

Present: Sup. Newlin; Council Members Bax, Edwards, Johnson & Palmer; Town Atty. Leone; Deputy Tn. Atty. Koryl; Eng. Lannon; Adm./Op. Lockhart; Police Chief Salada; Bldg./Insp. Masters; Finance Officer DiRamio; Deputy Sup. Elgin; Rec. Dir. Dashineau & Town Clerk Brandon. 1 press and 15 residents.

The Supervisor opened the meeting at 7:05 p.m. followed by the Pledge of Allegiance. A moment of silent reflection followed.

RESIDENTS:

Amy Witroyl of Lower River Road. I did want make a couple of comments pursuant to action of the Lew-Port School Board last week. They passed a resolution joining the Town Board, the Villages of Lewiston & Youngstown, the Niagara Cnty Legislature, Erie Cnty Legislature and many other stakeholders in opposing the expansion of hazardous waste landfills in our community. I congratulate the Board members but the only difference between that vote and all the others votes it was not unanimous. The Board chair descended and according to the *Sentinel*, some of the factors cited in the descension included payments to the school district. Many of you have heard me make the case that while the health & safety issues clearly are the most important ones to the community, but the financial issues in many ways are the most compelling and the most vigorous arguments in terms of a closing statue because of the image and impact. But this particular article cited school tax payments and I found that when looking into that, CWM pays based on their assessment an estimated \$ 485,000 in school tax. It sounds like a lot of money until we think about economic development around you. Knowing where you live and what you pay for school tax per acre and with most people owning less that an half an acre it comes to 3-4-\$5000 for a ½ acre on the assessment when you look at the median prices. On a per acre basis that is 6 to 8 or \$10,000 per acre that each household pays in terms of property tax for the benefits of living here. What CWM pays per acre for the privilege of operating a business here it roughly \$675 an acre. You are paying 10 times what CWM is paying on per acre basis for school taxes. In addition, you are creating value. When you leave your home, it will be sold and it will be reused by someone else. CWM is depleting value and destroying value from an economic standpoint. So this seems to me a little bit misleading to suggest that because they are a large school tax payer that they are really paying their fair share or this is a good deal for the community. We could probably increase our tax base with those monies if we sited a nuclear reactor here. That is not the issue of economic development that this Board has taken and thankfully the school board certainly acted very decisively in joining you on the health & safety issues 6 to 1. I want to congratulate them and again express deep appreciation and as ordinary residents of Lewiston to this Board for all the action that you have taken and your persistence in being diligent on the issues related to health, safety and economic development from these types of facilities. Thank you.

Rob Nichols of 471 Aberdeen Road. I notice that we have TV cameras here tonight and I can say that I am a little bit disappointed. If they are here for free, I would say that is fine because I have seen the nice work that they do at the Niag. Cnty meetings.

Newlin said they are here tonight for free.

Bob Nichols: But if we enter into an engagement and it is going to cost the taxpayers money, I really think we should just disregard that. I don't think we should throw money into advertising Town Board meetings on cable. I would like to ask a question that I don't see on the agenda since I missed last month's meeting, Concerning the people's flood map have you ever settled on how many homes were originally cited by FEMA's flood plan and the % of homes that you were able to remove from

the flood plan. I know we compare ourselves to Wheatfield and they was able to remove 60% of the homes from the flood plan. We hope you are making similar progress.

We are waiting to hear what is happening with Modern Disposal Sitting Cmte. I have not heard anything or seen anything in the paper or if it is going to be discussed tonight and give the public an update. Hopefully, we will receive some info on that in the future.

In a *Sentinel* issue, one of the Board members looking was to save some money suggested we use shared services for removing snow possibly. My perception from the article and it may or may not be true but possibly not removing snow from State and Cnty. roads. That is what is quoted. At first it sounds like a good idea because people are for consolidation but then I inquired and I found $\frac{3}{4}$'s of the plowing budget is paid by plowing the state and county roads and it only has $\frac{1}{3}$ of the miles. It seems to be detrimental if we ignored the county and state roads. It might even costs us more. In talking with people who live on county and state roads, they encouraged me to come here and inform you that we would like to see that terrific Highway Dept. led by Mr. Reiter keeps up the good job in keeping our roads clear from snow etc. Thank you.

AGENDA:

Newlin: A contractual item with the Teamsters Union for executive session.

Edwards: A personnel item in parks & drainage and qualifications of bids for the roof and HVAC units for the Town Hall and at the WPCC in executive session.

Edwards MOVED for the amended agenda as presented. Seconded by Johnson and carried 5-0.

MINUTES:

Johnson MOVED for the approval of the RTBM of 3-23-09 and the Work Session of 4-13-09. Seconded by Palmer and carried 5-0.

POST AUDITS:

Johnson MOVED for approval of the following Post Audits: Office Max (HSBC Business Solutions) \$693.77; Sam's Club \$1,144.82 and NYS Fire Marshalls & Inspectors Assoc. \$150.00. Seconded by Bax and carried 5-0.

OLD BUSINESS:

1. Agreement Town Board/Highway Supt.

Koryl: The Town Law and the Highway Law requires that an agreement exists between the Highway Supt. and the Town Board signed by the Town Board and outlining the particular projects that are going to be done and the money that is going to be utilized as allocated by the Town Board. Many towns in the State, I have learned sometimes lack this agreement and this Board is determined that it will act in compliance with those laws. I drafted an agreement and it was reviewed by the Assoc. of Towns and it was found to be comparable to other agreements throughout the State. They found it to be acceptable.

Edwards: There is one addition to the list of road work. I have spoken with Mr. Lannon and Mr. Reiter and that would be Niagara Street in Sanborn (4/10's of a mile) for paving.

Lannon: The original list of roads submitted by Mr. Reiter is Autumn Lane, Niagara Street, Forest Road in the town/village, Woodland Drive and the entire Mt. View Drive. I reviewed with Mr. Reiter our cost and methodology that we used in preparing the estimate (originally \$385,000) and he was in agreement. He offered to add Townline Road. (0.38 miles). He did modify Niagara Street by going deeper with the same length. I revised the estimate and we are at \$425,000. Mr. Reiter is fine with doing the entire list of roads inclusive of Townline Road for \$425,000.

Newlin said we are now paving over the areas that we put in new water lines last year and it was paid by monies received by the Town from the Power Authority agreement. The paving project as outlined in the Mt. View/Forest area as well as Townline Road will be paid from the Power Authority monies.

Lannon said it includes an allocation for drainage on Mt. View Drive.

Edwards MOVED for the approval of the paving schedule and the \$425,000 from the Town Infrastructure Acct. B-1990.041. Seconded by Palmer and carried 5-0.

Newlin: Those roads that will be paved will be included in the list as submitted by the Engineer for the record.

2. Riverwalk Assoc. Agreement:

Leone stated that he prepared a proposed agreement and was sent to the Riverwalk HOA. Also, that it be distributed to the Fire Bureau, Town Engineer, Bldg. Inspector, Highway Dept. etc.

Masters: I handed those out to the Dept. Heads and their response was that they wanted to see a plot plan before the trees are planted in relation to the fire hydrants, water boxes etc. I relayed that to Mr. Deck and he was to meet with the HOA and get a plot plan. The Water Dept. said their concern was that in the past we had problems with things being in the ROW and the Town incurring some type of liability. They all want to see exactly where the trees are going. They also know that we will be held harmless.

Leone asked for the plot plan when received to be attached as an exhibit to the contract.

3. Senior Van:

Bax stated the senior van as it is used now is that our policy is the driver cannot help an individual on to the care van for insurance purposes. We are trying to look at our insurance policy to find out if there is any way we can tailor it so that we can assist our seniors to get on the bus. I would like to table this for now.

CORRESPONDENCE:

1. Letter from James Messer is challenging the late fee imposed on his water bill. He asked that he be reimbursed the \$3.01. Ms. Stephens has indicated that the bill was sent to his Arizona address and Mr. Messer contends that he never received it. The bills do state that failure to receive a bill does not excuse the failure to pay.

Palmer: Why don't we let Ms. Stephens (Receiver of Taxes & Assessment) make the decision.

Palmer MOVED to allow Ms. Stephens to make a determination on the late fee. Seconded by Edwards. Carried 5-0.

2. A letter from Wylier Architect to locate 2 ground light post/planters within the Town of Lewiston's ROW at 713 Mt. View Drive. They would be similar to the neighbors and would be 10 feet from the edge of the road.

Masters said he understands this but he cannot give the authority to do work in the Town's ROW.

Johnson said we should create a document, hold us harmless and let the department heads be notified and review it.

Newlin asked that the attorneys contact Wylier Assoc. in pursuant to an agreement.

3. A request from residents at 779 & 785 The Circle regarding a drainage problem in their backyards. This was referred to the engineers for review.

NEWLIN:

Legal:

Leone asked for an executive session to discuss litigation and contractual matters.

Engineer: Resolution FEMA/Protest Wetlands

Lannon: I have a serious of maps and compact discs. The Town Board needs to authorize Mr. Masters to send these letters etc, to FEMA protesting the new updated mappings.

Newlin asked if we have some engineering to validate or support those protests.

Lannon: I have statistics that back in 1980, FEMA identified 56 structures within the Town in the flood plain and in the 2009 preliminary data which has been the subject of review throughout WNY it indicated that there would be 25 in the flood plain. We went further working with the Town to identify could any of those 25 be removed. We feel that there are 11 of those 25 could be removed based on the accurate survey data that we have done. That leaves a balance of 14.

Newlin asked how FEMA makes this decision.

Lannon: FEMA will survey large areas of land thru the methodology called lidar which is where they fly areas and will take topographic data from the plane. The advantage of that is you can do large areas rather quickly and relatively effective. The drawback is the accuracy is plus or minus 8 inches (a foot to a foot and half.) That could mean the difference of being within or being without in a flood plain. FEMA did all the mapping based on lidar and came up with what they proposed to do under the flood plain to be and that may have included homes that weren't there before and in some cases excluded homes that weren't there before. What happens is the areas where we feel there could be some differences, we will go out and take ground topos data. We have done that and compared the government's lidar data with a more accurate ground proofing data and we will compare. Whether they are in agreement there is no problem. Where there is a difference we feel in favor of the residents here, then they will become a property subject to the protest. We will say to FEMA we have taken your data, we have done more accurate comparisons and we feel that these homes (a,b,c) should be removed or considered to be removed.

Bax asked if all of those residents have been notified.

Lannon: No, they have not. The next step would be for the Town Board to authorize Mr. Masters to issue these letters. The letter will go to FEMA in NYC.

Johnson: Of the 12-14 remaining properties, how many are structures vs. vacant land.

Masters stated they are all structures. The 56 were all structures. All the houses he is giving now are not including vacant land.

Johnson said some of the residents of Riverwalk are on the map.

Lannon said all 11 of Riverwalk are to be removed.

Masters said that on Walmore Road their information matched ours.

Palmer: Properties that fall within the flood plain that don't have a structure on it, but they have a structure on another part of the property are not included in that 56, right? If a person has a backyard that is in the flood plain, it doesn't necessarily make the house subject to....

Newlin: The Town will do it's best to depend on this. You would like a resolution from this Board authorizing Mr. Masters to send a letter, CD's, mappings etc. and also notify the residents.

Bax MOVED that Bldg./Inspector T. Masters is authorized to send a letter of protest to FEMA and to include mapping, CD's etc. and notification to the residents affective. Seconded by Johnson and carried 5-0.

Verizon/Pletcher Rd. Tower/WPCC:

Newlin stated that the Board has been discussing this matter for several months and we are trying to find a way for the Town to realize some revenues by siting this tower on WPCC land. Mr. Greg Nearpass is here representing Verizon.

Bax asked after the presentation, at what point does it go a public hearing?

Leone: The issue before the Board tonight is whether or not a form of a lease is okay. It would still need to go before all the various committees of the Board. I think it would be premature to do that. Any lease that this Board enters into is subject to permissive referendum and we would need to send a notice out.

Greg Nearpass: I am an attorney with Nixon, Peabody in Rochester, N.Y. and here with me is Sam Vitello representing Verizon Wireless regarding this application for a cell tower on town property off of Pletcher Road (WPCC). Normally, we are to begin the process of this application and normally the town's zoning process is to come to the Town Board at the conclusion of the zoning application with final tower approval. In this case, since the Town would be the landlord we need to first get the Town Board's approval as to the four corners of the lease and then we can go forward, finalize the zoning application and proceed down the normal path of getting the necessary review of the actual zoning application itself. But, as Mr. Leone stated earlier, as it is the Town Board's function here is to ride the approval for the lease subject to the permissive referendum and that would enable us to go ahead, finalize the zoning plan, submit a zoning application and begin the review process of the Planning Bd., Environmental Comm. The same process will happen and we are just here earlier because the Town is going to be our landlord. Originally we have applied in Jan. of 2008 for a tower located off of Calking Road and thru that zoning process we reviewed it with the town planning staff and the Planning Bd. asked us to look at some additional properties. In looking at the zoning code, the Town's #1 preference for tower construction is on municipal land. The Planning Board pointed us in the direction of the WPCC property. Our engineers looked at that and determined that it would be able to provide the required coverage from an RF perspective and Mr. Lockhart was contacted and discussions started. We have a conceptual plan and again once we get the Town's approval to at least move forward this will be a more refined site. What we are showing you here is conceptually where it would be located. (Referred to map). What we are proposing is Verizon Wireless would have a lease parcel (again referring to the map). The proposed tower would be in the northwest portion of the property and is tucked back as far as possible and complies with the town's setback requirements. It meets all of those. It would be a 150' tower and a 5' lightening rod on the top of that. Your code measures height from the lowest to the tallest point.

Palmer asked where exactly the tower would be. (Shown on map).

Greg Nearpass: We would use the existing access drive off of Pletcher Rd. and we would construct a gravel access way into this corner for the tower. (Referred to map.)

Newlin: Would it be possible to include some sort of addendum to the agreement which would provide the Town with the capability for stationing emergency services communications as well. It is in a good part of the Town in that it is a little bit of a dead spot for cell towers. It would help shoot our signal points further north & east. I believe that is done fairly commonly. Do you think it could be included in this agreement, a miniscule lease for example on that?

Greg Nearpass: No, I don't see a problem. Typically, what we will do is appraise Verizon Wireless to allow municipal services to co-locate on the tower, rent free. \$1.00 per year is a nominal rent. A \$1.00 per year provided that the municipal equipment and the tower can support it. Also, that it does not interfere with in terms of signal. It is a very standard co-location application.

Newlin said that would be an upside for the Town if we realize merging our Police Dept. with the Town of Porter. Mr. Leone, are you confident that you can negotiate something with Mr. Nearpass regarding this. (Yes)

Palmer asked if there is a blinking light on top of the tower.

Greg Nearpass. No. The tower will not be lit.

Palmer said he asked that because there are residences that will be affected directly to the west. The River Rd. property lines extend back to the old railroad, so those are cleared away a bit. I didn't know what affect that might have.

Greg Nearpass: The set back distance is approximately 931 feet from the residents. The town code provides for a set back of 500'. The tower itself will not be lit and if you have a tower that is over 200', the FA requires it to be lit and under 200' it is local control.

Palmer: The only change to the community would be visual and you would only see a tower.

Greg Nearpass: You would not know it was a Verizon tower.

Palmer asked how far it is from Riverwalk. How old is the map as I think part of it extends. How far is it from the proposed homes there?

Newlin said it abuts that property to the north.

Masters: It is probably 600' from the property lines.

Palmer said we can confirm that later.

Leone: Some of the resolutions before the Board that were submitted earlier have been changed. The property address has been changed and the presentation date states 4/13/09. It would have to be amended. Also, co-locator could be added. I think Verizon's position is they want to know from the Board whether or not the lease itself is okay. They understand that they have to go thru all of the hoops that any other tower would have to go thru. i.e. Tower Cmte. etc. All this Board is doing is saying we are okay with the lease based on the number and the form of the lease to be amended pursuant to your suggestions that have been provided. You would also be indicating that you are the lead agency for SEQRA review but it would still be subject to the input. Verizon still needs to go thru the procedures and come back to the Board ultimately for your approval.

Greg Nearpass: The lease itself is subject to a figurative termination and the lease is looked at separately as an action subject to SEQRA. What we are asking is if the Town Board could do 2 things. #1 is issue a SEQRA determination on the lease itself. #2 authorizes the Supervisor to sign the lease as amended subject to the permissive referendum. That is akin to a private land owner signing a lease and then we can submit and finalize the zoning application. We would then go thru the normal course of review in terms of the Environmental Cmte. etc.

Newlin said we would have a public hearing on it after the boards review.

Leone: We should definitely have one and should occur after you have all of your input.

Bax said if we are only approving the lease I think it is safe enough to go forward.

Leone: The resolution that you have has the amendments that are adequate. The amendment would be the property address which should be *501 Pletcher Road*, not 475. The other changes would be to the various clauses that say that there was a

presentation before the Board on *April 13, 2009*. They should be amended to say *April 27, 2009*. They are not significant changes.

Palmer: I object to taking a vote on this for fear that it maybe misinterpreted by some of the area residents that we have signed off on this deal in its entirety. I understand the legal reasons but I just feel at this time we are being a little premature with the vote.

Newlin: What would be your preference? To go through the boards and then have a public hearing and then vote on it.

Palmer: That would be my preference.

Newlin asked Mr. Nearpass what would be the impact on that.

Greg Nearpass: One of the requirements that the zoning code requires for the cell tower applications is to have the landowners consent to the application. The Town Board is actually a private applicant as landlord. In order for us to begin the zoning process and comply with what we need is our landowners' consent to initiate that process. I can see your perception where maybe the cart is before the horse because of the situation. We are not here in front of the Board until the end. The beginning process is for the lease itself and we will go through the regular process and then come back to you for a final hearing on the tower permit application. This process is per the Town zoning code.

Newlin said you would agree that if we did move favorably upon this tonight, it doesn't bind our hands in case we hear something from the public.

Greg Nearpass: Does it obligate the Town from ultimately give us the tower permit....no.

Newlin stated that if we do move forward, we will have to make that as clear as possible.

Leone: I think that you have all the issues in front of you at this point and you have to decide. My only question would be from Verizon's point of view, is Verizon interested in going forward with this without a proposed signed document from the Town Board in hand.

Greg Nearpass: I don't think we can.

Johnson stated that they need to know where they are going first.

Leone: I understand. I just wanted that clarified for the Board so you are fully informed when you make your choice.

Newlin: Mr. Palmer, the fact that Mr. Nearpass said publicly that he does not believe that it binds the Town in any way....does that help?

Palmer said he understood the issue. I just want to make sure our residents know what is going on.

Bax: It has to be made clear and the concern here is that without the public input there is really no way for us to make an educated decision.

Palmer: A yes vote tonight does not necessarily need an endorsement by me or the rest of the Board.

Newlin said this is just what opens up and starts the process of public input. This by no means binds the Town to the project. We are going to go through the whole process of public input and advisory boards. Mr. Leone, you would recommend that the Board consider moving that resolution that is before us with the amendments that

you have outlined. The amendments are the language to change the address to *501 Pletcher Road* formerly known as *475 Pletcher Road* and where it says representatives of Verizon have met on *April 13, 2009* it would be amended to read *April 27, 2009*.

Edwards asked about the co-location usage for that tower for our emergency.

Leone: Part of it should be that it is all contingent upon acceptable language including the proviso as indicated by the Supervisor that there would be clause for potential municipal co-location at a cost of \$1.00 a year in the future provided that the tower can support the equipment and provided that our equipment would not interfere with the Verizon frequency.

Edwards MOVED that the Resolution as presented with the changes as noted and an amendment be included that a potential municipal co-location at a cost of \$1.00 per year. (Resolution on File) Seconded by Johnson and carried 5-0.

Leone: For clarification, it is all subject to permissive referendum.

Edwards MOVED to authorize the Supervisor to sign the lease agreement as amended subject to a permissive referendum. Seconded by Johnson and carried 5-0.

Consolidation Update:

Newlin: I have been working with Mayor Soluri as we progress with an examination of the possibility of consolidation between the Town and the Village. Both boards enter into an agreement with CRA Engineers to analysis this. Groundwork on that has been completed and the first report generated will be done before the end of this month. It will be the first preliminary examination of the financial impact on the Town budget as well as the Village budget. There will be two more reports forth coming before the end of June. I think the consolidation is a reasonable idea and people are looking forward to that in WNY. The main concern that I have is that we have a Town government that doesn't have any town tax and a Village government that a \$6.00 or so per thousand tax. I don't think that town residents would be pleased if all of a sudden they get a tax because we consolidated. The only way this is going to work is if we tell town residents, "no" your taxes are not going to go up as a result of this. Secondly, you tell village residents that their incentives is that is that their taxes may well go down. I don't need to remind the Board that if consolidation is something that is going to happen whether it is in a very short term or a longer term. Attrition is probably going to be the easiest way to make that effective so that neither has to engage in layoff. If the cost savings are there and the residents are secure that they can still get the high level of services that they get by both town and village government it looks like an attractive possibility.

JOHNSON:

Fire Prevention Bureau:

When we adopted the Avoidable Alarm Law in 2001, there was no stipulation as to where the fine monies would go. The bureau members would like to have the funds allocated to a dedicated training fund administered by the Fire Bureau and to be accumulated from year to year.

DiRamio: I will talk to the auditor and see how it can be set up.

PALMER:

Oak Run Estates:

The Planning Board in regular session on April 16, 2009, reviewed a request from Northwest Development Group for a minor revision to Phase 3 & 4 of Oak Run Estates. The Planning Board recommends approval of the minor revision as presented.

Masters: Phases 3 & 4 had been approved before. The DEC took 2 years to make a wetlands determination and now have said our line of wetlands is here and now we want 100' buffer line forward making the lots smaller.

Palmer MOVED to accept the recommendation of the Planning Board for Phase 3 & 4 of the Oak Run Estates. Seconded by Johnson and carried 5-0.

EDWARDS:

Roof Repair/HVAC Units Bids:

Lannon: In speaking with Atty. Leone we thought it would best to discuss this item in Executive Session under contractual.

Drainage:

The drainage problem of the 3 residents of Ridge Road off of Indian Hill has been resolved. The existing ditch was cleaned and re-graded.

The drainage at 725 Ridge Road will be completed by next week.

Highway Dept.

We are milling all of the projects mentioned earlier.

Under public comments tonight, $\frac{3}{4}$'s of the highway budget is paid from the State and Cnty. I am not aware of that. We have a million dollar base budget and we just spent another \$435,000 this evening. What is the revenue from the State contract?

DiRamio: I do not have the information before me at this time.

Newlin: The highway budget is closer to 1.8M.

Edwards stated that he had never seen a revenue line of \$800,000 and more in the Highway Dept. so that is a false statement.

BAX:

The following is a list of the part time seasonal hires in the Recreation & Parks Dept.

Brett Atkinson	\$8.25 p/h	Courtney Bridges	\$8.25 p/h
Theresa Ceretto	\$8.25 p/h	Margaret Duffy	\$8.25 p/h
Andrew Fleury	\$8.25 p/h	Jared Flock*	\$8.25 p/h
Alyssa Florence	\$8.25 p/h	Chris Jackson	\$8.25 p/h
Jodie Juechstock	\$9.00 p/h	Kyle McDonald	\$8.25 p/h
Robert Morreale	\$8.00 p/h*	Stephanie Myers	\$8.25 p/h
Brittany Nichols	\$8.25 p/h	Lisa Ann Poirer	\$8.50 p/h
Elizabeth Slaiman	\$8.25 p/h	April-lyn Stitt	\$8.25 p/h
Julie Stuart	\$8.00 p/h	Lindsay Stuart	\$8:00 p/h
Jeremy Willard	\$8.00 p/h*	Michael Ziobrowski*	\$8.00 p/h

*May 4th start date. All others June 29th.

Bax MOVED for the approval of the list of hires as presented. Seconded by Johnson.

Edwards asked if our nepotism rules & regulations are in affect.

Dashineau: None of them work for one another and I am their immediate supervisor. They have all been interviewed and we feel we have selected the best candidates.

Bax asked if we still have a nepotism policy in place.

Leone: We have a nepotism policy in place as of the effectiveness of that policy that remains to be seen.

Bax: Didn't last year we have an exemption or exception for.....

Leone: We enacted an amendment to the nepotism policy for part time or seasonal help, so all of these people seemed to be exempt under that particular subdivision.

On the Motion, carried 5-0.

Waste Water Treatment Plant:

With the bid opening for the roof repairs, Mr. Lockhart has some of the funds available in his current budget through SS1 and SS2. We will be talking to the Finance Officer about lending money to the WWTP. We will have a resolution at the next meeting on this.

Johnson MOVED to go into an Executive Session for the following items: Contractual; Personnel related to parks & drainage; Highway Agreement; Litigation and Bid Qualifications/Contractual. Seconded by Bax and carried 5-0.

Time: 8:15 p.m.

Respectfully Submitted and Transcribed by:

Carol J. Brandon
Town Clerk

Executive Session

Present: Sup. Newlin; Council Members Bax, Edwards, Johnson & Palmer; Tn. Atty. Leone; Deputy Town Atty. Koryl*; Eng. Lannon; Bldg./Insp. Masters; Adm./Op. Lockhart & Deputy Sup. Elgin.

Motion to come out of Executive Session made by Johnson, Seconded by Palmer and carried 5-0.

Motion by Johnson to accept bid of David Gross Co. for roof repairs/HVAC as apparent lowest responsible bidder contingent upon complying with all bonding requirements. Seconded by Palmer. Carried 4-1. (Edwards)

Motion by Palmer to change existing Union Contract to permit the \$125.00 coat fund to be spent on other clothing. Seconded by Johnson and carried 5-0.

Motion by Palmer that Town Attorney is authorized to sign stipulation under Docket #135109 and that Budget Director is authorized to issue check for \$17,500 payable to Michael Dow & A. J. Reiter per Docket #135109 from Legal Contingency Line A-Fund. Town Supervisor authorized to sign said check. Seconded by Johnson and carried 4-1. (Newlin)

Motion by Johnson to appoint Steve Reiter as Deputy Director of Parks contingent upon agreement with the Town of Lewiston to provide equipment (including trucks & trailers) and operator, as needed, at an annual stipend in the amount of \$7,000. Seconded by Bax and carried 5-0.

Motion to adjourn at 10:50 p.m.

*Minutes taken by Deputy Town Atty. R. Koryl.

