

February 24, 2025

Regular Town Board Meeting

6:00 PM

**PRESENT:** Supervisor S. Broderick; Councilmembers J. Jacoby, J. Myers & S. Waechter; Police Cptn. M. Salada; Bldg. Insp. T. Masters; Bldg. Insp. E. Zimmerman; Finance Director J. Agnello; Dep. Sup. W. Conrad; Hwy Sup. M. Zahno; Water Foreman D. Zahno; Atty. A. Bax; Rec. Director T. Smith; Sr. Coordinator M. Olick; Eng. B. Lannon; 1 Press; 13 Residents & Deputy Clerk T. Burns

**ZOOM:** WPCC Ch. Op. J. Ritter

**EXCUSED:** Councilman R. Morreale

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

*AGENDA AMENDMENTS:* Waechter - Senior Center - automatic door opener

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

*PRIVILEGE OF THE FLOOR* – No one wished to speak

*APPROVAL OF MINUTES*

Minutes **Jacoby MOVED to approve the minutes of 1/27/2025 RTBM. Seconded by Myers and Carried 4-0.**

*ABSTRACT*

Abstract **Myers MOVED to approve Regular Abstract of Claims Numbered 24-03739 thru 24-03738 and 25-00304 thru 25-00421 and recommended payment in the amount of \$540,848.96 with a Post Audit in the amount of \$6,401.60. Seconded by Jacoby and Carried 4-0.**

*DEPARTMENT HEAD STATEMENTS*

Clerks Office

The Clerks Office received a letter on behalf of Artpark Services, LLC – 450 S. 4<sup>th</sup> Street, requesting to waive the 30-day advance notice for a Liquor License.

30-Day Liquor Waiver **Waechter MOVED to approve the 30-day waiver request. Seconded by Myers and Carried 4-0.**

Bldg. Insp. T. Masters

Masters presented a yearly report for 2024 of permits issued and fees collected by the Building Department. There is a new state law that requires the Building Department to present a report to the Board every year. Masters said they issued 517 permits in 2024 and renewed 71 from 2023. If nothing is happening in the town, that means the Building Department is doing their job. “Decks

February 24, 2025

aren't falling off houses and houses aren't burning down, that means we're doing our job." The Building Department inspected over \$15.5 million in construction costs in 2024.

Hwy Sup. M. Zahno

Zahno is requesting the Board pass a resolution for a contract between NYS and the Town of Lewiston. This is a 20-year contract that would allow the Town of Lewiston to work in right of ways.

**WHEREAS**, the Town of Lewiston, from time to time, requires and requests permits and performs repair work and other activities/operations upon highways and/or within rights-of-way controlled by the State of New York Department of Transportation, and

**WHEREAS**, the New York State Department of Transportation, as a condition precedent to issuing said permits for said repair work and other activities/operations, requires that an Undertaking be entered into between the Town of Lewiston and the New York Department of Transportation, relating to the permitting, regulation, restoration and indemnification of the parties, and

**WHEREAS**, the Town of Lewiston is desirous of entering into an Undertaking for the above stated purpose, and

**WHEREAS**, the New York State Department of Transportation has prepared such an Undertaking which has been signed by the Superintendent of the Town of Lewiston Highway Department and is now being submitted to the Town Board of the Town of Lewiston for further consideration and ratification,

**NOW THEREFORE, BE IT RESOLVED**, that the Undertaking, executed by the Town of Lewiston Highway Superintendent, MITCHELL W. ZAHNO, on the 12<sup>th</sup> day of February, 2025, and attached hereto at Exhibit A, is hereby ratified and approved by the Town Board of the Town of Lewiston.

Dated: February 24, 2025

Resolution  
2025-002  
Undertaking

**Myers MOVED to approve the Resolution as presented. Seconded by Jacoby and Carried 4-0.**

Sr. Coordinator M. Olick

The Senior Center will have Irish music by Bob Gnann on St. Patrick's Day. AARP will have tax prep at the center every Friday until April 12<sup>th</sup>. No appointment is needed.

Rec. Director T. Smith

The last two skates will be this week. Wednesday will be sponsored by Brickyard and Lewiston Service Guild will Sponsor the final skate night. Baseball sign-ups are going on and activities for April will be announced soon. Saturday, March 8<sup>th</sup> is Casino night for adults ages 21 and up at Lewiston No. 2 Fire Company.

February 24, 2025

*OLD/PENDING BUSINESS* – None

*NEW BUSINESS* - None

*SUPERVISOR BRODERICK.*

Legal:

**WHEREAS**, a proposed solar energy generation facility located on a parcel, identified as SBL: No. 102.02-2-1, 4746 Model City Road, Lewiston, New York, (the "Project") will be considered for approval of a Special Use Permit and Site Plan Approval by the Town Board/Town Planning Board, and

**WHEREAS**, the Town, as lead agency with respect to the Project for purposes of conducting a review under the State Environmental Quality Review Act and the implementing regulations of the New York State Department of Environmental Conservation adopted thereunder (6 NYCRR Part 617) (hereinafter collectively referred to as "SEQRA"), hereby has determined that the Project is a Type II action and that no further action is necessary, and it is hereby

**RESOLVED**, that the Town Board of the Town of Lewiston hereby approves the Special Use Permit and Site Plan of the Project subject to the following conditions, and be it further

**RESOLVED**, that CP Model City LLC's Building Permit for this project is specifically subject to the following conditions;

1. The easement between CP Model City LLC and Modern Disposal Services, Inc., memorialized in an Access Easement Agreement and effective February 7, 2025, providing both CP Model City LLC and the Town of Lewiston with access to over parcel S.B.L. No. 102.02-2-52, shall remain in effect for the life of the Project.
2. That the above-mentioned easement is subject to the approval of the Town Attorney of the Town of Lewiston.
3. That CP Model City LLC shall post a decommissioning bond in the amount of \$170,000.00, which is an amount satisfactory to the Town of Lewiston and be in a form that is subject to review and approval of the Town Engineer and Town Attorney.
4. That CP Model City LLC shall enter into a Host Community Agreement with the Town of Lewiston to the mutual satisfaction of the parties.

**RESOLVED**, that the Town Supervisor be, and hereby is, authorized to execute any necessary documents in conjunction hereto.

Dated: February 24, 2025

Resolution  
2025-001  
Citrine

**Broderick MOVED to approve the Resolution as presented. Seconded by Jacoby and Carried 4-0.**

Finance:

The Finance Director asked for approval to process the following 2024 budget revisions:

1. A request to move \$34,777 to ArtPark-Modern Contractual - A00-7560-0400-0000 from ArtPark-Modern Revenue - A00-1000-1270-0000, to cover payments to ArtPark from funding received from Modern.
2. A request to move \$2,152 to Seniors Equipment - A00-7630-0200-0000 from Fund Balance - A00-1000-0599-0000, to cover new Doyle Security Panel.

Budget  
Revisions

**Broderick MOVED for approval as presented. Seconded by Waechter and Carried 4-0.**

COUNCILMAN JACOBY

Jacoby read two requests from Lewiston Fire Company No. 2 to add Kalen Drury of Upper Mountain Road and Michael Swanson, Jr of Upper Mountain Road to their roster.

Lewiston  
Fire No. 2  
Roster  
Additions

**Jacoby MOVED to approve Kalen Drury and Michael Swanson, Jr. to the Lewiston Fire Company No. 2 roster. Seconded by Waechter and Carried 4-0.**

Broderick said if you're able and interested, fire service is very valuable. If you want to give back to your community, join the Fire Department. Zimmerman said the Fire Department will take older women, younger women, older men, younger men, whoever is able-bodied.

COUNCILMAN MYERS – Nothing to report

COUNCILWOMAN WAECHTER

The Senior Center received 4 quotes to install a handicap accessible door. Suburban Lock & Key Service bid \$4,295, Aurora Door & Window, LLC bid \$4,116, Swogier Construction, Inc. bid \$7,398 and 24 Hour Door National, Inc. bid \$2,475. The low bid from 24 Hour Door National, Inc. did not include the electrical for the project.

Senior  
Center  
Automatic  
Door Bid

**Waechter MOVED to accept the bid from Aurora Door & Window, LLC in the amount of \$4,116. Seconded by Jacoby and Carried 4-0.**

Steve Lyle – Lower River Road

Lyle asked Ritter on Zoom if he heard the whole meeting. When Lyle listens to the meeting on Zoom, he said he has a hard time hearing everybody.

**Waechter MOVED to adjourn. Seconded by Myers and Carried 4-0. 6:22 P.M.**

February 24, 2025

Transcribed and  
Respectfully submitted by:

Tamara Burns  
Deputy Town Clerk

February 24, 2025

PAGE NOT USED