the current law in Cambria and how it will or will not suit our needs.

Geiben said the Town has two sensitive areas that require different “tender loving care”. We have people that are interested in serving on those committees.

Broderick MOVED to appoint Vicky Polka to fill a vacancy on the Environmental Commission thru 12/31/2018. Seconded by Geiben and carried 5-0.

Lastly, **Broderick MOVED to appoint Jeff Cosgrove as Deputy Supt. of Highways. Seconded by Bax and carried 5-0.**

JOINT T/V MEETING: Broderick announced a joint meeting with Village Trustees scheduled for 2/22/2016 at 4:30 p.m. at Town Hall.

RESOLUTION RE NON-PROFIT AGENCIES: **Bax MOVED to authorize the Town Supervisor to sign the 2016 service agreements with the various non-profit agencies. Seconded by Morreale and carried 5-0.**

WATER METERS: Broderick said the Town needs to purchase new water meters. He wants to order a larger quantity to save the Town money. They have a quote from Lock City Supply, although he wasn't sure if that was a State Bid price. Broderick wants to order 1,000 meters, at a savings of \$20 per meter. That would amount to a savings of \$20,000. We need to move forward and get a State Bid.

Seaman said he spoke to Mike Townsend earlier. It is over a \$100,000 purchase. Under the Procurement Policy, we have to entertain bids, unless it falls into an exception; one being a State Bid and one being a sole source provider. We need to investigate to make sure the Town is following proper procedures before spending that amount of money.

Townsend said they need to purchase at least 3,400 meters to replace ones that are failing. Blazick said the last time they ran out of meters, the Town didn't have the money to purchase 1,000 meters so they purchased 191. They are putting these meters in so quickly, they are using up the supply. We need to figure out a way to order 1,000 at a time. Blazick said they have two H-Funds that are designated as meters (H81 – \$12,234 and H82 – \$44,957). That adds up to \$57,000 of what you need \$125,000 for. Blazick proposed using account H97 (Infrastructure) or H99 (NYPA) which is undesignated.

Townsend said he does require one box (24) of 1-inch meters immediately at a cost of approx. \$140/meter.

Bax MOVED to purchase one box (24) of 1-inch meters, due to the emergency need to replace meters that are failing, at a cost not exceeding \$150 per meter. Funds allocated from H81. Seconded by Geiben and carried 5-0.

1994 FORD E350 VAN: Townsend said the vehicle was given to the Water Department from the Senior Center. It has 102,000 miles, and its only use would be a utility type vehicle. No other department is interested in it. Townsend said he is looking to go out for sealed bids.

Seaman said the Board would have to make a resolution declaring the vehicle surplus property and then take the proper steps to get the proper value for it, either sealed bid or public auction. Seaman said there are a number of auction websites that municipalities use affectively.

Bax MOVED to declare the 1994 Ford Van as surplus equipment. Seconded by Geiben and carried 5-0.

Townsend authorized to come back to the Board on his plans to dispose of it.

TOWN AUDITOR: Broderick said the Town requested RFPs for Town Auditor.

Broderick MOVED to select the firm of Drescher & Malecki, LLP as Town Auditor. Seconded by Geiben for discussion.

At this time, Thomas Malecki, the firm's partner in charge, introduced associates: Matt Montablo, engagement partner, and Luke Malecki, resource partner. Malecki proceeded to offer his input on some Town needs, i.e. aging water meters, muck pumps and budgetary issues. "We have to make sure we're charging the right fee for the services we're providing..." Malecki said he is a proponent of the tax cap but not the tax cap as it is written today because it is not sustainable, noting the challenges facing municipalities in operating within the State cap and inflation adjustments. "We know what you're up against and we'll help to find solutions."

Broderick MOVED to engage the firm of Drescher & Malecki, LLP as Town Auditors and enter into contractual negotiations contingent upon Attorney review. Seconded by Bax and carried 5-0.

REMOVAL OF TREES ON ESCARPMENT: Bax read a letter received from a homeowner on Creek Road Ext: On July 3, 2015, a tree service began work cutting down trees on the upper edge of the escarpment. I would assume this was done at the request of a Mountain View Drive resident, possibly for the purpose of improving the property skyline view. It is my concern that the fallen trees, some of which are very large, were not properly removed from the area. Instead, the trees are scattered where they fell on the escarpment and left there. The debris lies on different portions of the escarpment below the Mountain View Drive level. This has made quite a mess and is an eyesore. They were just left there. Many of the fallen trees lie across portions of the old railroad tracks that residents use for leisure throughout the year and are obstructing passage. The length of the debris goes from approx. the escarpment side of the properties of 4951, 4957, 4961 and 4963.

Bax asked Bldg. Inspector Tim Master to investigate. Masters said he looked at a tax map, and views it as a private property matter. There is not Town property in the mix. "I don't know how, as a Town, we can get involved in this private party matter when there is no law in the books." Masters said he would take a look at it and report back at the next meeting.

Bax referred to an Agreement between the Town of Lewiston and the Town of Cambria whereby the Town of Lewiston will provide and make available to the citizens of the Town of Cambria participating in the "Sanbornites" senior citizens group, a suitable facility in which to meet on a regular basis. The Town of Lewiston will continue to make available for the calendar year 2016 the aforesaid services and, in the consideration therefore, the Town of Cambria will make available \$4,000.00 in the budgetary appropriations for the "Sanbornites" activities as sponsored through the Town of Lewiston.

Bax MOVED to authorize the Supervisor to sign said Agreement. Seconded by Morreale and carried 5-0.

SITE PLAN – HICKORY STICK GOLF CLUB:

The Planning Board on January 21, 2016 reviewed a Site Plan Application for an addition to the Hickory Stick Golf Club, 4560 Creek Road, SBL# 87.00-1-11.1. The Planning Board recommends approval as presented. All outstanding engineering deficiencies in the submitted plan to be reviewed and signed off by the Town Engineer prior to the issuing of the building permit.

Morreale MOVED the issuance of a Neg. Dec. for said project. Seconded by Bax and carried 5-0.

Morreale MOVED to approve the Site Plan, as presented, with the conditions as submitted by the Planning Board. Seconded by Bax and carried 5-0.

COUNCIL ON THE ARTS: Ceretto said she met with the Arts Council. They are preparing for summer programming and would like to make a presentation before the Town Board sometime in March or April.

Ceretto read the following resolution:

WHEREAS, the Town Board desires to use the Town of Lewiston's Niagara River Greenway funds for the Lower River Road Comfort Station for additional costs to complete the project; and

WHEREAS, the Town Board has to apply and request additional funding from the Niagara River Greenway Host Standing Committee.

THEREFORE BE IT RESOLVED, that the Town Board authorizes and submits a request for additional funding for the Lower River Road Comfort Station Project in the amount of \$35,500; and

FURTHER BE IT RESOLVED, that Steve Broderick, as Supervisor of the Town of Lewiston, is hereby authorized and directed to file an application for additional funds from the Niagara River Greenway Host Standing Committee to complete the Lower River Road Comfort Station project.

Ceretto MOVED said Resolution. Seconded by Bax and carried 5-0.

Ceretto noted that the Lewiston Ice Rink is closed for the season. Geiben asked if they have ever looked for alternative sites for the Ice Rink. Ceretto said she would into this.

CABLE UPDATE: Geiben said the Town received a check in the amount of \$9,210. This is a multi-year loan at no interest to the Town from Time Warner Cable specifically for the local PEG (Public Education & Government) access programming.

The Chairman of the Cable Commission will call a meeting and then ask to meet with the Town Board at a public meeting. Geiben will keep the Board informed.

Broderick MOVED to adjourn. Seconded by Bax and carried 5-0. Time 7:05 p.m.

Transcribed and
Respectfully submitted by:

Carole N. Schroeder
Deputy Town Clerk