

September 8, 2025

Work Session

6:00 PM

PRESENT: Supervisor S. Broderick; Councilmembers R. Morreale, J. Myers; J. Jacoby; & S. Waechter; Dep. Sup. W. Conrad; Police Chief Salada; WPCC Ch. Op. J. Ritter; Atty. A. Bax; Bldg. Insp. T. Masters; Finance Director J. Agnello; Hwy Sup. M. Weiss; 1 Press (NG); 2 Residents; & Deputy Clerk B. Cogland

ZOOM: 1 Press

EXCUSED: Rec. Director T. Smith, Water Foreman D. Zahno; Eng. B. Lannon; Sr. Coordinator M. Olick

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

AGENDA AMENDMENTS:

Broderick – Executive Session for personnel matter – No action to be taken
Waechter – Sr. Center bathroom and kitchen

Agenda
Approval

Myers MOVED to approve the agenda, as amended. Seconded by Jacoby and carried 5-0.

APPROVAL OF MINUTES

Approval
of
Minutes

Morreale MOVED to approve the minutes from the August 25, 2025 Regular Town Board Meeting as written. Seconded by Jacoby and carried 4-0. Myers abstained.

ABSTRACT

Correction to August 25th abstract of claims: Voucher 25-00713 in the amount of \$26,740.58 to Van Bortel Ford, Inc. was not previously included in the total.

Abstract of
Claims

Morreale MOVED to approve Regular Abstract of Claims numbered 25-02141 thru 25-02271 and recommended payment in the amount of \$478,531.18 with a Post Audit in the amount of \$2,031.60. Seconded by Waechter and carried 5-0.

Morreale MOVED to approve Regular Abstract of Claims numbered 25-02272 thru 25-02383 and recommended payment in the amount of \$424,220.79 with a Post Audit in the amount of \$11,806.75. Seconded by Waechter and carried 5-0.

DEPARTMENT HEAD STATEMENTS –

Lannon is absent today; however, he has the topographical study for Morgan Farms Subdivision. The documentation is nearly complete and Lannon is planning to meet with Broderick and Morreale to go over it and hopefully get some information together for the next meeting. Waechter asked if this information will be available for review after the meeting? Broderick confirmed it will be.

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OLD/PENDING BUSINESS – None

SUPERVISOR BRODERICK

The Town has been in negotiation with the Volunteer Fire Departments for the past year. Part of that negotiation was to increase the LOSAP from \$700 to \$1,000 per year, per fireman that goes into a savings account. The firemen have to be vested after 5 years to get the retirement. This gives an incentive to recruit and retain firemen – which has been a major problem for the volunteer fire departments.

Bax said because this is a distribution of public funds, it requires a mandatory referendum, meaning a vote of the public after the referendum is published. Bax has contacted the Clerk, who knows what she needs to do for this. Bax has also reached out to the Board of Elections who are happy to help with inspections or anything at all to help with this. The resolution calls for an election on October 15th from 12-8 pm that will take place at Town Hall. This is to increase the contribution to all eligible fire fighters from \$700 to \$1000. The vote is necessary for this to be effective. This will take effect January 1, 2026. Broderick said the State increased the LOSAP contribution to \$1,200, but the firemen only asked for \$1,000.

Bax read the following resolution into record:

**RESOLUTION
CONTRIBUTION TO SERVICE AWARD PROGRAM**

RESOLUTION AUTHORIZING THE TOWN BOARD OF THE TOWN OF LEWISTON, COUNTY OF NIAGARA, AND STATE OF NEW YORK TO INCREASE THE MAXIMUM FINANCIAL CONTRIBUTION REGARDING THE "TOWN OF LEWISTON DEFINED CONTRIBUTION SERVICE AWARD PROGRAM," DEFINED CONTRIBUTION PLAN SERVICE AWARD PROGRAM TO INCREASE THE TOWN OF LEWISTON SERVICE AWARD CONTRIBUTION FROM \$700.00 PER YEAR PER VESTED MEMBER TO \$1,000.00 PER YEAR, WITHOUT ANY ADDITIONAL MODIFICATION TO THE EXISTING SERVICE AWARD PROGRAM.

BE IT RESOLVED, by the Town Board of the Town of Lewiston, County of Niagara, State of New York, as follows:

Section 1. The LEWISTON FIRE COMPANY #2, INC. the UPPER MOUNTAIN FIRE CO. OF LEWISTON NY, INC., and the SANBORN FIRE COMPANY, INC. (hereinafter referred to collectively as the “Town of Lewiston Volunteer Fire Companies”) provide fire protection within the Town of Lewiston.

Section 2. The Town Board of the Town of Lewiston, pursuant to Article 11 -A of the General Municipal Law after a mandatory referendum established the “Fire Protection District Volunteer Firefighters Service Award Program”, currently modified and known as the “Town of Lewiston Defined Contribution Service Award Program” (the Plan) with an effective date of the Plan of January 1, 1990.

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Section 3. The Plan document of the “Town of Lewiston Defined Contribution Service Award Program” is incorporated herein by reference and made a part hereof, a copy of which is on file with the Town Clerk of the Town of Lewiston and in the offices of the Sanborn Fire Company, Inc.

Section 4. The Plan was established for the volunteer firefighters of the Town of Lewiston volunteer fire companies, noted above in Section 1, under a defined contribution plan, as that term is defined in the General Municipal Law §218.

Section 5. The Town of Lewiston Fire Companies and the Town of Lewiston have retained and uses the services of First Security Benefit – VFD Service Award Program to assist in the administration of the “Town of Lewiston Defined Contribution Service Award Program”, and, as the below cost analysis was prepared internally, there was no cost associated with its preparation.

Section 6. In order to increase participation and encourage active volunteer membership in the Town of Lewiston Volunteer Fire Companies, the Town Board of the Town of Lewiston has determined that it is necessary and advisable to increase the contribution to the Town of Lewiston Defined Contribution Service Award Program from \$700.00 per year to \$1,000.00 per year for each eligible vested member.

Section 7. That for years 2026 and beyond, there will be a cost associated with said contribution to the “Town of Lewiston Defined Contribution Service Award Program”, as amended, as follows;

| <u>No. of eligible Vested firefighters</u> | <u>Prior Contribution</u> | <u>New Contribution</u> | <u>Total Annual Cost</u> | <u>Proposed Increase in Cost</u> |
|--|-------------------------------|-----------------------------|------------------------------|--------------------------------------|
| 71 | \$700.00 | \$1,000.00 | \$71,000.00 | \$21,300.00 |

Further, the projected annual future cost of the amended Service Award Program is expected to remain constant, fluctuating only upon the average number of eligible vested members.

Section 8. After the Plan is amended there will be no further administrative fee other than the annual cost of administration of the Plan

Section 9. This amendment will be effective, if passed, on January 1, 2026.

Section 10. This Resolution is subject to a mandatory referendum and before becoming effective must be approved at a Special Election of the qualified electors of the Town of Lewiston at the Town of Lewiston Town Hall, 1375 Ridge Road, Lewiston, New York 14092 on October 15, 2025 between the hours of 12:00 p.m. and 8:00 p.m.

The Clerk of the Town of Lewiston is hereby authorized and directed to make all necessary arrangements with the Niagara County Board of Elections and to prepare ballots in substantially the following form:

The Town Board of the Town of Lewiston, New York hereby adopts the following
RESOLUTION AUTHORIZING THE TOWN OF LEWISTON, COUNTY OF NIAGARA AND
STATE OF NEW YORK TO INCREASE THE MAXIMUM CONTRIBUTION TO THE “TOWN
OF LEWISTON DEFINED CONTRIBUTION SERVICE AWARD PROGRAM” DEFINED

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CONTRIBUTION PLAN SERVICE AWARD PROGRAM FROM \$700.00 PER YEAR TO \$1,000.00 PER YEAR, PER ELIGIBLE VESTED VOLUNTEER FIREFIGHTER.

Contribution
to Service
Award
Program

Broderick MOVED to approve Resolution “Contribution to Service Award Program” as presented, Subject to the mandatory referendum described in Section 10e Seconded by Morreale Roll Call: Councilman Jacoby YES; Councilman Morreale YES; Councilman Myers YES; Councilwoman Waechter YES; Supervisor Broderick YES. Carried 5-0.

Jacoby said he has spoken with long time member of one of the fire companies who is approaching the age where he'll no longer be able to continue serving with the department, and this means a lot to them. This also helps to recruit younger people to volunteer showing that it can be quite a substantial difference for them in the long run once they do leave the fire company.

The public vote will be held at Town Hall. Waechter asked what expenses there would be to hold the October 15th election. Bax responded that he can assume there will be clerical expenses, namely printing of the ballots, hiring of the inspectors, and volunteers have to be paid to man the election. This will be paper ballots. Decisions on where the monies for these expenses will be coming from will need to be made.

Morreale said he noticed Lewiston Fire Company No. 1 is not included on this list. Bax answered that this is a defined contribution plan meaning that the municipality contributes a fixed amount every year to the program. Lewiston No. 1 is a defined benefits plan. What complicates Lewiston No. 1 is that the Village of Lewiston also participates in funding their program. The Town of Lewiston has contacted Lewiston No. 1. Bax has prepared a resolution, incase the Town wants to, that would be effective for Lewiston No. 1. Over the next couple weeks, the Town, Village, and Lewiston 1 will be entering into discussion and if it is appropriate, this will be put onto the agenda for the next meeting.

Comprehensive Plan Committee

In a previous board meeting, the Town approved the hire of Wendel Engineering to make comprehensive plan. The first step is to put together a Comprehensive Plan Committee, which will be made to include Steve Lyle, from the public who frequently attends the Town meetings; Jennifer Pauly who is a former director of the Chamber of Commerce; Henry Sandonato who is a retired DEC Engineer; Dr. Mark Gallo from Niagara University; Tim Masters and Ed Zimmerman who are both Town of Lewiston Building Inspectors, Councilwoman Sarah Waechter the Town's representative from the Board, and Steve Broderick, Town Supervisor.

Ad hoc
Comprehensive
Plan
Committee

Broderick MOVED to add an ad-hoc Comprehensive Plan Committee made up of Steve Lyle, Jennifer Pauly, Henry Sandonato, Dr Mark Gallo, Tim Masters, Ed Zimmerman, Sarah Waechter. and Steve Broderick. Seconded by Jacoby and carried 5-0.

Per Masters' recommendation, Broderick is trying to get a farmer onto the committee. Unfortunately, there aren't many left. Masters reached out to a retired farmer who may have the time.

The Comprehensive Plan Committee would meet once a month for a total of five meetings. Jacoby thanked Broderick for reaching out and giving a heads up on who would be put onto the committee. Jacoby has reached out to these people and said they are eager to be part of it, and believes this

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will be a good committee. Bax asked if a Chairman and Secretary would be appointed? Broderick will announce this soon. Broderick tried to get a diverse group of people together for this committee, some from Lower River Road, some from Sanborn, from Ridge Road, and if the farmer they have approached joins, he will be from the Sanborn/Ransomville area. He is happy with the variety of individuals selected and has high hopes they will come up with a good Comprehensive Plan. Bax stated for the record that, again, this is an ad-hoc committee and will dissolve as soon as the Comprehensive Plan is completed. Position of Chair and Secretary need to be named, and minutes will need to be taken of each meeting.

C.P.C
Chair &
Secretary

Broderick MOVED to appoint Henry Sandonato as Chairman of the Comprehensive Plan Committee, and Jennifer Pauly as Secretary of the Comprehensive Plan Committee. Seconded by Morreale and carried 5-0.

Per Town Code, the Town Assessor needs to be reappointed every six years.

Broderick MOVED to reappoint Nick Fiutko as Town Assessor effective 10/1//2025. Seconded by Morreale.

Finance:

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

1. A request to move \$729 to Recreation Concession Personnel - A00-7310-0100-4402 from Recreation Seasonal Personnel - A00-7310-0100-0000, to cover Recreation Concession payroll expenses.
2. A request to move \$2,645 to Highway Admin Equipment - A00-5010-0200-0000 from Contingency - A00-1990-0400-0000, to cover Highway Superintendent desk, computer, and desk chair.

Budget
Revisions

Morreale MOVED to approve the budget revisions as presented. Seconded by Jacoby and carried 5-0.

COUNCILMAN JACOBY

The Police Department would like to hire a part time Police Ffficer, Andrew Devantier to fill a vacancy with hours to start on September 22nd at contract rate.

Police Hire
Andrew
Devantier

Jacoby MOVED to approve the hire of Andrew Devantier as part-time Police Officer to begin on September 22, 2025 at contract rate. Seconded by Myers and carried 5-0.

COUNCILMAN MORREALE

The Water Department contacted Morreale requesting new lights be put onto the Water Storage Tank Building. Willdan has a program where National Grid pays 70% of the total cost. Crew Chief J. Dell

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was given an estimate of \$2,486.45. National Grid's contribution would be \$1,740.52 The Town would be responsible for \$671.34.

Water Storage Tank Bldg Bid award **Morreale MOVED to approve the sum of \$671.34 to be paid out of the H98 fund for replacement lighting for the Water Storage Tank Building. Seconded by Jacoby and carried 5-0.**

Preliminary Energy Assessment Contract w/ Willdan Const. **Morreale MOVED to approve the Supervisor to sign the Preliminary Energy Assessment Contract with Willdan Construction for new lighting for the Water Storage Tank Building. Seconded by Waechter and carried 5-0.**

The shed behind Town Hall, used for storing lawnmowers and gas cans, etc., has lived its life. The job of tearing it down and building a new one was put out to bid. 4 sealed bids were opened on September 3, 2025. BFH Construction 82,876.60, Niagara Pole Barn \$37,000, Swogier Construction \$68,500, DL Construction Supply dba Parco Buildings \$44,540.

Town Hall Storage bldg bid awarded **Morreale MOVED to accept the bid from DL Construction Supply dba Parco Buildings for the Town Hall Storage Building in the amount of \$44,540 with funds from H97. Seconded by Waechter and carried 5-0.**

COUNCILMAN MYERS –

The Sanborn Historical Farm Museum has Country Breakfast fundraiser coming up on September 14th from 8-12 at the Farm Museum. On September 23rd they have regular meeting with special speaker series: "Minimizing the Effect of Aging" by Richard Derwald who started the largest senior fitness program in New York State.

COUNCILWOMAN WAECHTER –

The bathrooms at the Senior Center are getting "iffy" as it pertains to ADA compliance. Both bathrooms, as well as the kitchen need remodeling. The kitchen floor is failing, and the large commercial stove is too big for the kitchen and a hazard. Waechter understands there are a few more details that need to be put together before it goes out to bid, she is working with Zimmerman on getting that ready to go to bid next week.

Remodeling of Sr Center to bid **Waechter MOVED to put remodeling of the Senior Center bathrooms and kitchen out to bid. Seconded by Morreale and carried 5-0.**

PRIVILEGE OF THE FLOOR

Judge Jim Faso – President of Riverdale Cemetery

Judge Faso is here about something he is unhappy about. He is President of the Riverdale Cemetery – the only nonprofit cemetery in the Town of Lewiston area. He came to the board a couple years ago for help to keep the cemetery going. The problem today is, with the rising occurrence of Cremations, less people are burying their loved ones. This has caused a decrease in revenue needed for upkeep. Riverdale is not backed by any church or organization, and has been this way since the 1800s. The state has taken part of the cemetery and given it to another cemetery already. Faso has

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reached out in the past asking for help from the Town. He's not asking for monetary help, but help with things like plowing, or if a lawn mower breaks if it can be brought to the Town garage and repaired. They mow it on their own, and are not asking for it to be done for them. Faso needs someone that he can call, or that will call him maybe once a week and see if there's help needed – because there is.

If the cemetery does not get brought back to and kept at proper condition, it will be seized and turned over to the Town – which no one wants to happen. Broderick said the Board has done that in the past, so this is just a request for continuation of what has been previously asked. Faso said yes years ago in the past the Town has helped, but for the last year at least, they have called for help, no calls ever returned, when someone says they will come and help, no one ever shows up. If the Town had been helping, the cemetery wouldn't be in the situation it is in now. Faso is not asking for money, he's asking to work as a team and have physical help with maintenance, or for if the Town has an obsolete vehicle or something, they can donate it to Riverdale instead of selling it. The Town has given millings before, which Faso expressed great appreciation for. Things like that. Broderick said Weiss is the new Superintendent of the Highway Department and that is who he needs to talk to. Faso said he is not asking for anything that can't be done.

Rich Chown – Riverdale Cemetery Board Member

Rich and his wife have moved to Sarasota, FL. He is in Lewiston for five months and has promised the Judge, before he leaves, he will do everything in his power to help see the cemetery back on a good path. Over the last couple years, the cemetery has felt the impact of the loss of nearly half their Board members. Don King is unable to attend. Similar to the trouble the fire department are having, they can't recruit young people to be on the Board to help. The revenue stream is extremely low – from \$65,000 to \$42,000 they have hired four people to help with grass cutting and grounds keeping. As Judge said, many calls have been made to the Town of Lewiston for help, with no response or sign that it will be received. Judge Faso will be 84 years old on October 5th, and won't be able to keep up all he's doing much longer. "We need help, drastically." Millings were given two or three years ago to help with paving which was huge, but since that, all help has gone to the hay side. Snow plowing was not done at all at the cemetery last year. Chown would love to see a working relationship between the Town's Highway department and Riverdale Cemetery come to life before it's too late and it becomes Town property.

Enter into
Ex. Session **Weachter MOVED to enter into Executive Session. Seconded by Morreale and carried 5-0. 6:41 P.M.**

Close Ex.
Session **Morreale MOVED to close the Executive Session. Seconded by Waechter and carried 5-0. 7:00 P.M.**

Transcribed and
Respectfully submitted by:

Briggett R. Cogland
Deputy Town Clerk

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