

2021 Schedule of Salaries of Elected Town Officials: Highway Superintendent - \$72,989; Town Clerk - \$63,606; Supervisor - \$43,583 (The annual salary for the Supervisor position is \$43,583, but Supervisor Broderick currently only accepts an annual salary of \$35,000 with a salary waiver equal to \$8,583); Town Justices (2) - \$28,495; Council Members (4) - \$14,410.

Water Foreman D. Zahno

Zahno is requesting to purchase a trailer for the department's excavator. There is money in the Water Department Equipment line. The following three quotes have been received: Trailer Sales of New York, North Collins = \$8,627.00; JPR Trailer Sales, Holley = \$9,795.00; LOE Trailer Sales of WNY, Inc., North Tonawanda = \$12,205.00.

Seaman said this falls within the Town Procurement Policy. The lowest bid can be accepted and approved by the Town Board.

Geiben MOVED to accept the low bid from Trailer Sales of New York, North Collins in the amount of \$8,627.00, Seconded by Jacoby and Carried 4 – 0.

The 2018 Water Project is moving along. Zahno said he is very fortunate to have the group of guys he has.

Senior Center Director M. Olick – Hire Van Drive Bid - Doors / Windows

Olick would like to hire John Pieroni as Van Diver for the Senior Center. Hours would be 500/year at \$12.00/hour.

Geiben MOVED to hire John Pieroni, Van Diver for the Senior Center for 500 hours/year at \$12.00/hour, Seconded by Jacoby and Carried 4 – 0.

Olick said money had been set-aside to repave the driveway at the Senior Center. With the Water Project taking place on Lower River Road the pipes were placed in the parking lot, making it not possible to pave. Olick would like to utilize these dollars to replace windows and doors at the Center.

Olick requests to go out to bid for the replacement of the windows and doors.

Geiben MOVED to allow Director Olick to seek bids for windows and doors replacement at the Senior Center, Seconded by Myers

Broderick said Ed Zimmerman and Tim Masters will work on the bid specs.

Seaman asked if the installation will be included. Broderick said yes. Seaman requests the bid packet be forwarded to him for review before it is sent out.

Jacoby asked if the replacements will be energy saving. Olick said yes.

Geiben asked if the Town should hold off on the bids until the Town talks with Jason Kulaszewski, Clean Energy Coordinator.

Seaman said the Board could motion to put the project out to bid, sometime after meeting with the Energy Auditors.

Geiben amended the Motion to hold the distribution of the bids until contact has been made with Jason Kulaszewski, Seconded by Myers and Carried 4 – 0.

Trane - 2020 – 2021 Snow & Ice Agreement

Trane is requesting approval of the Agreement. Seaman has reviewed and it is the same as the last two years, with a minor adjustment to the price.

Jacoby MOVED to approve the 2020 – 2021 Snow & Ice Agreement with the Department of Transportation, Seconded by Geiben and Carried 4 – 0.

M. Maggard – Town Historian - Town Seal

Maggard distributed two new revisions of the Town Seal that the Town Historic Preservation Commission created. Maggard asked the Board if anyone has comments.

Broderick, Geiben and Myers like the seal with Lewiston written across the seal with the possibility of making the words Town of Lewiston a bit smaller.

Maggard will bring back another draft.

CONCEPT PLAN – MT. ST. MARY’S HOSPITAL – HELIPAD

Seaman distributed a Resolution. It is for Concept Plan approval. No work will be done on this project until the applicant files the Detailed Plan Application, which will go to the Planning Board then back to the Board for a Public Hearing.

Geiben MOVED to approve the Concept Plan Resolution as presented by the Town Attorney and reads as follows, Seconded by Jacoby:

WHEREAS, the Town of Lewiston had previously approved, and now has an existing Planned Unit Development (“PUD”) located at 5920 & 5300 Military Road, Lewiston, NY, which is the location of Mt. Saint Mary’s Hospital, in addition to other businesses, and

WHEREAS, Mt. Saint Mary’s Hospital, through Catholic Health, is now seeking modification to the existing PUD plan so as to allow for the construction of a helipad, with modifications to the parking lot area, and

WHEREAS, the Town of Lewiston Planning Board has reviewed the application, over several meetings, and has considered the positions of the Town Engineer, Building Department, and Fire Inspector, and has now recommended approval of the Concept Plan with “the contingency that the 8 parking spots on the north side of the property are moved to the west side of the property,” and

WHEREAS, the Town Board has duly called for, noticed, and conducted a Public Hearing regarding the application for said Concept Plan, and

WHEREAS, actual development and construction of said project cannot begin before the sponsor receives approval of a Detailed Plan which requires further consideration before the Town Planning Board and the Town Board and an additional Public Hearing before this Town Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lewiston hereby approves the applicant’s Concept Plan subject to the following conditions:

In accordance with the Planning Board’s recommendation, which the 8 parking spots on the North side of the property be moved to the West side of the property. That the applicant submits a Detailed Plan to the Town of Lewiston

AND BE IT FURTHER RESOLVED that the SEQRA analysis of this project will be considered and acted on in conjunction with the Applicant’s Detailed Plan.

Carried 4 – 0.

APPROVAL OF MEETING MINUTES September 14, 2020 – Work Session

Geiben MOVED to approve the September 14, 2020 – Work Session meeting minutes, Seconded by Jacoby and Carried 4 – 0.

AUDIT PAYMENT

Geiben MOVED to approve the Regular Abstract of Claims numbered 19-13002; 19-13022 & 20-00817 to 20-00973 and recommend payment in the amount of \$2,206,176.28, plus a Post-Audit of \$11,465.95, Seconded by Jacoby

Jacoby questioned the amount being higher than normal. Geiben said two Water Line vouchers are included.

Carried 4 – 0.

PENDING / OLD BUSINESS

Demolition of unsafe structure – 4612 Model City Road

Seaman spoke to the Building Office and they are withdrawing this correspondence. The property has been back and forth to the Board, contemplating the demolishing of the structure, for over a year. The property keeps changing hands.

NEW BUSINESS - Residents / Public Correspondence - None

SUPERVISOR BRODERICK

Legal - Executive Session – Attorney Consultation – Personnel Issue

Geiben MOVED to enter into Executive Session for Attorney Consultation and Personnel Issue, Seconded by Jacoby and Carried 4 – 0. (6:26 pm)

Discussion regarding establishing a pay structure for Part-time Court Officers.

Geiben MOVED to come out of Executive Session, Seconded by Jacoby and Carried 4 – 0. (6:42 pm)

Geiben MOVED the following Resolution in regards to the pay structure for Part-time Court Officers, Seconded by Jacoby

WHEREAS, The Town Board wishes to establish a set pay structure for the part time Town Court Constables, now, therefore

BE IT RESOLVED, that the Town of Lewiston part time constables (titled “Constable PT”) shall be compensated for a minimum of three hours, or the actual time worked, whichever is greater, for any day that they report to work, and be it further

RESOLVED, that the Constable PT position will be compensated hourly as follows: On the Date of Hire \$17.28, on the 1st Anniversary \$19.39, on the 2nd Anniversary \$20.11, and on the 3rd Anniversary, and thereafter, \$21.46.

Carried 4 – 0.

Engineering

Lannon said the Oak Run PIP’s are ongoing. Sanitary Sewers have been installed and Water Lines are scheduled to start this week.

Seaman forwarded a letter to the Board, from Rob Savarino – The Patios at Essex Ridge, requesting a minor adjustment. It primarily has to do with the width of the right-a-way as you move east off the right-a-way off Bronson. It is 66’, and then narrows down by 65.31’; this deals with Mr. DiMino’s concern about the 5’ property line. This has all been resolved. Lannon is requesting the Board approve the minor change requested by Savarino as articulated in his letter dated September 18, 2020.

Seaman circulated a Resolution to the Board two weeks ago outlining this.

Geiben MOVED the following Resolution regarding the PUD Minor adjustment The Patios at Essex Ridge, Seconded by Jacoby

WHEREAS, the Town of Lewiston approved a Planned Unit Development [“PUD”] project in 2018 known as Escarpment Estates and currently known as The Patios at Essex Ridge; and

WHEREAS, the developer of the PUD project is preparing for Phase I construction; and

WHEREAS, the developer had previously submitted a request for two minor adjustments to the PUD plan, which were approved by Resolution of the Town Board in summer of 2020, and

WHEREAS, the developer has now submitted a request for one additional minor adjustments to the PUD plan stating the need for said adjustments were discovered during the development of the project; and

WHEREAS, the developer requests an adjustment to the Bronson Drive entrance road Right of Way to 65 feet, in certain sections, which is in deviation of the Town’s specifications of 66 feet, and

WHEREAS, the need for said adjustment was discovered during the development of Phase I and is the result of historical inaccuracies and/or miscalculations related to the adjacent property lines of the lands abutting the Bronson Drive entrance to the development, and

WHEREAS, the developer’s submissions and statements before this Board have been fully considered; and

WHEREAS, the Town Building Inspector, Highway Superintendent, Fire Inspector and Engineer have reviewed the request for a minor adjustment and have no objections to the developer’s request,

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Town Board of the Town of Lewiston hereby finds that the requested adjustment is minor in nature, is needed in light of engineering and technical considerations discovered during anticipated development; and be it further

RESOLVED, that the developer’s request to reduce the road Right of Way from 66 feet to 65 feet, in certain sections, as indicated on the updated map/plat is hereby approved pursuant to the Town of Lewiston Town Code § 360-124(M).

Carried 4 - 0.

Riverfront Park Curbing Project – Contract 2020–1

Advertising for bids for the installation of curbing throughout the Park has been published with the opening date of October 1st. Lannon is requesting the Board post-pone this. A few items need to identified and endorsed by the Attorney.

Seaman said a motion is needed to postpone the opening recommending another twenty days.

Geiben MOVED to postpone bid opening for the Riverfront Park Curbing Project to October 19, 2020, Seconded by Jacoby

Jacoby would like to see more information and drawings before the Board makes any decisions.

Geiben said this is a great opportunity to give the residents access to the river.

Carried 4 – 0.

Finance - Budget Revisions – None

COUNCILMAN BAX (Broderick addressed Bax’s items)

Liaison Report - Sewer Refund

Ritter is requesting Board approval for sewer refunds that fit within the Town policy.

Geiben MOVED the following sewer refunds, which fit within the Town policy: Frazier, Stacey Drive - \$70.90; Genovese, Westwood Circle - \$81.02; O’Keefe, Autumn Lane - \$62.24; Reese, Cayuga Drive - \$55.06; Shank, Creek Road - \$68.87; Wright, Chicora Road - \$42.15, Seconded by Myers and Carried 4 – 0.

Temporary Shed Request – Briarwood Lane – Removed from Agenda

COUNCILMAN GEIBEN – Nothing additional to report

COUNCILMAN JACOBY

Fire Bureau Clerk Retirement – Kifer, Kathy

Jacoby read Kifer's letter of resignation. Jacoby thanked Kifer for her years of dedication to her job and stated what a professional she is.

Jacoby MOVED to accept, with regret the resignation of Kathy Kifer as Secretary to the Bureau of Fire Prevention, Seconded by Geiben and Carried 4 – 0.

Jacoby MOVED to allow Les Myers to seek a replacement Clerk, Seconded by Myers and Carried 4 – 0.

COUNCILMAN MYERS – Nothing to report

RESIDENTS STATEMENTS

Morford, Rachel – Oriole Lane – Spoke to the Board regarding an exuberant water bill, \$648 she received in July. It is just her and her son living in the apartment. In looking back at past water bills, they average \$60 - \$80 per cycle. The water bill received prior to the July bill was \$113.

Morford reached out to the apartment building owners and on June 19th they fixed a leaking toilet and faucet. Morford spoke to Broderick regarding this, and he suggested she attend a Board meeting.

Morford, is not expecting it to be waived, but is it possible to take the average of her past water bills and allow her to pay that.

Broderick said the Water Dept. did go to the home. There was a leaky faucet which was also replaced. The meter readings are back to normal.

Seaman believes there are unanswered questions. It's not clear if a leaky toilet would result in that much of an increase. With Rachel being in an apartment is there a chance there is some other issue caused within the apartment that wasn't her issue.

Broderick said the Town could look a bit more into it. No late fees have been incurred. The Board will review and report back at the Work Session on October 15th.

Geiben MOVED to adjourn the meeting, Seconded by Jacoby and Carried 4 – 0. (7:05 pm)

Transcribed and respectfully submitted by:

Donna R. Garfinkel, Town Clerk