

PRESENT: Supervisor Broderick; Councilmembers Bax, Ceretto, Geiben and Morreale; Finance Officer Blazick; Town Attorneys Catalano, Parisi and Seaman; Highway Superintendent Trane; Engineer Lannon; Building Inspector Masters, WWTP Chief Opt. Ritter; Water Foreman Townsend; Police Chief Previte; 2 Press; 11 Residents and Clerk Donna Garfinkel

EXCUSED: Deputy Supervisor Conrad

The Supervisor opened the meeting with the Pledge to the flag followed by a moment of silent reflection.

Clerk read Legal Notice into the record as follows:

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Lewiston on the 23rd day of January, 2016 at 6:00 p.m., at the Town Hall, 1375 Ridge Road, Lewiston, New York, on the adoption of a proposed Local Law entitled, “A Local Law Amending the Zoning Provisions of the Code of the Town of Lewiston,” an abstract of which is as follows:

The proposed Local Law amends § 360-29(B) of the Code of the Town of Lewiston and the zoning map of the Town of Lewiston to change the zoning classification for three parcels in the 1500 block of Ridge Road from “RR Districts: Rural Residential Districts” to “B Districts: Business Districts.”

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.

Dated: January 6, 2017

Supervisor invited residents to speak. No residents wished to speak.

Bax MOVED to close the Public Hearing, Seconded by Geiben and Carried 5 – 0. (6:05 pm)

REGULAR TOWN BOARD MEETING

January 23, 2017

6:10 P.M.

PRESENT: Supervisor Broderick; Councilmembers Bax, Ceretto, Geiben and Morreale; Finance Officer Blazick; Town Attorneys Catalano, Parisi and Seaman; Highway Superintendent Trane; Engineer Lannon; Building Inspector Masters, WWTP Chief Opt. Ritter; Water Foreman Townsend; Police Chief Previte; 2 Press; 11 Residents and Clerk Donna Garfinkel

EXCUSED: Deputy Supervisor Conrad

AGENDA APPROVAL

Additional Agenda Items: Parisi – Executive Session - pending litigation/personnel matter involving an employee’s statues in Collective bargaining; Dissolution of Water Dist. – Broderick, Catalano– Executive Session - discussion with Attorneys. Bax – Resolution – LOOW Site. Broderick – Employee resignations.

Bax MOVED to approve the Agenda as amended, Seconded by Geiben and Carried 5 – 0.

RESIDENT STATEMENTS

Warren, Rosemary – Griffin Street – Warren addressed the bee and bird population. If Duke Williams was asking for 2 hives and a 40 acre pond she would be suspicious, but he is not. He is asking for a larger number of hives and a pond.

Warren read an article from the Bird in Bloom magazine. In the article it states there is a colony collapse disorder which has wiped out 3-million hives. Bee honey is used for many ailments to one’s body.

Broderick said the Town has not banned bee hiving or bees. Williams is requesting to sell a large amount of dirt located on the property. The Board is not preventing him from having hives.

Waggy, Larry – Oxbow Lane - On January 3rd, Mr. Waggy paid his taxes. After comparing this year's tax bill with last year's he noticed a new line. Waggy asked the Clerk why the tax exists. The Clerk led him to believe the Town of Lewiston is kind of broke or running out of money.

Waggy asked the Clerk if this is going to be a yearly thing, or will the Town raise enough money off this addition to make it go away. After chuckling to himself he knew there is very little that can take them away.

In reading the article in the Sentinel, and then again in the Niagara Gazette, Waggy finds it hard to believe that these things could be true.

Senior citizens are on fixed incomes and have to cut back and make allowances. This article tells Waggy that the Town Board has not done this.

Geiben and Broderick invited Mr. Waggy to come to the Town Hall tomorrow and discuss the tax. Broderick said the individual that wrote the article is not in attendance and has not been for over a year.

Bax applauded Mr. Waggy's appearance tonight, primarily because he trying to educate himself on the Town Tax.

Everyone that finds out about the Town tax, initially, has major questions and Mr. Waggy's concerns are legitimate. Once the residents educate themselves on the situation of the Town and how there was no Town tax for almost 2 decades, the Town has been handcuffed in its ability to raise money. When there is a payment from any one of the majority holders of real estate in the Town, like the Bridge Commission or Power Authority, when asked for a payment in lieu of taxes they don't hand out anything because they say the Town has no Town tax.

Effectively, the Town has been working on the reserves that Waggy spoke of, for the last 11 – 12 years. Bax invites all residents to educate themselves on what the Town Board has done over the last 12 years to keep what's happening this year from happening 6-8-10 years ago.

The Board has cut each and every one of the departments to the bare minimum. Departments have been asked, without guidance, to just cut 10% - 15% out of their budget. Not-for-profits have been asked to take less. Unfortunately the Town got to point where the Board had to ask them to cut services.

Once at that point the Board members knew what the right thing to do was. The Board does not, by any stretch of the imagination, minimize or belittle Waggy for being on a fixed income.

DEPARTMENT HEAD STATEMENTS

Clerk Garfinkel – Under Old Business, it has been requested the Williams – Soil Removal issue be removed.

Bax MOVED to remove Williams – Soil Removal issue from Old Business, Seconded by Geiben and Carried 5 – 0.

Tamara Meogrossi was appointed Full-Time Deputy Town Clerk, at the January Reorganization meeting. Meogrossi was hired part-time in January 2015 and worked at the Ice Rink, Taxes & Water, Recreation and the Police Dept.

At this time Garfinkel is asking the Board to consider her part-time hours and calculate them to allow for her benefit eligible date to be December 10, 2015. This would make her eligible for vacation, personal, sick time and health insurance.

Parisi asked to review Policy Manual. **Bax MOVED to table, Seconded by Morreale and Carried 5 – 0.**

The Town Hall Maintenance Dept. has a truck that is not being used. Garfinkel is asking the Board to declare the 2000 Ford Ranger surplus property.

Geiben MOVED to declare the 2000 Ford Ranger – Vehicle ID # 1FTYR10COYTB18262, surplus property and authorizes the Clerk to go out to bid on Auctions International, Seconded by Bax and Carried 5 – 0.

Chief Previte – Previte thanked Broderick and Geiben for attending the Invest in a Vest news conference. It has been very successful thanks to the two ladies who spear-headed the event.

Previte and Rotella have discussed the grant the Police received from Senator Ortt's office. Previte is looking to use the dollars for a storage building. Trane and Previte will work together.

Building Inspector Masters – A State Law, regarding vacant homes, went into effect on December 20, 2016. This Law now holds the bank 100% responsible for the property. Before, the bank didn't take it back, making it difficult for the Town to violate the property.

Since becoming a law, the Town has been able to get three homes off the vacant structure list; Harper Drive, Irving Drive and The Circle.

Highway Superintendent Trane – Trane presented a Resolution to increase mileage on certain roads in the Town.

Geiben MOVED for approval as presented,

WHEREAS, the Superintendent of Highways has reviewed the Town's inventory of highways for accuracy, and

WHEREAS, certain additional revisions and/or corrections to the Town's inventory as reflected in attached Exhibit "A" are needed to accurately reflect the current inventory.

NOW THEREFORE BE IT RESOLVED, the Town affirms that it owns the roadways reflected in the attached Exhibit "A" and hereby adds them to the Town's inventory, and be it further,

RESOLVED, the Town confirms that it is responsible for the maintenance and repair of the roadways reflected in the attached "A".

DOT ID	Name Des.	Revised Begin Des.	Revised End	Begin	End	Length	Special Notes
258059	Garlow Rd.	NYS RT 31	Tuscarora Indian Res.	0.00	0.33	0.33	
303983	Garlow Rd.	Niagara Line	NYS RT. 31	0.00	0.52	0.52	
105206	Hickory Lane	Morgan Dr. (dead end)	Oak Run Dr. (dead end)	0.00	0.27	0.27	
165261	Raymond Dr.	Lauren Court	NYS Rt. 18 (Creek Rd.)	0.00	0.77	0.77	
26662	Riverwalk Dr. N	Riverwalk Dr.	Dead End	0.00	0.03	0.03	Existing Rd.Not Claimed
	Riverview Ct.	Riverwalk Dr.	Dead End	0.00	0.03	0.03	Existing Rd.Not Claimed
	Parkside Ct.	Riverwalk Dr.	Dead End	0.00	0.03	0.03	Existing Rd.Not Claimed

Seconded by Bax and Carried 5 – 0.

Trane presented the 2017 - 284 Agreement – streets include: Watts Drive, Florence Drive, Tuscarora Road, Escarpment Drive, Adams Circle, Griffin Street and Fuller Place.

Bax MOVED to accept the 2017 - 284 Agreement as presented, Seconded by Ceretto and Carried 5 – 0.

Trane requested the issuance of a Master Card for the Highway Dept. Trane directed to work with Blazick.

Bax MOVED to authorize the Highway Department issuance of a Master Card, Seconded by Geiben and Carried 5 – 0.

LEWISTON PATHWAY PROJECT PRESENTATION – ROTELLA

Rotella reported the Town presented the Mohawk Trail to the Greenway Committee and it was approved unanimously. It will be presented January 31st to the Host Community.

Rotella presented the approval of the preliminary design plan for the Lewiston Pathway. This will be one of the most majestic views in New York State.

Jeff Lebsack from Hatch Mott MacDonald and Doug Smith from NYS DOT were in attendance.

The project originally started the summer of 2009. There was a fast paced schedule to get it out to design. Initial concept was to use the south bound lanes of the Robert Moses Parkway. In 2010, the Town government switched the plan to the other side of the road which led to major right-of-way complications.

The Town received the grant to design and build the trail but had no ownership of any of the land for the trail. This has been an on-going challenge. There are 25 separate parcels that needed to be dealt with. They are owned by the NY Power Authority, NY DOT and NYS Office of Parks.

From April 2011 to January 2015 nothing happened with the project. In 2015 the State took the lead and moved along with the project. They suggested the pathway be totally off the roadway.

There are 7 different segments of the path. Segment #1 - From Devil's Hole State Park to the Power Project Dam. Pathway will be built on the unused lanes that are under the jurisdiction of the Office of Parks. This will be completed by Parks.

Segment #2 – The Power Authority has agreed, in principal, to allow use of the dam, using the southbound lanes.

Segment #3 – DOT has maintenance jurisdiction of the roadway, so the trail will be moved off to the side.

Segment #4 – The path will be built next to the roadway. A lot of guardrails and barriers have already been removed.

Segment #5 - Is under the Lewiston-Queenston Bridge with variety of earth conditions.

Segment #6 – This also has a variety of earth conditions.

Segment #7 – This is where the grade starts to move down the escarpment to the exit road at Artpark. There will be a concrete barrier between the traffic and the trail.

There are two overlooks proposed; one near the Power Authority and one just prior to going down the escarpment. There is discussion of a bench, and interpreted signs at the overlooks.

All entities are doing their best to protect the long eared bats; there will be no cutting of trees, and no interruption of cultural resources.

Design approval is eminent, once received, DOT will proceed with the right-a-way negotiations with the Power Authority, and then the project goes out to bid within the next year.

2018 is the projected date to begin construction.

Broderick said, in the future, this is a perfect greenway project.

There is not a connection to the Power Vista or Niagara University near segment #2. This would be something to be negotiated between the DOT and the Power Authority.

At this time there is no connection to the Artpark walking paths along the gorge near segment #5.

At this time the pathway will not be divided between bikes and walkers. No restrooms are planned.

Trane asked Lebsack who will be responsible for the maintenance of the pathway. Lebsack said right now the Town. The Town is the grantee. Trane requested a copy of the plans so this can be included in the duties of the department.

Previte questioned how much room is between the roadway and the concrete barrier for emergency vehicles. Lebsack said it will be right at the edge of the curb. There are two lanes on the path so one could be used in an emergency situation. Lebsack will look into this more.

Geiben thanked Rotella for his many years of dedication on this project.

APPROVAL OF MEETING MINUTES

Geiben requested the minutes of December 29, 2016, page 206, be amended to reflect the Ice Rink operation of 2016 – 2017.

Geiben MOVED to approve the RTBM – 12/29/2016; Seconded by Bax and Carried 5 – 0.

Bax MOVED to approve the Reorganization Meeting – 1/9/2017, Seconded by Geiben and Carried 5 – 0.

AUDIT PAYMENT

Morreale MOVED to approve the abstract of claims numbered 4106 to 4185 for the year 2016, and claims numbered 20 to 91 for the year 2017 and recommend payment in the amount of \$299,769.87, plus a Post Audit payment of \$7,664.06, Seconded by Geiben and Carried 5 – 0.

OLD BUSINESS

Street Light requests – Scovell and Lauren Court / Model City Road – Morreale stated the Lighting Committee will be meeting on January 24th to address these requests.

Phone Stipend

At the Reorganization meeting the phone stipend for Linda Johnson was incorrectly stated.

Broderick MOVED the phone stipend for Linda Johnson at \$30/month, Seconded by Geiben and Carried 5 – 0.

Rescind Senior Center Appointment / Confirm Senior Center Appointment

Broderick MOVED to rescind the appointment of Arthur Fitzpatrick and confirm the appointment of Michael Cuddahee as van driver, Seconded by Geiben and Carried 5 – 0.

NEW BUSINESS

Planning Board / Zoning Board of Appeals members resignation

Geiben MOVED to accept the resignation of Carol Catlin from the Planning Board and Mark Sarro from the Zoning Board of Appeals, Seconded by Bax and Carried 5 – 0.

The Town received a letter from the Lewiston Public Library indicating their concern for the reduction of their budget. They feel the library is a very important to the community and are concerned about next year's funding. They are hoping for reassurance they will not receive another budget cut next year.

SUPERVISOR BRODERICK

Liaison Report

Employee Residency Requirement – It has been brought to the attention of the Supervisor’s office that the Employee Manual states all Town employees are required to live in the Town. It is not Broderick’s belief this is a policy that can be continued for part-time, seasonal or temporary employees.

Broderick MOVED to direct Ryan Parisi to re-word the Employee Manual to state “All Full-Time employees are required to live in the Town of Lewiston. Part-time, Seasonal or Temporary employees are not required to live in the Town of Lewiston, Seconded by Bax and Carried 5 – 0.

Planning Board Appointment

Broderick MOVED to appoint Zachary Casell to the Planning Board replacing Carol Catlin with term to expire 12/2018, Seconded by Geiben and Carried 5 – 0.

Zoning Board of Appeals Appointment

Broderick MOVED to appoint Gary Heuck to the Zoning Board of Appeals with term to expire 12/31/2017, Seconded by Geiben and Carried 5 – 0.

Court Officer Resignation

Bax MOVED to accept, with regret, the resignation of Anthony Sicurella, III, Seconded by Geiben and Carried 5 – 0.

Court Officer Appointment

Broderick MOVED to appoint Greg Schuey as Court Officer, effective January 25, 2017, Seconded by Geiben and Carried 5 – 0.

Legal

Seaman updated the Board on how to proceed with the Water Line Replacement Project – 2016.

The Town has approximately 16 small water districts throughout the Town. They were created because the Town has not always had municipal water supply. As the water supply was gotten, the districts were created. At that time it made sense those residents would pay for the line.

We have arrived at a point in Lewiston’s history where everyone now has access to a municipal water supply. Options have been presented to the Board as to how to move forward with Mr. Lannon’s project.

The Board requested Seaman create a plan to dissolve the smaller district and then create one district, becoming the entire Town.

The Water Districts will be dissolved, assets (waterlines in the ground) will become the Town’s, and then the Town will proceed to establish a Town wide water district.

Once endorsed by the Board, a series of notifications are published then a Public Hearing is held.

Morreale asked if the fees associated with this are budgeted for. Seaman said the fees are included in the agreement the Town entered into with Seaman Norris, LLC, for this project.

Seaman and Lannon did research the feasibility of doing this through an Environmental Facility Corp. Grant, but the Town does not qualify.

Seaman presented the following Proposed Plan Of Dissolution Of All Existing Town of Lewiston Water Districts.

RESOLUTION ENDORSING PROPOSED PLAN OF DISSOLUTION OF ALL EXISTING TOWN OF LEWISTON WATER DISTRICTS AS FOLLOWS:

CHIPPEWA WATER DISTRICT; COLLEGE HEIGHTS WATER DISTRICT; DICKERSONVILLE WATER DISTRICT; ESCARPMENT WATER DISTRICT; FAIRVIEW PARK WATER DISTRICT; LEWISTON HEIGHTS WATER DISTRICT; RIDGE ROAD WATER DISTRICT; RIDGEVIEW VILLAGE WATER DISTRICT; RIVER ROAD WATER DISTRICT; RIVER ROAD WATER DISTRICT EXTENSION NO. 1 (A/K/A RIVER ROAD WATER DISTRICT BOND); RIVER ROAD WATER DISTRICT EXTENSION NO. 2; SANBORN WATER DISTRICT; SAUNDERS SETTLEMENT WATER DISTRICT; SAUNDERS SETTLEMENT LATERAL WATER DISTRICT; SAUNDERS SETTLEMENT WATER DISTRICT EXTENSION NO. 1; TUSCARORA WATER DISTRICT; AND ANY AND ALL OTHER WATER DISTRICTS WITHIN THE TOWN OF LEWISTON

WHEREAS, the Town Board of the Town of Lewiston previously established a number of small water districts as areas of the Town developed over time including the Chippewa Water District, College Heights Water District, Dickersonville Water District, Escarpment Water District, Fairview Park Water District, Lewiston Heights Water District, Ridge Road Water District, Ridgeview Village Water District, River Road Water District, River Road Water District Extension No. 1 (a/k/a River Road Water District Bond), River Road Water District Extension No. 2, Sanborn Water District, Saunders Settlement Water District, Saunders Settlement Lateral Water District, Saunders Settlement Water District Extension No. 1 and Tuscarora Water District; and

WHEREAS, In the 1970s and thereafter, the Town continued to expand and improve the municipal water supply system through a series of improvements made utilizing Article 12-C of the Town Law with the Water Improvement Area defined by those Article 12-C Proceedings, and benefited thereby, as the entire Town of Lewiston outside the Village of Lewiston and the Tuscarora Indian Reservation. The entire Town of Lewiston outside of the Village of Lewiston and the Tuscarora Indian Reservation now has access to the municipal water supply system operated by the Town as a single town-wide water supply system that functions as a single cohesive unit, and which is supplied by the Niagara County Water District and is serviced and maintained by the Town of Lewiston Water Department; and

WHEREAS, the Town Board has determined that it would be in the best interest of the Town to dissolve the small individual water districts and has caused a Proposed Plan for the Dissolution of all Existing Water Districts of the Town of Lewiston to be prepared (the "Plan"), which Plan provides the necessary information required for the dissolution of the Town Districts, with the Town of Lewiston Water Department to continue to service and maintain the water system until such time as the Town establishes a single water district to encompass the entire Town of Lewiston outside of the Village of Lewiston and the Tuscarora Indian Reservation at which time it will continue to service and maintain the water system.

NOW THEREFORE BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

1. The Town Board hereby endorses the Plan, a copy of which is annexed hereto and made a part hereof, and directs that the Plan and a summary thereof be available for public review and examination pursuant to Article 17-A of the General Municipal Law at the Town Clerk's Office, Town Hall, 1375 Ridge Road, Lewiston, New York.
2. The Town Board further directs that a copy of the Plan and a summary thereof be posted on the Town's website.
3. The Town Board further directs that a summary of the Plan be published in "THE NIAGARA GAZETTE" hereby designated as the official newspaper of the Town for such publication, once each week for four successive weeks beginning as soon as practicable after the adoption of this resolution.
4. That a Public Hearing will be held to consider the Plan on Monday, March 13, 2017 at Town Hall, 1375 Ridge Road, Lewiston, New York at 6:00 PM, and the Clerk is directed to notice such public hearing in the Niagara Gazette at least 10 but not more than 20 days prior to the hearing.

Bax MOVED to accept the resolution as read for the Endorsing Proposed Plan of Dissolution of All Existing Town of Lewiston Water Districts, Seconded by Geiben and Carried 5 – 0.

LOCAL LAW AMENDING THE ZONING PROVISIONS FOR THE TOWN OF LEWISTON

Geiben MOVED - Be it enacted by the Town Board of the Town of Lewiston as follows: §360-29(B) of the Code of the Town of Lewiston is hereby amended and the zoning classification for the following parcels, as identified on the Niagara County tax map, are changed as follows: a) from "RR Districts: Rural Residential Districts" to the "B Districts: Business Districts": * 102.02-2-53; * 102.02-2-54; *102.02-2-55, Seconded by Bax Roll call – Bax – Yea; Ceretto – Yea; Geiben – Yea; Morreale - Yea; Broderick – Yea, Motion Carried 5 – 0.

ENGINEERING

Lannon is working with the Planning Board on proposed changes to the Subdivision Regulations. It will be presented to the Board for their consideration and review.

Riverwalk Phase 4A – A majority of the work on the public side is done.

FINANCE

Blazick request the Board create account B00-1000-2706-0000 – Grants from Local Government. In the past monies have been used to off-set expense, where it should be coming in as revenue and expense so the expense shows the total expenditure. This was suggested by the Auditors. This is needed to accommodate the Police Dept. DWI over-time reimbursement. There will be others as the year goes on.

Geiben MOVED to allow Blazick to create budget line B00-2706-000 – Grants from Local Government, Seconded by Bax and Carried 5 – 0.

The Board authorized Blazick to create a budget for the Union Welfare Benefits accounts.

Bax MOVED to reclassify the following: B00-9060-0800-0200 – Hospital & Medical Ins. – Police to B00-9070-0800-0200 – Union Welfare Benefits – Police; SW1-9060-0800-0000 – Medical Insurance to SW1-9070-0800-0000 – Union Welfare Benefits – SW1 and DB0-9060-0800-0000 – Hospital & Medical Ins. To DB0-9070-0800-0000 – Union Welfare Benefits – DB0, Seconded by Geiben and Carried 5 – 0.

COUNCILMAN BAX

Bax has researched various ethics laws and distributed them to Morreale. They will be forwarded to Mr. Lyle who will forward to his group. Once discussed and reviewed it will be forwarded to the Board for consideration.

Bax, Morreale and the Environmental Commission attended an information session and comment period at the Senior Center regarding the LOOW Site located in Lewiston and Porter.

The meeting addressed the clean-up of a small portion of the over-all LOOW facility, which involves the removal of TNT and other waste metals. At the meeting, Legislature Burnmaster read a resolution by Niagara County, which is also endorsed by Legislator Wydysh.

Bax read the following resolution in support of complete removal of materials temporarily buried at the Lake Ontario Ordinance Works.

Bax MOVED

WHEREAS, in the late 1940, the United State government operated a site for the production of Trinitrotoluene (TNT), for war produced at the Model City Site on Balmer Road in the Towns of Porter and Lewiston, NY, and

WHEREAS, in ensuing years these lands where also used for production of other toxic and radioactive materials which were subsequently consolidated and buried for future disposition, and

WHEREAS, the Town of Lewiston has on many occasions' enacted resolutions requesting complete removal of these radio-active and dangerous materials away from the area. To remove the threat of serious health conditions which could present themselves in the event of leakage or exposure, and

WHEREAS, the mere existence of this burial ground is detrimental to the health, economic vitality and desirability for business and residential improvements as well as reducing property value in this beautiful rural environment adjoining the great water resource of the Niagara River and Lake Ontario.

NOW WHEREAS, the issue of dispositions is long over-due and the Town of Lewiston ampoules are unanimous in agreement with the Corps of Engineers best recommendation to

pursue Alternative 4 - Excavation and Off site Removal to address the area of concern (AOC) of the Occidental Chemical Corporation Property.

NOW, THEREFORE, BE IT RESOLVED, on behalf of the citizens of the Town of Lewiston, this Town Board requests that the actions described in the above be carried out at the earliest and safest time available.

BE IT FURTHER RESOLVED, that copies of this Resolution be sent to the Army Corps of Engineers, Niagara County Legislature, Village of Lewiston, Town of Porter, Village of Youngstown, State Senators and Assemblyman as well as Congressman Chris Collins.

Seconded by Geiben and Carried 5 – 0.

COUNCILWOMAN CERETTO

Nothing to report

COUNCILMAN GEIBEN

Cable Commission met and is moving forward. Catalano has some concerns and will be working on them. Next Commission meeting is March 9th at 7:00 pm.

COUNCILMAN MORREALE

Nothing to report

RESIDENTS STATEMENTS

Warren, Rosemary – Griffin Street – Warren thinks the Board should rescind their decision regarding the residency law for employees. Town residents should get first preference. Their parents are taxpayers.

Warren did not realize the Duke Williams issue was about dirt. If the Town puts enough restrictions on a project, it will be tied so tight they can't do anything bad with it.

Warren sent a letter to Rob Daly, NYS Power Authority informing him that residents haven't received their rebate check. She forwarded the minutes where Ron Winkley spoke of this over 2½ years ago. Former Town Supervisor Brochey supposedly sent a plan to White Plains that was approved to distribute the money. If this was approved why has it not been implemented?

Glasgow, Paulette – The Circle – Glasgow is not against the pathway, but the expense is concerning. Glasgow believes the pathway money came from Former Congresswoman Slaughter.

The Town is Lead Agency and Trane is the lead maintenance guy, and in Glasgow's mind she is hearing dollar signs. This is going to cost additional money, has the Board thought about this? By doing this the Board is putting an additional financial burden on the taxpayers.

People will be walking 1.8 miles on an unlighted territory. The Town will take on the responsibility of protection of an unlighted district, again more dollar signs.

Glasgow recalls the Town residency rule was changed to be a requirement because Lewiston taxpayers are paying. By all rights, Lewiston residents should have first preference.

The dollars received from Town of Cambria for the Senior Van should be included in the new line item created tonight. These are outside revenues.

Glasgow asked Geiben if the MOU is available for the Cable Commission project. Catalano said this is in the draft stages and being addressed by the Attorney.

Glasgow read a list of meeting times of the surrounding Towns and Villages. They start at 7:00 - 7:30 pm. Glasgow asked "Why can't the Town have their meetings at 7:00 pm like we use to?"

Meetings are not set for the convenience of the Board, but for the convenience of the public to come here and observe how the Board makes decisions.”

Broderick MOVED to enter into Executive Session, Seconded by Bax and Carried 5 – 0.
(7:25 pm)

PRESENT: Supervisor Broderick; Councilmembers Bax, Ceretto, Geiben and Morreale; Finance Officer Blazick; Town Attorneys Catalano, Paris and Seaman; Highway Superintendent Trane;

Discussion on a matter concerning employment status of individual / collective bargaining and Attorney matter / consultation.

Morreale MOVED to exit Executive Session, Seconded by Ceretto and Carried 5 – 0. (8:30 pm)

No action taken.

Bax MOVED to adjourn, Seconded by Morreale and Carried 5 – 0. (8:31 pm)

Transcribed and respectfully submitted by:

Donna R. Garfinkel
Town Clerk