

**PRESENT:** Supervisor Broderick; Councilmembers Bax, Geiben and Morreale; Deputy Supervisor Conrad; Finance Officer Blazick; Attorney Seaman; 1 Press; 16 residents and Clerk Donna Garfinkel

**EXCUSED:** Councilwoman Ceretto

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

**PRESENTATION - 2017 TENTATIVE BUDGET – Town Clerk**

The Clerk distributed the Tentative Budget to the Town Board, Dep. Supervisor and Attorney Seaman.

Broderick thanked Blazick for working so hard and giving so much time to the budget.

**PRESENTATION OF LOCAL LAW – TAX CAP OVERRIDE 2016 – Broderick / Seaman**

Broderick told the residents a copy of the local law will be available after tonight’s meeting.

Seaman explained that in order to override the tax cap, in other words to impose a tax increase more than what is allowed by the State, the Town Board would have to pass a Local Law allowing the Town to do so. So if the Board ultimately does not impose a tax, the Local Law needs to have been passed to even consider the possibility of over-riding the tax cap.

Seaman prepared a Local Law, very brief and straight forward. It basically states the Board is passing a local law allowing the Board to override the tax-cap. It has been circulated to the Board. A Board member needs to introduce it this evening, then schedule a Public Hearing.

**Geiben MOVED to present the Local Law to override the tax levy, as presented, Seconded by Bax**

A Local Law to override the tax levy limit established in General Municipal Law §3-c.

**Section 1. Legislative Intent**

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Lewiston, County of Niagara, pursuant to General Municipal Law §3-c, and to allow the Town of Lewiston, County of Niagara to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year commencing January 1, 2017 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

**Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the town board.

**Section 3. Tax Levy Limit Override**

The Town Board of the Town of Lewiston, County of Niagara, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2017 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

**Section 4. Severability**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date**

This local law shall take effect immediately upon the filing with the Secretary of State. Morreale said no figure is in the local law, because the Board may not have to once numbers are crunched.

**Carried 4 – 0.**

**Bax MOVED to schedule a Public Hearing for Monday, October 24, 2016 at 6:00 pm for a Local Law to override the tax cap, Seconded by Morreale and Carried 4 – 0.**

BOARD ACCEPT BID AMOUNT - 1999 GMC 3500 VAN (Parks & Recreation)

The van was placed on Auctions International and received a final bid of \$410.00. Board needs to accept the amount to release the van to the bidder.

**Bax MOVED to accept the bid of \$410.00 for the 1999 GMC 3500 Van, Seconded by Morreale and Carried 4 – 0.**

Seaman requests an executive session following the meeting for the purpose of consulting with the Attorney.

**Geiben MOVED to enter into executive session following the meeting, Seconded by Bax and Carried 4 – 0.**

#### RESIDENETS COMMENTS

Henderson, Tim – Oneida Street – Henderson was somewhat troubled when reading an article in the Gazette that one of the reasons given for a possible Town tax was the loss of revenue from CWM. This is very misleading. This can only be good news for all the residents.

CWM has contributed less than ½ of 1% to Lewiston’s budget in the last two years. They don’t deserve any recognition for playing a significant role in Lewiston’s finances. Hopefully when they close next year, all can concentrate on attracting clean businesses and tourism that can turn CWM’s toxic legacy around.

Nicklas, Eva – Artistic Director - Lewiston Council on the Arts – Nicklas states the Council’s opposition to budget cuts to the organization. While the not-for-profit sector is an easy target, the Council’s funding represents an extremely small proportion of the budget. The Council would argue that arts and culture are not just a “luxury”, but that cultural tourism will be an increasingly important part of our future economy.

We need to make arts and culture a regional priority. The Council benefits local businesses, contribute to the sales tax base, raise the profile of Lewiston and make Lewiston a place where people want to live. In a recent survey at the last Blue Monday concert; it was found the audience came from 26 zip codes and two families moved here because of the programs.

The Council aggressively pursues outside funding and grants at County, State and Federal levels and leverages every Town dollar we receive. The Council has shown what a small organization can do and have served as a model for other communities throughout the County. The Council makes a significant impact in Lewiston and the Board is urged to maintain the current funding.

Rhoney, Mike – Oak Run Drive – Rhoney has been “down the hill” as it is often referred to by the Town Council, for 5 years, but did live “above the hill” for some 45 years.

Rhoney is still very active “down the hill” and “above the hill”. Rhoney has been a member of the Historic Preservation Commission for over 20 years. Historical preservation is a very important item.

In Sanborn, the farm museum was erected and built by volunteers, serving at their convenience. There are over 400 members.

Special Meeting - Presentation - 2017 Tentative Budget      October 3, 2016

The museum operates on grants and funds from activities at the museum. A small amount is received from the Town and operates as a non-profit agency. The funding is needed from the Town and Rhoney would appreciate it.

The Sanborn Business Association is also run by volunteers. If the Association does not receive minimal donations from the Town, they would not be able to continue the work done in Sanborn.

Buffalo Street and Route 31 now has sidewalks and street lights. This was spear-headed by the efforts of the Sanborn Business Association. Grants from the State were secured by the Association.

Lyle, Steve – Lower River Road – Lyle asked if the excel files will be available for the budget. One can't analyze pdf files. It is not easy to compare last year to this year.

Broderick said 2015 and 2016 budgets are on the Town website.

Lyle said they are pdf's also.

Blazick will look into this.

**Geiben MOVED to enter into executive session for the purpose of consulting with the Attorney, Seconded by Bax and Carried 4 – 0.** (5:15 pm)

**PRESENT:** Supervisor Broderick; Councilmembers Bax, Geiben and Morreale; Deputy Supervisor Conrad; Finance Officer Blazick; Attorney Seaman

**ABSENT:** Councilwoman Ceretto

**Broderick MOVED to exit executive session, Seconded by Morreale and Carried 4 – 0.** (5:39 pm)

No action taken.

**Geiben MOVED to adjourn the meeting, Seconded by Morreale and Carried 4 – 0.** (5:39 pm)

Respectfully Transcribed and Submitted by:

Donna R. Garfinkel  
Town Clerk