

Present: Supervisor S. Broderick; Councilmembers A. Bax, B. Ceretto, W. Geiben & R. Morreale; Dep. Sup. W. Conrad; Eng. B. Lannon; Attorneys B. Seaman & J. Catalano; Finance Director/Budget Officer M. Blazick; Acting Highway. Supt. D. Trane; WPCC Ch. Op. J. Ritter; Town Clerk D. Garfinkel; Rec. Dir. M. Dashineau; 2 Press; 6 Residents and Dep. Clerk C. Schroeder

The Supervisor called the Work Session to order followed by the Pledge of Allegiance and a moment of silent reflection in memory of the police officers killed in Dallas, Texas and around the country.

AGENDA:

Geiben: Remove Library Roof Grant; Bax: Remove Acceptance of Modern Disposal Leachate.

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

ABSTRACT:

Bax MOVED to approve the Regular Abstract of Claims Numbered 1924 to 2129 and recommended the payment in the amount of \$418,265.12, plus a post audit of \$11,330.04. Seconded by Bax and carried 5-0.

DEPARTMENT HEAD CONCERNS:

Town Clerk:

- Garfinkel said she sent all Board Members an email (6/30) regarding the wording with the Privilege of the Floor. She asked the Board to review and comment at the next meeting.
- In regards to the grant for the Court/Main meeting room, the Grant Writer (Bernie Rotella) received a verbal okay from the Justice Court Assistance Program (JCAP) stating that they would extend the grant for another year. Bernie will prepare a letter of request that needs to be signed by the Supervisor.

Bax MOVED to authorize the Supervisor to sign the letter to JCAP requesting an extension of the grant for the Court/Main meeting room until next year. Seconded by Geiben and carried 5-0.

The Clerk said she would like to continue to research more grants and/or seek Town funds to improve the room.

- At the last meeting, Atty. Seaman suggested the Town look into selling surplus equipment thru Auctions International, an on-line bidding auction. Seaman said it is used by other municipalities to some success. There is no cost to the Town and there is no obligation to use it. Seaman said he would approve the contract as to legal form and recommends the Supervisor execute the agreement.

Bax MOVED to approve a contract with Auctions International and authorize the Supervisor to execute the contract. Seconded by Morreale and carried 5-0.

- The Clerk updated the Board regarding Town Hall copy machines. She and the Finance Director met with two companies in an attempt to upgrade the copiers and consolidate them into one service contract. She asked the Board to review the proposals and provide their feedback.

Bax said if this provides a savings, he would suggest moving forward. He also would suggest that all departments be included in one contract.

July 11, 2016, Work Session

The Supervisor thanked the Clerk and Finance Director for getting the ball rolling. "I give them a lot of credit. Let's move forward."

Highway: Trane said they have started the Riverwalk Drainage.

Paving is done except for finishing the driveways. Other than that everything else is going well.

Parks/Recreation:

- At the last meeting, Dashineau said he was authorized to go out to bid for a 1999 GMC Suburban Van deemed surplus equipment. One bid was received in the amount of \$357.00 from Pat Yankolunis, a Town employee.

Seaman said the Board could reject the bid and sign up with Auctions International. Broderick suggested they do this. I would discourage a Town employee from bidding in the first place. Seaman did not feel that was adequate consideration for rejection. I think you might get a better price with Auctions International.

Bax MOVED to reject the bid and list the 1999 GMC Van with Auctions International. Seconded by Ceretto and carried 5-0.

- Dashineau provided a change-order for servicing trees at Kiwanis Park. In addition to the work performed, they found three extra large ash trees that were not marked as dead but have shown significant signs of disease, as well as one very large oak tree that has rotted out from its interior and multiple trees that have become a danger to private property on the north side of the park that runs along Briarwood Lane. Pricing for each of these trees has been included. The change-order is in the amount of \$1,980.00. Dashineau asked the Board if they wanted to accept the change-order or re-bid the work.

They cut down 23 trees in Kiwanis Park as part of the \$6,400.00 bid. The change-order is for four additional trees and trimming of neighborhood lot lines. The change-order does not include stump removal and the trees would not be replaced.

Conrad asked if there is a seedling program. Dashineau said he does not have anyone that would maintain something like that. The ash problem we have is severe. It's going to affect quite a bit of Lewiston. That might be something somebody might want to reach out to the DEC with. It is all thru the Great Lakes. The ash trees are getting wiped out. The DEC may already have a program in place.

Geiben recommended Bernie Rotella look for possible grants for a seedling program. Maybe greenway money can be used for replacement of the trees.

Geiben MOVED to accept the change-order from Angry Beaver Tree Service, as presented, in the amount of \$1,980.00. Seconded by Ceretto and carried 5-0.

- Dashineau said they are in the final weeks of the Baseball Program. They have over 25 sponsors and 95 volunteers that help make the program work. He will be publically thanking them on Social Media pages as well as thru an ad with the Sentinel.
- The Parks Department has cut and trimmed about 35 trees this year on green spaces in the Town. The crew is capable of maintaining trees up to about 20', which addresses most problems. While the Parks Department maintains trees in the green space, some residents have not been pleased when it is determined that trees are on their private property.

July 11, 2016, Work Session

- The Recreation Department began hosting the annual Lancer Classic Baseball Tournament. This year we are welcoming 232 teams and their families to Lewiston between July 7 and August 8. Of special interest is the fact that we were chosen as a
- destination for the 18U Sri Lankan National Academy Team, as well as a state sponsored team from Wisconsin, and a provincial 18U team from Calgary, Alberta.

WPCC: Ritter submitted the Annual Stormwater Report (March 2015 – 2016) to the Clerk's office. There is a ten day public comment period. Comment forms are available at the Town Hall.

The Sanborn Area Historical Society is hosting its annual Farm Museum Festival on 7/23-7/24. In previous years, the WPCC has let the Historical Society use its air compressor to power miniature farm equipment, as well as the use of a Town employee for 4 hours. Ritter asked the Board if they wanted to do this.

Bax MOVED to permit the WPCC to lend air compressor and Town employee for 4 hours for the SAHS Farm Festival. Seconded by Morreale and carried 5-0.

Ritter said he met with Chief Previte on 6/22 and asked him what he would like as far as access to the cameras at the Comfort Station on Lower River Road. GHD and Verizon are working on coming up with some prices. The police will be able to access cameras at the Comfort Station and Lew-Port from inside one of their cruisers.

Finance: Blazick said she had several issues for the Board's attention.

- 1) The Highway BAN is up for renewal or conversion in September 2016. It is \$1.6 million. Municipal Solutions is recommending that we renew the BAN for one more year. We are allowed to renew four times and this is our third.

Geiben MOVED to renew the BAN for one more year. Seconded by Morreale and carried 5-0.

- 2) Blazick asked about the grant submitted for the two trucks that were included in the BAN. Broderick said the Town is on a list in regards to the grant. We have a number. It will probably take another 12 months for the number to come up. It has been two years already. It could take as long as four years.

Blazick said the Town has a real serious issue with the Town-fleet in every department. That is something we need to address. We need to figure out what is the most critical and how we're going to address it. We have a lot of trucks that are over 20-years old being used every day.

- 3) The work being done at Riverwalk by the highway department was approved by the Board. Are the funds coming out of H-97 (Infrastructure)? Can't locate this in the minutes. I don't have another budget to take the funds from.

Trane: I have seven men that will be putting in 800-ft of pipe. Those men have other duties they are supposed to be doing. Now, I'll be calling in people to cover their duties. Where am I getting this money from? I have brush. I still have paving to finish. It should take between 3-4 weeks if it goes smoothly. I'm calling in people from other areas to come and help me pave. I still need people to pick up the brush. I need people to help with the trees that are down. I need people to do the driveways after paving. I will be working 10-12 hour days...

Blazick said they will keep track of the payroll for the Riverwalk project, see how it adds up and make necessary budget amendments to the personnel line.

- 4) Blazick asked for post-audit approval for the Association of Towns (Town Law Manual/Office of Hwy. Supt. Manual) and First Security Benefit Life (Service Awards Program). This is usually paid in May.

Bax MOVED to approve a post-audit to the Association of Towns in the amount of \$20.00. Seconded by Geiben and carried 5-0.

Bax MOVED to approve a post-audit to First Security Benefit Life in the amount of \$67,706.75. Seconded by Geiben and carried 5-0.

- 5) Blazick asked to authorize Amy Smith to confirm bank transfers (formerly Barb Cich).

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

- 6) Blazick said a new account has to be set up for the Casino Cash revenue as B00-1000-2390-0000. The old account was B00-1000-2770-0000 (misc. expense). She asked to transfer the budget of \$35,000 into the new account.

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

- 7) The Junior Accountant position is still on the civil service list. It's been funded as 2/3s of a position, not a full-time position. The Highway Department also needs to replace their clerk, Barb Travis. Blazick suggested combining the two positions so it is a full-time position. This would be temporary until a Highway Clerk is hired after the bookkeeping is established so the clerk can work affectively.

Geiben said he is an advocate of this position. I just want to make sure we go thru the proper procedure and don't overstaff ourselves between the Jr. Accountant and part-time clerical secretary. Hopefully this position will cover those two duties at a fair rate. The Highway Supt. is in need of a full-time clerk. Blazick said as of now, there is a budget of \$18,000 for the highway clerk, \$32,000 for the Jr. Accountant and there is \$8,000 from her position that is not being used.

As they would have to consider the affect of the two positions in the collective bargain unit, the Supervisor tabled for further discussion.

- 8) Hatch McDonald Invoice from April 6, 2016 for \$8,789.00: Blazick said the Board approved to turn over remaining funds to DOT. She questioned if it needed DOT approval. Can we authorize the payment and then reduce the amount to be turned over to the DOT?

Seaman said they have to find out what part of the project it is for. Is it part of the project that the DOT is overseeing? If that is the case they should put the Town on some type of notice that this is part of a local match. Broderick said he would reach out to the Grant Writer. He asked that this be tabled to the next meeting.

WATER BILL FEES: Broderick said this is in regards to Elliott Dr., Bronson Dr. and James Dr. water bills that residents did not receive, and the late fees applied to the bill. Apparently the water bills were not delivered by the Post Office. They are being no help at all. We obviously paid for a service that wasn't provided for. There is no guarantee there.

Geiben said it clearly says on the water bill in red ink "*Failure to receive bill does not waive penalty*". In this particular case it is so unique to have whole neighborhoods not getting their bill.

Geiben MOVED to waive the penalty for the list of residents in the Supervisor's possession (Elliott Dr., Bronson Dr. and James Dr.) in a non-precedenting action to resolve this issue. Seconded by Bax and carried 5-0.

July 11, 2016, Work Session

The Supervisor wanted it made very clear that this is the only time the Town will do this. We're going to have the Clerk address it in her column in the Sentinel announcing when bills are due. He is in the process of looking into a company that will allow residents to make payments on-line. I'm hoping that company will start an email list whereby they can notify residents when their bill is due.

Anyone who paid their bill with the penalty will receive credit on their next bill. If anyone has not paid their bill or held out, we will waive the late fee.

RESOLUTION FOR BOND RELEASE OF CELL TOWER (MOORE ROAD):

The Attorney said he approved the resolution as to form. It is just a matter of whether or not the Building Inspector is satisfied that everything is complete.

This item was tabled to the next meeting.

REQUEST FOR SEWER CREDIT:

Request from Janet Zeames, Creek Road, for exemption from sewer charges for refilling a pool (26,995 gallons) after a needed liner replacement.

Bax MOVED to issue a sewer credit in the amount of \$106.25 to Janet Zeames, Seconded by Ceretto and carried 5-0.

Request from Robert Shoff, Escarpment Drive, for exemption from sewer charges for refilling a pool (32,000 gallons) after repainting it due to chips of paint coming off the bottom and sides of the pool exposing the concrete behind it.

Bax MOVED to issue a sewer credit in the amount of \$123.95 to Robert Shoff. Seconded by Geiben and carried 5-0.

MT. ST. MARY'S HOSPITAL ABOVE-GROUND FUEL STORAGE TANK:

The Planning Board on June 16, 2016 approved a Site Plan from Mt. St. Mary's Hospital for an above ground fuel oil storage tank and removal of old underground tank.

Morreale MOVED to accept a Negative Declaration on said project. Seconded by Geiben and carried 5-0.

Morreale MOVED to approve the Site Plan, as presented. Seconded by Bax and carried 5-0.

Seaman said he was under the impression that a public hearing was required. Chapter 169 regulates fuel with a flash point of 20 degrees or lower and fuel oil is much higher (50-100) so they did not feel a public hearing was required. If it was gasoline then a public hearing would be required.

ENVIRONMENTAL COMMISSION MATTERS:

Bax noted the Environmental Commission met with a representative of the EPA on June 20, 2016 regarding the radioactive slag at the Holy Trinity Cemetery. The Commission is asking the Town Board to reach out to the NYSDOH and NCHD to get actively involved.

Bax MOVED to direct the Supervisor's office to send a letter to the NYSDOH and NCHD requesting they become involved and investigate to the best of their abilities the issues raised by the EPA at the Holy Trinity Cemetery location. Seconded by Geiben and carried 5-0.

July 11, 2016, Work Session

Broderick said the EPA has agreed to test the road and surrounding homes on Roberts Avenue, based on an earlier request by the Environmental Commission. Senator Schumer's office is getting actively involved as well, Broderick said.

AUDIT WORK SESSION:

Broderick said he, and the Finance Director, will be meeting with the Town Auditors to go over the 2015 Audit on August 9. He would like to follow-up with a Town work session to discuss the audit with the Auditors present.

The Board agreed to meet with the Town Auditors on Monday, August 15th at 4 p.m. at the Town Hall. This is open to the public. A 2-minute statement period will be offered to residents at the meetings conclusion.

Lastly, Broderick said the Town will be receiving a \$20,000 check from Artpark for police services.

STATEMENTS BY RESIDENTS:

Paulette Glasgow, The Circle Drive, thanked the Board for allowing the residents to speak at the work session. She had several issues to present:

- The Clerk mentioned earlier about the change for the Privilege of the Floor. There are a number of issues on the agenda. She wondered why they were not on the website. One was the change the Clerk mentioned and the other was the resolution for the tower, as well as a number of other issues that should have been on the website. I'm wondering why they were not on the website.
- She requested the Audit Report be made available prior to the August 15th meeting.
- Microphones should be placed in front of the Board to allow the residents to hear.
- The Senior Center has a copy machine. She questioned why they are not included in the Clerk's proposal for upgrades. Blazick said they are included.
- The Board approved a generator for use at the Sanborn Farm Museum. St. Peter's School asked permission for use of the Town grill but were denied. What's the difference about them using our compressor and an employee that we're paying for?
- Where is the money coming from for the security camera at the comfort station? Is it coming from a grant or Greenway money?
- She applauded the Supervisor for wanting to pay the water bills on-line. Eventually, I would hope everything gets put on-line.
- Last year, Mr. Leone came here and addressed the issue of the green space. You might want to look at that. If you want to address this issue, address it with a Conservation Easement.

Rosemary Warren, West Street, said she does not want everything to go on-line. She does not have a computer. I don't want to learn one. I still want a hard copy. Broderick said they would still receive a hard copy of their water bill.

Warren said the Senior Center has a van service. Those up in Sanborn don't know that it exists. I think you should have an article in the Sentinel/Tribune that there is a service – what it costs, where it goes and how to reserve it.

She asked if this was an internal audit or a state audit. She hoped to be able to access it prior to the meeting.

July 11, 2016, Work Session

Steve Lyle, Lower River Road, asked if the copiers would have scanning capabilities. Blazick said they would.

When traveling south on the Niagara Scenic Parkway, past the Lewiston Exit, going up towards Lewiston Hill, cars have to merge unto Lewiston Road (Rt. 104) into two lanes of traffic. Lyle asked if something could be done prohibiting drivers from using the left lane as it is difficult to merge unto this section of the roadway. Broderick said it is a State DOT issue.

Marjorie Maggard said the Historic Preservation Commission is meeting tomorrow, July 12 at 6 p.m.

Before closing, the Supervisor said the Zoning Board of Appeals meeting is scheduled for 7/14/2016, 7 PM; Environmental Commission: 7/18/2016, 6:15 PM; Planning Board: 7/21/2016, 6:30 PM; RTBM: 7/25/2016, 6 PM.

Bax MOVED to adjourn. Seconded by Geiben and carried 5-0. Time 7:45 p.m.

Transcribed and
Respectfully submitted by:

Carole N. Schroeder
Deputy Town Clerk