

PRESENT: Dep. Sup. W. Conrad; Councilmembers J. Jacoby, R. Morreale, J. Myers & S. Waechter; Atty. A. Bax; Police Chief F. Previte; Bldg. Insp. T. Masters; Dep. Bldg. Insp. E. Zimmerman; Finance Director J. Agnello; Hwy Supt M. Zahno; Water Cr. Chief J. Dell; Sr. Coordinator M. Olick; Rec. Director T. Smith; Eng. B. Lannon; 1 Press; 7 Residents; & Deputy Clerk T. Burns

ZOOM: Supervisor S. Broderick; 3 Residents

EXCUSED: WPCC Ch. Op. J. Ritter

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

AGENDA Additions: Waechter – Under Councilman Geiben – Change to Councilwoman Waechter; Morreale – 2024 Modern Leachate Agreement; Jacoby – New short-term Moratorium Local Law No. 3; Introduction of Local Law – Short-term rental No. 1 of 2024; Resignation from Historic Preservation & new police hire.

Morreale MOVED to approve the agenda, as amended, seconded by Jacoby and carried 4-0.

DEPARTMENT HEAD STATEMENTS

Town Clerk

Town Clerk requests approval of salary for Carole Schroeder, part-time Clerk in the amount of \$21.82.

Jacoby MOVED to approve the salary in the amount of \$21.82, seconded by Morreale and carried 4-0.

Seniors Coordinator Melinda Olick

Olick is asking for approval for Sup. Broderick to sign a contract with Niagara County Office of the Aging for the funding they provide with the senior van. Attorney Bax looked over the contract and made a few changes that were forwarded to the Office of the Aging.

Morreale MOVED to approve the contract with the Office of the Aging. Seconded by Jacoby and carried 4-0.

Morreale MOVED to have Broderick sign said contract. Seconded by Waechter and carried 4-0.

Recreation Director Tim Smith

Smith said they just started using team snap for baseball registrations. Everything seems to be running smoothly and it is a lot easier for parents to register their kids. Over 100 kids in the last two weeks have signed up and there are already 7 sponsors for the upcoming baseball season. Two more skates are left at Niagara University, one was postponed to February 2nd due to the weather a couple weeks ago. The Moose Lodge will be sponsoring the second to last skating event. There will also be a Lego night at Sanborn Fire Hall and beach party at the senior center in February.

APPROVAL OF MINUTES

Morreale MOVED to approve the minutes of 1/08/2024 – Reorganization/WS. Seconded by Waechter and carried 4-0.

ABSTRACT

Morreale MOVED to approve Regular Abstract of Claims Numbered 23-03641 thru 23-03738 and 24-00026 thru 24-00113 and recommended payment in the amount of \$1,203,754.28, plus a post-audit of \$11,656.34. Seconded by Jacoby and carried 4-0.

SUPERVISOR BRODERICK

Conrad, presiding over the meeting, read a list of the Supervisor's liaison appointments: Donna Garfinkel - Minority Business Officer and Women's Business Officer, Electrical Inspectors - NY Atlantic Inland, Inc.; Bingo Inspector – Lisa Wisnieski; Records Appeal Officer – Steve Broderick.

Morreale MOVED to approve the liaison appointments as presented. Seconded by Myers and carried 4-0.

Roster Additions: The Upper Mountain Fire Company submits Kaylia M. Hewitt of Lewiston for active membership.

Waechter MOVED for approval. Second by Myers and carried 4-0.

Engineering: Nothing to report

Finance: The Finance Director asked for approval to process the following 2023 budget revisions:

1. A request to move \$131.00 to the Assessor Contractual budget - A00-1355-0400 0000 from the Assessor Personnel budget - A00-1355-0100-0000, to cover assessment consultant's fees.
2. A request to move \$800.00 to the Buildings Contractual budget - A00-1620-0400-0000 from the Town Clerk Equipment budget - A00-1410-0200-0000, to cover contractual expenses.

3. A request to move \$1,000.00 to the Police Equipment budget - B00-3120-0200-0000 from the Police Welfare Benefit budget - B00-9070-0800-0200, to cover equipment expenses.
4. A request to move \$1,930.00 to the Police Hospital & Medical budget - B00-9060-0800-0200 from the Hospital & Medical budget - B00-9060-0800-00000, to cover Police Hospital & Medical expenses for the year.
5. A request to move \$8,000.00 to the Treatment & Disposal Contractual budget - SS1-8130-0400-0000 from the Treatment & Disposal Retirement budget - SS1-9010-0800-0000, to cover contractual expenses for the year.
6. A request to move \$4,000.00 to the Sanitary Contractual budget - SS2-8120-0400-0000 from the Social Security budget - SS2-9030-0800-0000, to cover contractual expenses for the year.

Morreale MOVED for approval, as presented. Seconded by Jacoby and Carried 4-0.

COUNCILWOMAN WAECHTER

Waechter had a scheduled meeting at the Senior Center with Olick. This had to be re-scheduled due to weather. Waechter said she would also love to sit down with the recreation department.

COUNCILMAN JACOBY

Jacoby made a motion to extend Law No. 1 of 2023 – Moratorium Short-Term Rentals - for 6 months. Seconded by Morreale and carried 4-0

Introduction of local law – Short Term Rentals - the local law from 2023 gave the authority to the Town Board to extend the moratorium from time to time as they saw fit. Bax clarified the language to reflect the Town Board has the ability to extend the moratorium as they see fit by motion of the Town Board. It was a very short piece of language added to the prior law, it does exactly the same thing, it just has a new title and replaces the old one.

Jacoby MOVED to introduce the Local Law of Short-Term Rentals and schedule a public hearing on February 12th. Seconded by Morreale and carried 4-0.

The clerk's office received a letter from Edward Millar resigning from the Historic Preservation.

Jacoby MOVED to accept the resignation of Edward Millar, with regret. Seconded by Waechter and carried 4-0.

Police Ch. Previte submitted a request to hire Rebecca Bratek, part-time officer as a full-time officer starting January 28th starting pay according to contract.

Jacoby MOVED to hire Rebecca Bratek as a full-time officer. Seconded by Waechter and carried 4-0.

COUNCILMAN MORREALE

Ritter submitted a request to approve the 2024 Modern Leachate Agreement and have Sup. Broderick sign said agreement.

Morreale MOVED to approve the 2024 Modern Leachate Agreement. Seconded by Waechter and carried 4-0.

Morreale MOVED to authorize Supervisor Broderick to sign said agreement. Seconded by Morreale and carried 4-0.

COUNCILMAN MYERS

The Sanborn Historical Society will have their regular meeting tomorrow night at 7pm at the farm museum on Saunders Settlement Road. There will be a presentation from Dennis Reed with the Yellow Jack Band. Myers would also like to give his condolences to the family and friends of Rosemary Warren, she has been an active member of the community and self-designated as “Mrs. Sanborn”, she will be missed.

Resident Statements

John Murnyack – 716 Ridge Road

On Model City Road, there is a self-storage facility that is being “wedged in” between two residences. That is all zoned to allow for that type of business. One of the reasons why that type of business is being “squeezed in” is because in this town, all the property that is zoned accordingly for something like that to be built, is all being held by individuals that are not selling any of it. This goes back to what Murnyack has been preaching about, for small businesses in this town to come in and have the ability to establish themselves. They cannot do that because all of this property is being held by a handful of people. Going forward, we have more apartments that are in the works, both over with Mr. Massaro plus the ones down by Woods at Blairville. Along with apartments, believe it or not, comes storage because we all have too much junk, right? More people are going to need places to put their stuff. Maybe it’s a couple that’s getting rid of their house that’s down-sizing but doesn’t want to get rid everything. They’re going to rent one of the apartments, they have to have somewhere to put all this excess stuff.

Murnyack wants the board to think about that going forward and how they address that. It’s been a difficult issue to kick around on. Where in this town can somebody build something that is a business? Maybe some coaching coming down the line that may be approved and address some of those things. Situations like what is going on on Model City Road shouldn’t have been that way. Years ago, the property was re-zoned the way it is and those residences that were there weren’t carved out of that so they would keep their type of living having a neighbor next store, having a

house next store, having kids next store and not having a facility with people running in and out whatever hours to get to their stuff.

The board cannot continue to ignore this going forward. This town needs property that small businesses can put a stake in the ground and grow, for the town. Along with the expansion of more influx of people, we need small business to help accommodate that. In the village, they wanted to turn the bowling alley into a storage facility because there's a demand for them but the village didn't want that. The Town has land but it's being controlled by a handful of people that don't want to sell. Murnyack suggested before to the Town Board that we could send out a letter to the owners of the properties and say something of the effect of "you occupy/own property that is zoned "such and such", we have small businesses that are looking for a place to establish their roots here in the town. If you have any interest in selling some acreage, let the town know." You can tell that small business "Here's a place you might be able to establish yourself because these people are willing to sell." It's model City Road, it's a portion of Langdon Road, we need to do something. I'm not sure if code changes are going to address everything that needs to be done with that. You wouldn't want to be living next to a storage facility where people are coming in and out. Just like with Massaro, we didn't want to have an apartment building right across the street from our homes on Ridge Road.

Jena Copelin – 4736 Lower River Road

Copelin is trying to understand the short-term rental law. It says on the meeting agenda "introduction of the local law." Jacoby said this is referencing the extension on the moratorium, it's all semantics, we don't have a law to introduce at this time dealing with the actual short-term rentals. Copelin said this is "to-be-continued", it was thought it was maybe 6 months but now you need a year to make a decision. Jacoby said as our attorney explained, were allowed to extend it as needed. But were also allowed to end it as needed. Nobody anticipates we'll be 6 months out; some decision will be made long before that. Copelin asked what is the rationale behind the proposed law for short-term rentals, why are we here with this proposed law? Is there something that happened? We want to make sure were doing the right thing. For Jacoby, he did not know these things existed. All of a sudden, they were upon us and we cannot put our head in the sand and let it go by. Waechter said basically there is a ban on the law at this point and what were doing is working on the law. It's just in the development phase as far as what will replace the total ban is what we currently have in the law. Copelin congratulated Waechter and welcomed her to the board. Its nice to have you here.

Copelin welcomes Waechter and any other board members to come and take a look at her short-term rental and meet with herself and her manager who is also a local, to show they are well equipped and can understand what they're working with to best make their decision. Waechter said short-term rentals are just across the board. A lot of communities that she has spoken with are facing the same thing and a lot of communities across New York State are revising their laws or putting into place short-term rental laws. Lewiston is not unique in that fact; these are relatively new entities that a lot of municipalities are learning how to deal with.

Morreale MOVED to adjourn. Seconded by Waechter and carried 4-0. Time: 6:30 pm.

Transcribed and
Respectfully submitted by:

Tamara L. Burns
Deputy Town Clerk