

April 28, 2025

Regular Town Board Meeting

6:00 PM

PRESENT: Supervisor S. Broderick; Councilmembers R. Morreale, J. Myers & S. Waechter; Police Chief F. Previte; Finance Director J. Agnello; Hwy Sup. M. Zahno; Atty. A. Bax; Sr. Coordinator M. Olick; Rec. Director T. Smith; Eng. B. Lannon; 1 Press; 17 Residents & Deputy Clerk T. Burns

ZOOM: Councilman J. Jacoby; Dep. Sup. W. Conrad; Bldg. Insp. T. Masters; Bldg. Insp. E. Zimmerman; 1 Press

EXCUSED: Water Foreman D. Zahno; WPCC Ch. Op. J. Ritter

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

AGENDA AMENDMENTS:

Additions:

Waechter – Older Americans’ Month

Agenda **Myers MOVED to approve the agenda, as amended. Seconded by Waechter and Carried 4-0.**

PRIVILEGE OF THE FLOOR – No one wished to speak

DEPARTMENT HEAD STATEMENTS

Police Chief F. Previte

Previte presented resolution 2025-003, a resolution by the Town of Lewiston granting permission (upon New York State Department of Transportation (NYSDOT) approval) to the Niagara County Sheriff’s Office to install license plate reader equipment within the geographical jurisdiction of the Town of Lewiston and the State of New York.

WHEREAS, the Town of Lewiston and the Niagara County Sheriff’s Office are proposing to install License Plate Reader equipment for Law Enforcement purposes only within State ROW, on or along multiple locations on State routes, located in the Town of Lewiston (hereinafter MUNICIPALITY), Niagara County, and

WHEREAS, the MUNICIPALITY and the Niagara County Sheriff’s Office. are desirous to have such above-mentioned equipment installed within the geographical jurisdiction of the Municipality, and

WHEREAS, the MUNICIPALITY and the Niagara County Sheriff’s Office will meet all State and Municipal requirements during the above-mentioned project, and

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WHEREAS, the MUNICIPALITY and the Niagara County Sheriff's Office reserves the rights to monitor and inspect the above-mentioned project conducted within the geographical jurisdiction of the Municipality, and

WHEREAS, the Niagara County Sheriff's Office will execute the above-mentioned project, as shown on the plans/maps and other documents related to the above-mentioned project funded by the 2023 Governor of NY Grant for New Technology and Equipment to Prevent and Solve Crimes, Improve Public Safety apportioned and approved for the MUNICIPALITY or for Niagara County Sheriff's Office

NOW, THEREFORE,

BE IT RESOLVED, that the MUNICIPALITY, by means of this Resolution, and upon NYSDOT approval, grants permission to the Niagara County Sheriff's Office to conduct the above-mentioned project within State ROW and within the geographical jurisdiction of the Municipality.

BE IT FURTHER RESOLVED that the Niagara County Sheriff's Office shall maintain or cause to be maintained the installed equipment at the project location(s) and shall cover any expenses that may arise from the executing of the above-mentioned project utilizing the above-mentioned Grant or other Municipal funding, and

BE IT FURTHER RESOLVED, that Michael J. Filicetti, Sheriff of the Niagara County Sheriff's Office, shall have the authority to sign, with the concurrence of the Town of Lewiston's Legal Counsel and the Town Board of the Town of Lewiston, any and all documentation that may be necessary in relation to the above-mentioned project as it relates to the MUNICIPALITY, and

BE IT FURTHER RESOLVED: That the Clerk of the MUNICIPALITY is hereby directed to electronically transmit signed, sealed, notarized, stamped, and certified copy of the foregoing resolution to the Niagara County Sheriff's Office for processing of and inclusion to Law Enforcement Equipment (LEE) Application and Agreement with NYSDOT.

RESOLVED, that this Resolution shall take effect immediately.

Resolution
2025-003
License
Plate
Readers

Broderick MOVED to adopt resolution 2025-003, a resolution by the Town of Lewiston granting permission (upon New York State Department of Transportation (NYSDOT) approval) to the Niagara County Sheriff's Office to install license plate reader equipment within the geographical jurisdiction of the Town of Lewiston and the State of New York. Seconded by Morreale and carried 4-0.

Waechter asked Previte if he can explain more on what these readers would be used for. Previte said these devices are already in patrol cars. It's the same technology and will be used in solving crimes like if there is a missing person. Anything we can get information from. If there's an ongoing investigation, it gives us the ability to enter a license plate and see if it hit in a certain location.

Previte said these are not to be used for traffic enforcement. The readers will say if a car is suspended or stolen but it's not a real time thing. It will record the information. Waechter asked

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how many of these devices will be installed. Previte said this is still in discussion with the NYS D.O.T. There will be about 8-10 devices installed in the town and locations are still in discussion. There will be a total of around 100 installed in Niagara County and 8-10 will be installed in the Town of Lewiston along major routes.

Waechter asked if the Lewiston Police Department will need a signed agreement with the Niagara County Sheriff's Office to utilize the information collected from the readers. Previte said it's just an agreement. Being that this is a NYS Law Enforcement Technology Grant, it's shared and the grant states that it would be in multiple jurisdictions and the Sheriff's Office is sharing that information with those jurisdictions. The Town of Lewiston is a partner in the program but the Sheriff's Office has all the responsibility.

Waechter MOVED for the Supervisor to sign Resolution 2025-003. Seconded by Morreale and carried 4-0.

Previte said regrettably, our serving Lieutenant B. Hall is going to request to step down from the position. This is a voluntary demotion due to personal reasons. Hall is very interested in going into the SRO program as an SRO in the school where he served before and was very effective.

Previte said there is an active lieutenant list in Niagara County with three people listed. Through the interviews Previte and Captain Salada conducted throughout the week, Previte requests to promote Officer J. Emmons to Lieutenant effective immediately.

Demotion of Lieutenant **Myers MOVED to accept the voluntary demotion of Officer B. Hall from Lieutenant effective 4/28/2025. Seconded by Morreale and carried 4-0.**

Appointment of Lieutenant **Myers MOVED to appoint Officer J. Emmons to Lieutenant effective 4/28/2025. Seconded by Morreale and carried 4-0.**

Hwy Sup. M. Zahno

Zahno received a price for the drainage line running down Cliff Road from Sullivan Court. The price for the catch basins, pipe, stone, trucking and raw materials for the job will be around \$153,000. This is with the Highway Department doing the work. The trucking (2 trucks) will be hired out and 1,000 tons of stone will be hauled in. Broderick said this is the project the Town hired GHD to do an engineered plan of, which the Town received last week, and that's where Zahno received the pricing from. This will take care of the drainage for Oak Hill Drive, Sullivan Court, Hillview Court, Cliff Road and hopefully, some of Ridge Road.

Drainage Cost - Cliff Rd **Morreale MOVED to authorize Zahno to purchase the piping for drainage on Cliff Road for up to \$153,000 from the H97 fund. Seconded by Waechter and carried 4-0.**

Zahno received a price on two 6" pumps to put up on the back of Forest Road and Woodland Drive. The pumps will take the water and move it to the golf course to prevent houses from flooding. The first quote was for \$59,600 and is an enclosed, quiet pump. The second quote was for \$46,600. This is much like the pump the Sewer Department uses, but is much noisier than the more expensive pump. Both pumps are 6", diesel and pump the same amount of water, the only difference is the

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noise level. Broderick said the Village utilizes a pump not too far from his house. It is not a quiet pump but does not bother him at all when the rain comes down heavy.

Broderick went to the corner of Woodland Drive and Forest Road and all across the golf course. There is an old 18" sanitary sewer pipe that is now a storm sewer pipe that is inadequate. A quick resolution would be, when we have inclement weather, especially when it is forecasted, to get that pump up there and pump the water out of the ground. When the sewer cap was pulled off, water was 2" from the bottom of the pipe and it was just gurgling. Water was not getting to where it needed to go. The Town talked to the golf course about a couple areas we can run a surface hose to take the water out and hopefully prevent some of the flooding until we come up with a more permanent solution. The Sewer Department can also utilize this pump so it will not be a once-a-year pump.

Broderick said he is comfortable going with the \$45,000 pump. Zahno said the closest houses are about 100 ft from the pump and there is a line of bushes along the west side of the one house. The Town can run the exhaust away from the homes to alleviate some of the noise.

Morreale asked if someone will have to monitor the pump. Zahno said it's something they will have to see once it starts. The pump will pump anywhere from 1,400-2,200 gallons of water per minute. Waechter asked if the pump can be utilized in the Morgan Farms area. Zahno said that is a different type of flooding.

Lannon said if the pump is going to be used intermittently for short period of times, being louder is ok. If the pump was going to be running 24/7, he would go with the quieter pump.

Highway -
Purchase
Pump

Broderick MOVED to approve the purchase of a Godwin CD150S 6" Dri-Prime pump from GSA Contract # 47QSMS24D00C6 in the amount of 45,599.24 plus a delivery fee of \$850. Seconded by Waechter and carried 4-0.

Broderick said the Town's H97 account has been used in the past for paving. The Town's sales tax revenue has been higher than expected for about 4-5 years. The Town has been conservative with the sales tax which, in the past was used to support the paving the Town has done. This has left the H97 account available for projects like this. Also, the Town is now earning 4% interest on this revenue as opposed to 3-4 years ago, we weren't earning any interest. We have the revenue to cover these costs and hopefully relieve some of the major areas of flooding.

Sr. Coordinator M. Olick

There will be a vendor fair at the Senior Center next week on Tuesday and Wednesday with a Mother's Day luncheon on Wednesday.

Rec. Director T. Smith

Baseball started tonight and there is a waiting list. Smith had to add more teams for t-ball, more kids signed up this year than we've ever had. Summer camps start in the end of June and are full, there is a waiting list for all 3 camps. Yoga will move to the Riverfront starting May for the rest of the summer.

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Broderick said the meetings are usually streamed on Facebook live and YouTube. We're having a problem with the camera tonight so tonight's meeting will not be available for Facebook live or YouTube but the Zoom meeting will be posted to Facebook.

APPROVAL OF MINUTES

Minutes **Morreale MOVED to approve the minutes of 4/14/2025 WS. Seconded by Myers and Carried 4-0.**

ABSTRACT

Abstract **Morreale MOVED to approve Regular Abstract of Claims Numbered 25-00936 thru 25-01060 and recommended payment in the amount of \$373,391.98 with a Post Audit in the amount of \$13,763.81. Seconded by Waechter and Carried 4-0.**

OLD/PENDING BUSINESS – None

NEW BUSINESS - None

SUPERVISOR BRODERICK

The Town of Lewiston Justice Court is required to submit a financial report every year by April 30th to the Town Board. Broderick read Resolution 2025-002 "Receipt & Approval of Justice Court 2024 Annual Report".

WHEREAS, the Town of Lewiston, in the operation and facilitation of the Town of Lewiston Justice Court, has an obligation to serve in an oversight capacity to the Town of Lewiston Justice Court, relative to the receipt and disbursement of funds and the maintenance of records relating to said receipts and disbursements; and

WHEREAS, the Town of Lewiston and Town of Lewiston Justice Court are subject to 22 NYCRR §214.9 *et seq.* and the New York State Comptroller regulation and guidance relating to the collection, disbursement of funds and the recordkeeping therefore; and

WHEREAS, the Town of Lewiston Justice Court, having submitted its 2024 Annual Report on the 7th day of February, 2025,

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lewiston acknowledges receipt of the Town of Lewiston Justice Court 2024 Annual Report and hereby formally approves same.

Resolution
2025-002
2025 Justice
Court Funds

Broderick MOVED to adopt resolution 2025-002 "Receipt & Approval of Justice Court 2024 Annual Report". Seconded by Morreale and carried 4-0.

Finance:

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The Finance Director asked for approval to process the following 2025 budget revisions:

1. A request to move \$200 to Niagara Power Coalition budget - A00-1420-0400-0200 from Contingency budget - A00-1990-0400-0000, to cover membership dues billing error.
2. A request to move \$13,933 to Insurance budget - A00-1910-0400-0000 from Contingency budget - A00-1990-0400-0000, to cover property insurance expense.
3. A request to move \$17,310 to Insurance budget - B00-1910-0400-0000 from Fund Balance budget - B00-1000-0599-0000, to cover property insurance expense.
4. A request to move \$55 to Fire Inspection Equipment budget - B00-3410-0200-0000 from Fire Inspection Contractual budget - B00-3410-0400-0000, to cover a new desk computer.
5. A request to move \$24,769 to Insurance budget - DB0-1910-0400-0000 from Fund Balance budget - DB0-1000-0599-0000, to cover property insurance expense.
6. A request to move \$9,992 to Insurance budget - SS1-1910-0400-0000 from Fund Balance budget - SS1-1000-0599-0000, to cover property insurance expense.
7. A request to move \$5,433 to Insurance budget - SS2-1910-0400-0000 from Fund Balance budget SS2-1000-0599-0000, to cover property insurance expense.
8. A request to move \$1,098 to Insurance budget - SS3-1910-0400-0000 from Fund Balance budget - SS3-1000-0599-0000, to cover property insurance expense.
9. A request to move \$9,570 to Insurance budget - SW1-1910-0400-0000 from Fund Balance budget - SW1-1000-0599-0000, to cover property insurance expense.

Budget
Revisions

Morreale MOVED for approval as presented. Seconded by Myers and Carried 4-0.

Agnello presented an agreement with the Town's external auditors Drescher & Malecki for the fiscal years 2024-2029. The Town of Lewiston is already under contract with Drescher & Malecki for 2024 & 2025, this is a contract extension to add 2026-2029.

Drescher &
Malecki
Agreement

Broderick MOVED to approve the presented agreement with Drescher & Malecki for the fiscal years 2024-2029. Seconded by Myers and carried 4-0.

Morreale MOVED for the Supervisor to sign said contract with Drescher & Malecki. Seconded by Waechter and carried 4-0.

COUNCILMAN JACOBY – Nothing to Report

COUNCILMAN MORREALE

All of the lights in Town Hall were replaced 8 years ago in 2016 and are now outdated and costing a lot more. Morreale received a quote for the newest lights that are available. National Grid has a program that will pay 75% of the total cost of lights & installation. To replace all of the lights in the building and the 2 out front, the total cost would be \$37,476.04. National Grid would pay \$28,107.03 and the Town would be responsible for \$8,432.11. The savings per year would be \$4,680 in electrical charges. In two years, the Town would recoup their investment.

Replace
Town Hall
Interior
Lights

Morreale MOVED to approve the replacement of lights in Town Hall in the amount of \$8,432.11 from H98. Seconded by Waechter and carried 4-0.

Morreale received a quote in the amount of \$8,386.30 to replace the parking lot lights at Town Hall. National Grid would pay \$6,289.73, 75% of the total cost and the town would be responsible for \$1,981.96. The total savings per month would be \$100.

Replace
Town Hall
Exterior
Lights

Morreale MOVED to approve the replacement of parking lot lights at Town hall in the amount of \$1,981.96 from H98. Seconded by Myers and carried 4-0.

Waechter MOVED for the supervisor to sign the presented energy assessment order with National Grid. Seconded by Myers and carried 4-0.

Broderick said the Senior Center parking lot lighting is complete. The lights work at 30% until you pull under them and they light up to 100%.

The Planning Board meeting in regular session on April 17, 2025 reviewed a one lot split for Nameer Shaaban 1527 Swann Road SBL 89.01-1-1. The Board classified this as a minor to be treated as a minor. The Planning Board recommends a negative declaration in regard to SEQRA. The Planning Board recommends approval of the one lot split as presented.

One Lot
Split
1527 Swann

Morreale MOVED to approve the negative declaration in regard to SEQRA. Seconded by Myers and carried 4-0.

Morreale MOVED to approve the one lot split. Seconded by Waechter and carried 4-0.

The Planning Board meeting in regular session on April 17, 2025 reviewed a one lot split for Thomas Bosso 1754 Ridge Road SBL 89.03-1-51. The Board classified this as a minor to be treated as a minor. The Planning Board recommends a negative declaration with regard to SEQRA. The Planning Board recommends approval of the one lot split as presented.

One Lot
Split
1754 Ridge

Morreale MOVED to approve the negative declaration in regard to SEQRA. Seconded by Myers and carried 4-0.

Morreale MOVED to approve the one lot split. Seconded by Myers and carried 4-0.

The Planning Board meeting in regular session on April 17, 2025 reviewed a one lot split for Pamela Salerno 2761 Ridge Road SBL 76.00-2-91. The Board classified this as a minor to be treated as a

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minor. The Planning Board recommends a negative declaration with regard to SEQRA. The Planning Board recommends approval of the one lot split as presented.

One Lot
Split
2761 Ridge

Morreale MOVED to approve the negative declaration in regard to SEQRA. Seconded by Waechter and carried 4-0.

Morreale MOVED to approve the one lot split. Seconded by Myers and carried 4-0.

The Planning Board meeting in regular session on April 17, 2025 reviewed a Concept Plan for 5/4 Development Presidents Park Apartment Complex Washington Drive. The Planning Board recommends a negative declaration with regard to SEQRA. The Planning Board recommends approval of the Concept Plan as presented.

Schedule
Public
Hearing
Presidents
Park

Morreale MOVED to schedule a Public Hearing for May 12, 2025 at 6:00PM. Seconded by Waechter and carried 4-0.

COUNCILMAN MYERS – Nothing to report

COUNCILWOMAN WAECHTER

Waechter read a request from the Recreation Department to approve seasonal hires for the spring/summer recreation season with hours starting May 27, 2025.

Rec.
Leader
Hires

Waechter MOVED for approval to hire Recreational Leaders Emily Quider, Larissa Reed and Kristina Bradshaw at \$16.50/hr., Kendall Perreault at \$16.00/hr., Connor Quider, Charles Dieteman, Victoria DiCarlo, Abby Zimmerman, Aliza Whitehead, Julian Jenosheck and Owen Feistel at \$15.75/hr. and Brandon Drummond II, Madison Stricker, Parker Vaughan, Olivia Virtuoso, Elle Pauly and Chloe Mooradian at \$15.50/hr. Seconded by Morreale and carried 4-0.

Waechter read a request from the Recreation Department to approve seasonal hires for the spring/summer recreation season with hours starting May 19, 2025.

Rec.
Aide
Hires

Waechter MOVED for approval to hire Recreational Aides Rianna Wyno at \$16.00/hr., and Ethan Goris, Ronan Sloma, Dylan Weber, Amanda McKinstry, Lauren Zahno and Arianna Ceretto at \$15.50/hr. Seconded by Morreale and carried 4-0.

May 2025 is Older Americans' Month.

WHEREAS, Older Americans in the United States, through their knowledge, talents, and abilities, contribute to the success of our country and its communities. Their contributions benefit not only their wellbeing but all citizens of our great nation, and

WHEREAS, the Town of Lewiston is proud of our Older Americans. They make Lewiston a better place to live, work and play because of their enthusiasm, vitality and commitment to our community, and,

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NOW, THEREFORE LET IT BE KNOWN, Recognizing the aforesaid and as an expression of pride and gratitude in the Town of Lewiston's Older Americans, the TOWN OF LEWISTON TOWN BOARD proclaims the month of May 2025 to be OLDER AMERICANS' MONTH in Lewiston, New York.

Older
Americans'
Month

**Waechter MOVED to declare May 2025 Older Americans' Month in Lewiston, New York.
Seconded by Myers and carried 4-0.**

Waechter MOVED to adjourn. Seconded by Morreale and Carried 4-0. 6:38 P.M.

Transcribed and
Respectfully submitted by:

Tamara Burns
Deputy Town Clerk

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