

February 14, 2011

Town Board Worksession

6:00 PM

Present: Supervisor S. Reiter; Councilmen A. Bax, M. Marra, E. Palmer & R. Winkley; Dep. Sup. G. Catlin; Town Counsel M. Dowd; WPCC Ch. Op. J. Ritter; Eng. R. Smith; Highway Supt. D. Janese; Bldg. Insp. T. Masters; Finance Director M. Johnson; Chief C. Salada; 2 Press; 3 Residents; and Dep. Clerk C. Schroeder

Also Present: Dep. Highway Supt. Kevin Payne

The Supervisor called the worksession to order at 6:03 p.m. Councilman Marra led the Pledge of Allegiance followed by a moment of silent reflection.

Agenda:

In addition to the agenda, the following additions were requested:

Palmer: Police Negotiations

Reiter: Fund Transfer; J. Davis Park Agreement; Alliance for Municipal Power

Marra: Police Academy Recruits; Stormwater Enforcement Officer

Winkley: Executive Session re Personnel

Marra MOVED the agenda, as amended. Seconded by Bax and carried 5-0.

Abstract:

Winkley MOVED to approve the Abstract of Claims, Numbered 141 to 494 and recommended payment in the amount of \$354,296.58, plus a post-audit of \$138,091.25. Seconded by Bax and carried 5-0.

WPCC:

Bax referred to correspondence from Jeff Ritter to create a Watchperson position at the Treatment Plant to be filled by Non-Union part-time employees. Fifty-six (56) hrs per week need to be covered by 4 people who work less than 20 hrs per week on a revolving schedule. A 5th position would be created, but not filled.

Reiter said it would be a cost savings to the Town as they would not be hiring a Full-Time Operator's position.

Bax MOVED to authorize Mr. Ritter to advertise for hiring of 4 non-union personnel. Seconded by Marra and carried 5-0.

Risk Management: Palmer said he would address two incident reports in executive session.

Waiver of Liquor License: Winkley referred to a request from Lewiston #2 Vol. Fire Co. requesting a waiver of the 30-day notice in order to upgrade their liquor license from a club license to an on premise license.

Winkley MOVED for approval. Seconded by Bax and carried 5-0.

Holiday Decoration: The Town Clerk is seeking approval to purchase one (1) 2' by 27' outdoor lighted "Happy Holiday" display to be placed on the front solid brick wall of the Town Hall. During the winter sale, this cost would be \$928.00 plus shipping costs of \$125.00 for a total cost of \$1,053.00. Funds to come from H-55.

Marra MOVED for approval. Seconded by Bax and carried 5-0.

Comprehensive Plan & Zoning Code Updates:

Marra MOVED to schedule the Public Hearing for March 14 @ 5:30 p.m. Seconded by Palmer and carried 5-0.

Copies of the Comprehensive Plan and Amendments to the Zoning Code are available for review on the Town's website.

Police Negotiations:

Marra MOVED to accept the tentative agreement reached with the Lewiston Police Department Teamsters Local 264 and requested it be sent back to Local 264 for ratification. Seconded by Marra and carried 5-0.

Police Academy:

Marra MOVED to sponsor the following individuals at the Police Academy at no cost to the Town: Greg Clark, Matthew Horton, Lenny Bevilaqua, Travis Maggerd and Kevin Olejar. Seconded by Bax and carried 5-0.

Bax said he got a copy of a letter from the Environmental Commission regarding the outfall at 4509 Lower River Road which was referred to the Highway Supt. Reiter said Supt. Janese did receive it. The Town was going to wait to hear from the County DOT and State DOT. It is their road and the outfall belongs to them. We have not heard from them yet. I really did not want our people getting involved just yet.

Stormwater Management:

Marra MOVED to authorize the Supervisor to serve as Stormwater Enforcement Officer in the interim, at no additional salary, until the position is filled permanently.

Town Hall Renovations: Reiter said renovations are underway at Town Hall. He requested a transfer of \$20,000 from H-97 (Capital Improvement Fund) to H-55 (Town Hall Renovation Fund) to complete the renovations, as needed.

Palmer MOVED for approval. Seconded by Marra and carried 5-0.

Alliance for Municipal Power: Reiter said the Supervisors of the Towns of Lewiston, Porter and Niagara have been discussing the possibility of forming its own Municipal Electric Distribution System as a result of some of the power discounts given by the Power Authority and the rising distribution costs for power. They would like to hold a joint Board meeting of the three municipalities at the Town of Porter Town Hall on March 21 at 6:00 p.m. That date is tentatively scheduled. Board members would be notified accordingly if the date is changed, he said.

Tobacco Free Coalition: Reiter said the Erie-Niagara Tobacco Free Coalition has asked the Town of Lewiston to become a tobacco free zone for Town Buildings and park facilities. He passed out information for the Board's consideration.

J. Davis Park Lease: Reiter said he would like to enter into an agreement by and between the Town of Lewiston and the State of New York "OPRHP" to undertake the operation and maintenance of Joe Davis Park for 2011. The Town shall have the right upon ninety (90) days written notice to State Parks to terminate the Agreement. Reiter said there would be a meeting in the Supervisor's office the following day at 1:00 p.m. with the Audubon Society and Wildlife Federation for recommendations how the Parks should be utilized.

Marra MOVED to authorize the Supervisor to sign the lease agreement. Seconded by Bax and carried 5-0.

Lewiston Master Sewer District:

Order calling Public Hearing in the matter of the Increase and Improvement of the Facilities of the Lewiston Master Sewer District. Dowd said they have to re-advertise the public hearing. Said capital project has been determined to be a "Type I Action" pursuant to the regulations of the NYSDEC and it is expected that the Town Board will find that there are no significant adverse environmental impacts related to the proposed action.

Bax MOVED to schedule the Public Hearing for Feb. 28 @ 5:30 p.m. Seconded by Marra and carried 5-0.

Executive Session:

Reiter asked for a motion to enter into Executive Session to discuss personnel and litigations matters (Damage Reports).

Bax MOVED for approval, Seconded by Marra and carried 5-0. Time 6:20 p.m.

*Executive Session

Present: Reiter; Bax; Marra; Palmer; Winkley

Also Present: Gary Catlin, Michael Dowd

*Minutes taken by Councilman Michael J. Marra

Issues Discussed:

1. Town Appointments
2. Liability/Incident Reports

Motion by Winkley, Seconded Bax to exit Executive Session and reconvene worksession. Carried 5-0. Time: 6:33 p.m.

Action Taken:

1. Police Contract is conditional on removing language that refers to the Lewiston Police Commission and replacing with Lewiston Town Board being authorized to approve contract.
Palmer MOVED for approval. Seconded by Marra and carried 5-0.
2. Approved compensation to First Deputy Town Clerk Carole Schroeder of an additional \$1.00/hr. to assume the duties of Town Clerk during the absence of Town Clerk Carol Brandon for medical reasons.
Marra MOVED for approval. Seconded by Winkley and carried 5-0.
3. Rescinded previous CWM CAC Appointments for 2011.
Winkley MOVED for approval. Seconded by Marra and carried 5-0.
4. Per NYS Environmental Conservation Law 27-1113, Supervisor Reiter hereby appoints Robert DiFrancisco, James Mandell, Gary Catlin, Ronald Kraft and Dr. Mark Gallo to the CWM CAC.
5. Appointed Mark Davis, Deputy Town Attorney a salary of \$15,000 per year.
Marra MOVED for approval. Seconded by Winkley and carried 5-0.
6. Authorized Dep. Attorney to settle Claim by Jason Burns for injury to his dog at a cost not to exceed \$837.70.
Bax MOVED for approval. Seconded by Winkley and carried 5-0.
7. Authorized Dep. Attorney to contact John Caputo re auto windshield damage.
Bax MOVED for approval. Seconded by Winkley and carried 5-0.

Marra MOVED to adjourn. Seconded by Winkley and carried 5-0. Time: 7:00 p.m.

Transcribed and
Respectfully submitted by:

Carole N. Schroeder
Deputy Town Clerk

