

PRESENT: Supervisor Reiter; Councilmembers Bax, Marra, Palmer, Winkley; Deputy Sup. Catlin; WWTP Chief Oper. Lockhart; Building Inspector Masters; Town Attorney Gabriele; Engineer Wzontek; Director of Finance Johnson; 5 residents; 3 Press and Clerk Donna Garfinkel

Supervisor opened Worksession at 6:00 p.m. followed by the Pledge of Allegiance and a moment of silent reflection.

Reiter asked for additions to the agenda. Winkley requested the addition of Artpark and a GPS data logger. Bax requested the addition of Electrical Engineering Survey, Town Board NIMS training, fence issue on Lower River Road and Executive Session regarding litigation on a clay mining issue and a contractual issue in regards to tower fees. Reiter requested the addition of budget transfers.

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

First Agenda Item – Approval of Abstract

Winkley MOVED to approve the Regular Abstract of claims, numbered 755 to 1174 and recommend payment in the amount of \$819,694.64, plus an additional \$12.00 for voucher number 977 & 978, Plus a Post-Audit of \$1,085,535.19, Seconded by Marra and Carried 5 – 0.

Additional \$12.00 was for freight not included in voucher total.

Winkley spoke of an article in the Buffalo News that outlined revenue of State Parks. Article states Artpark had revenue of \$404. Winkley finds this unusual. Winkley asked if resident Neil Nolf could address the Board on the issue.

Nolf, Neil – formally of S. 5th Street. As a volunteer at Artpark, Nolf wanted the Board to be aware of the Buffalo News article. The value of Artpark is significant in its culture, environmentally and economically to the local community. Nolf thinks it is important the community and the Board take a look as to what the State really thinks of Artpark and the long-term significance.

Winkley will forward a letter to Albany requesting where the information came from.

At the end of the last year, money was set aside for GPS locators for Police vehicles. Police vehicles are already equipped. Asst. Engineer Sharpe has been researching GPS loggers to be used by several town departments. This will allow employees to locate fire hydrants, outfalls, water-main boxes, sewer clean-outs etc... which can be put on the Town GPS system.

Three quotes have been received. Trimble Navigation - \$31,593; Earth Vector Systems - \$34,765; Way Point Technology - \$29,918. Sharpe requests authorization to purchase the GPS system from Way Point Technology at a cost of \$29,918.

Catlin is familiar with the equipment and requests to work with Johnson and Sharpe and check out the different systems prior to any decision being made.

Second Agenda Item – Sewer Charge Relief – Sanborn Stop & Wash Car Wash

A request was received from Sanborn Stop & Wash to forgive the sewer charge on the 2nd water meter located at 5446 Walmore Road. The 2nd meter is used to fill the tank truck to supply potable water to residences of the Tuscarora Reservation. The meter would still be billed for its water usage.

Bax MOVED to forgive sewer charge on the 2nd water meter located at the Sanborn Stop & Wash, Seconded by Reiter and Carried 5 – 0.

Third Agenda Item - Addition to Upper Mountain Fire Company

Winkley MOVED to approve the addition of Connor Anthony – 873 Upper Mountain Road, Lewiston, New York, to the Upper Mountain Fire Company, Seconded by Bax and Carried 5 – 0.

Fourth Agenda Item – Permission to attend Wind / Tower conference

Bax requests Wind / Tower Energy Research Committee member William Conrad attend a seminar on Small Wind Energy Systems at a const of \$259.

Bax MOVED to reimburse William Conrad the sum of \$259 for his attendance at the conference with funds coming from B8020.0400.0100, Seconded by Marra and Carried 5 – 1.

Fifth Agenda Item – Proclamation for Armed Forces Week

Bax MOVED

In recognition of their 50th Anniversary
The eight counties of Western New York
Proclaim the Week of May 2nd to May 8th, 2010
Western New York Armed Forces Week

Whereas: We ask the question “What Is A Veteran?” – whether active duty, reserve, discharged, or retired – is someone who, at one point in his or her life, wrote a blank check, made payable to the United States of America, for the amount of “up to and including his or her life”,

Whereas: We recognize the Men and Women of Our Armed Forces for their Honor, Courage, Devotion to Duty and their Personal Sacrifices for “Our Freedom”,

Whereas: We hold the Deepest Respect for All Veterans, Past, Present and Future who have and will go in harms way to protect and defend “Our Freedom”,

Whereas: We the People do recognize their individual sacrifices and at times giving their last full measure to sustain “Our Freedom”,

Whereas: “Freedom Isn’t Free”

Whereas: We thank them for our way of Life, Liberty and the Freedom of Choice they have guaranteed to all of us by their service in our Armed Forces – Army, Navy, Marines, Air Force and Coast Guard. We Honor them and will “Never Forget” what they have done for us.

Therefore, We the County Executives and Supervisors of the 8 Great Western New York Counties – Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming, do set forth our Hand to Proclaim and Recognize

The 50th Anniversary of Western New York Armed Forces Week
Sunday, May 2nd through Saturday, May 8th, 2010
To remember Our Veterans for their Sacrifices for the “Freedom We
Enjoy Today.”

Seconded by Palmer and Carried 5 – 0.

Sixth Agenda Item – Sanborn Museum Permit Update

At the Town Board meeting of March 22nd, the Board forwarded a request to the Planning Board, asking if the interpretation of “Permit”, made by the Town Attorney, was satisfactory.

A memo from Building Inspector Masters indicates that two of the seven member boards have given an affirmative response.

Palmer MOVED to approve the recommendation of the Planning Board for the Site Plan for the Sanborn Lewiston Farm Museum located at 2660 Saunders Settlement Road, Seconded by Bax and Carried 5 – 0.

Seventh Agenda Item – Sanborn Directional Signs Update

Reiter is waiting for a response from the State Dept. of Transportation.

Eighth Agenda Item – Letter to Army Corp of Engineers

There was a request for a letter authorizing the release of OAE Grant Funds to the Army Corp for the remediation and safety issues surrounding the LOOW Site. Bax drafted a letter and reviewed it with Supervisor Reiter. These funds will help alleviate the dangerous situation surrounding the open pits at the LOOW Site.

Bax MOVED to authorize the Supervisor to sign the modified letter and send to Congresswomen Slaughter for the release of the funds, Seconded by Marra and Carried 5 – 0.

Ninth Agenda Item – Engagement Letter – National Grid

Johnson has been working with Attorney John Dax to ensure Lewiston is receiving the appropriate amount from the agreement with National Grid and New York Power Authority.

Reiter requests Board members review Dax’s letter. Reiter would like to make a decision sometime in May. Reiter thanked Johnson for his work.

Tenth Agenda Item – Purchasing Work Sheet

Reiter said Johnson and Katelyn Farnham, Accountant are doing a great job keeping track of the Town’s expenditures. The Town is down a substantial amount in CWM funds, and the Town is being told the sales taxes revenue may also be low. The worksheet is designed after the Town’s purchasing policy, in order to keep a better handle on spending by each department. The worksheet would be attached to each purchase order. This will allow the auditors to understand what direction the purchase was taken.

Reiter requests Board members review and bring back comments to the April meeting.

Eleventh Agenda Item – Sanitary Sewer Survey / Creek Road & Pletcher Road

This intersection is covered under 3 different contracts, requiring 3 different sets of prints to gather any needed information. Lockhart is requesting Nussbaumer & Clarke survey the area and consolidate this intersection into one point of information.

Nussbaumer & Clarke submitted two options: Option 1.) Nussbaumer collects rim elevations and horizontal alignment data. The Town of Lewiston collects vertical data and provides to Nussbaumer for conversion to elevations. Nussbaumer completes mapping at a cost of \$3,100. Option 2) Nussbaumer collects rim elevations and horizontal alignment data, vertical data, and prepares mapping at a cost of \$4,600.

Lockhart recommends Option 1.

Bax MOVED to authorize Nussbaumer & Clarke to complete Option 1, not to exceed \$3,100 with monies from 8120.400-SS2, Seconded by Palmer and Carried 5 – 0.

Twelfth Agenda Item – Attendance – Wastewater Asset Management Workshop

Bax MOVED to allow Lockhart to attend Wastewater Asset Management Workshop, May 13, 2010, in Williamsville at a cost of \$55, with monies from 8110.400-SS1, Seconded by Winkley and Carried 5 – 0.

The Town is looking into purchasing generators for Town Hall, Town Garage and the Police Dept. To ensure the Town is making the right decision, Nussbaumer & Clarke has been asked to perform an Electrical Engineering Survey to find out exactly what the electrical needs are. Nussbaumer asked to present a proposal for review at the April meeting.

In order for Lewiston to receive federal funding from FEMA, the Town needs to be NIMS qualified. Marra and Bax need to complete the training.

Masters received complaints regarding a busted wooden split-rail fence located on the west side of Lower River Road. To be discussed at a later date.

Reiter requests the following budget transfers as suggested by the Auditor.

Funds for the Grant Writer were put in the Supervisors account. This will cover the cost of the Grant Writer for the remainder of the year.

Reiter MOVED to transfer \$7,500 from B-1990.0400 – Contingency to B-8095.0400 – Grant Writing Services, Seconded by Bax and Carried 5 – 0.

Work was done on a waterline in the escarpment area. A milling machine was purchased for the job; therefore the transfer is needed to cover the cost of the machine.

Reiter MOVED to transfer \$10,000 from B-1990.0400-000 – Contingency to BD-5130.0200-0000 – Machinery Equipment, Seconded by Bax and Carried 5 – 0.

The Board, on March 8th approved the purchase of a tractor and a trailer. The following transfers are requested to put monies in the proper account.

Reiter MOVED to transfer \$135,000 from B-1990.0401-0200 – Equipment to BD-5130-0200-0000 – Machinery Equipment, Seconded by Marra and Carried 5 – 0.

Reiter MOVED to transfer \$10,000 from BD-5130.0400-0000 – Machinery Contractual to BD-5130.0200-0000 – Machinery Equipment, Seconded by Palmer and Carried 5 – 0.

Thirteenth Agenda Item – Hickory Stick Golf Course Liquor License – Request 30-day notice waiver.

Winkley MOVED to waive the 30-day waiting period for the Hickory Stick Golf Course liquor license notification, Seconded by Bax and Carried 5 – 0.

Winkley MOVED to waive the 30-day waiting period for the Marlboro Inn liquor license notification, Seconded by Bax and Carried 5 – 0.

National Grid will attend the May 10th Worksession.

Reiter MOVED to have the May 10th Worksession start at 5:00 p.m. to meet with National Grid and have the Lewiston Golf Course Corp. meet in regards to the Hickory Stick Golf Course at 6:00 p.m., Seconded by Marra and Carried 5 – 0.

Reiter invited residents and the press to accompany the Board on a tour of the Town to see issues/concerns of residents and department heads. This will allow the Board to understand better, matters on the agenda.

Palmer MOVED that the Town Board assemble at 1:00 p.m., Friday – April 16th at the Town Hall for the purpose of touring the Town with the Department Heads, Seconded by Marra and Carried 5 – 0.

Winkley reported there will be a Senior Dance on Friday – April 16th at 7:00 p.m.

Winkley MOVED to enter into Executive Session to discuss Litigation and a Contractual matter, Seconded by Marra and Carried 5 – 0. (7:00 p.m.)

Executive Session (7:05 p.m.)

PRESENT: Supervisor Reiter; Councilmembers Bax, Marra, Palmer, Winkley; Building Inspector Masters; Town Attorney Gabriele; Director of Finance Johnson; and Clerk Donna Garfinkel

Discussion on Litigation regarding the Mawhiney Clay mining issue

Discussion on tower fees.

Marra MOVED to exit Executive Session, Seconded by Bax and Carrie 5 – 0. (7:30 p.m.)

No action taken.

Minutes of executive session taken by Clerk Donna Garfinkel.

Minutes Transcribed and Respectfully submitted by,

Donna Garfinkel
Deputy Town Clerk