

PRESENT: Supervisor S. Broderick; Councilmembers W. Geiben (ZOOM), J. Jacoby, R. Morreale, J. Myers; Deputy Sup. W. Conrad, Atty. A. Bax; Highway Supt. Trane; Police Captain Cain; Finance Director J. Agnello (ZOOM); Eng. R. Lannon; Senior Center Director M. Olick (ZOOM); WWTP Chief Opt. J. Ritter, 13 residents, 1 press (ZOOM) and Clerk D. Garfinkel

Supervisor opened the meeting with the Pledge of Allegiance and a moment of Silent Reflection.

AGENDA APPROVAL

Additions: Geiben – Update from Recreation Dept.; Bax – Table Dedication of Oak Run Phase 4

Jacoby MOVED to approve Agenda as amended, Seconded by Morreale and Carried 5 – 0.

RESIDENTS STATEMENTS

Boy Scout – Scovell Cemetery Clean-up project

Ryan Davis would like to clean-up the Scovell Cemetery. It has not been maintained since the last Scout was there so Davis will start where he left off. Davis will take before and after photos.

The pathway is over-grown and will be cleaned out. Discussion to have the troop clean-up on a yearly basis is being had.

There is a major tick problem and Davis would like to have a controlled burn done to help. It was suggested he reach out to the Fire Company for assistance. Bax said the Fire Co. should outline to the Town what it can/will do if they agree to the controlled burn.

Phelps, Hattie – Saunders Settlement Road – Phelps discussed her high-water bill. In January the water bill was over \$300. A leak was discovered and repaired by her son. In March she received a bill for \$816.

The Water Dept. has been at the house and the meter is working properly. Broderick will send the Water Foreman.

Broderick has previously spoken to Phelps and told her he cannot waive a water bill. Broderick invited her to come to the Board meeting to speak to the entire Board.

With the leak being fixed in February, the next water billing cycle also reflects prior time used (leaking) water. That is why the next bill was so high.

Broderick suggests a payment plan, on a monthly basis, until paid. The water was used, the Town pays for this water, so the Town is billing Phelps for what was paid to Niagara County Water District. Broderick will reach out to the County and see if they will forgive the dollars.

DuMoulin, Christine – Teacher at Lewiston – Porter – DuMoulin submitted two letters from two of her fourth-grade students.

Breeden, Mackenna – Sandlewood Drive (first letter) - Breeden is here to request a “Kids with Autism” sign in her neighborhood.

Breeden is working on a Passion Project, and would like to see more street signs in the Town. She has two brothers with autism and wants to keep them safe.

Trane has spoken to Breeden and explained what may be done. There is a “Children at Play” sign about 225 feet from Breeden’s home. The “Kids with Autism” sign could be placed on Breeden’s property. Trane has reached out to the neighbors and they are okay with the sign.

Charlotte – N. Third St. (second letter) – Charlotte’s letter is requesting Dog Crossing signs in her neighborhood. This letter was forwarded to the Village.

Trane announced a Fund Raiser for the Lewiston Dog Park, May 29th from 8:30 am – 11:00 am. at Tim Hortons. Proceeds from the purchase of coffee and a dog bone will be donated to the Park.

Smith, Thomas – Cayuga Street – Smith would like to take this time and have a moment of silence for everyone that died and sacrificed for this Country to protect us all.

DEPARTMENT HEAD STATEMENTS

Highway Superintendent Trane

Trane requests approval to hiring Jared Hoover - \$13/hour and Thomas Kennedy - \$14/hour for Parks Dept.

Morreale MOVED to hire Thomas Kennedy at \$14/hour and Jared Hoover at \$13/hour, Seconded by Jacoby and Carried 5 – 0.

Senior Center Director Olick – Van-Driver Wages

Olick requests the two (2) current van driver's salaries be increased to \$13.50/hour. The newly hired driver will start at \$12.50/hour, with a .50 increase in 6 months and again in 12 months. This will bring him to the rate of the two (2) current drivers.

Geiben MOVED to approve the salary increase of Cuddahee, Mike and Gorzka, Randy of \$13.50/hour effective May 24, 2021, Seconded by Jacoby and Carried 5 – 0.

Olick is looking to other Senior Centers to see how they are handling the new CDC guidelines.

Broderick said there's no change to the mask rule. Wear a mask to enter and remove once seated.

Assessor L. Johnson – Appointment to Board of Assessment Review

Board received a letter from Assessor L. Johnson requesting Michael Johnson be added to the Board of Assessment Review. L. Johnson was informed there will not be a quorum for the Grievance proceedings on May 25, 2021.

M. Johnson will perform the necessary training on line prior to the proceedings.

Jacoby MOVED to appoint Michael Johnson to the Board of Assessment Review, Seconded Geiben and Carried 5 – 0.

APPROVAL OF MEETING MINUTES

Myers MOVED to approve the May 10, 2021 – Work Session minutes, Seconded by Jacoby and Carried 5 – 0.

AUDIT PAYMENT

Jacoby MOVED approval of the Regular Abstract of claims number 21-01193 to 21-01345 in the amount of \$1,129,216.83, plus a Post Audit of \$13,468.58, Seconded by Morreale and Carried 5 – 0.

PENDING / OLD BUSINESS

Proposed Residency Requirement

A draft was prepared, forwarded to Dept. Heads and Unions, and the final was prepared by Bax. Broderick read into the record:

POLICE DEPARTMENT – All full-time employees of the Town of Lewiston must be residents of the Town of Lewiston. All part-time employees of the Town of Lewiston Police

Department must abide by the policy developed for part-time employees contained in the policy as established for "ALL OTHER DEPARTMENTS" below. *(Effective after 5/24/2021)*

ALL OTHER DEPARTMENTS - All other full-time employees of the Town of Lewiston must be residents of the Town of Lewiston or a contiguous municipality. Said contiguous municipalities shall include the Town of Porter, the Town of Cambria, Town of Wilson, Town of Niagara and the Town of Wheatfield. Part-time, seasonal and temporary employees need not be residents of the Town of Lewiston. However, residency shall be considered when hiring full-time, part-time, seasonal and temporary employees. Nothing herein shall be construed to require the Town to hire a Town resident over a non-resident for a full-time, part-time, seasonal or temporary position. Any employee who is a member of the Water Pollution Control Center collective bargaining unit should refer to the residency requirement contained in their current collective bargaining agreement. Any newly hired employee of the Town of Lewiston must meet the above residency requirements within six months of their date of hire. An extension may be granted at the sole discretion of the Town Board. *(Effective after 5/24/2021)*

New Employees - Any newly hired employee or employee changing job classifications must meet the above residency requirements within six months of their hire date. Extensions for additional time may be granted at the Town Board's sole discretion. Any new employee who will be a member of the Water Pollution Control Center collective bargaining unit should refer to the residency requirement contained in their current collective bargaining agreement.

Relocation – Any employee who relocates outside the Town and contiguous municipalities, as more fully defined above, without the express written approval of the Town Board, may be terminated upon this ground.

Family Members – No more than one member of an immediate family shall be employed within the same department. This does not affect present Town employees of the same or related families already working within the same department. Seasonal employees are exempt from this provision (6/23/08). For purposes of this policy, immediate family is defined as spouse, parent, child, and sibling.

Morreale MOVED to approve the Residency Requirements update as read, Seconded by Myers and Carried 5 – 0.

Dedication of Oak Run Phase 4 - Tabled

NEW BUSINESS Residents / Public Correspondence

Town received a letter from Race Management Solutions, Inc. notifying the Board of the iRunWNY – Niagara Falls USA Marathon taking place April 30, 2022. After discussion it was decided that no approval is necessary. Clerk forwarded to the Police Dept.

SUPERVISOR BRODERICK

Addition to Upper Mt. Fire Co. Roster

Broderick MOVED to add Kuun, Thomas – Moyer Road to the Upper Mountain Fire Co. roster, Seconded by Jacoby and Carried 5 – 0.

Legal

Niagara Mohawk easement – Harold Road

The easement is for the communication tower to be located at 4399 Harold Road, near the Town Highway garage. Bax reviewed the paperwork with Trane.

The Board needs to authorize the Supervisor to sign the easement.

Jacoby MOVED to authorize the Supervisor to sign the easement with Niagara Mohawk for Harold Road for the communication tower, Seconded by Morreale and Carried 5 – 0.

Engineering - Award Bid – WPCO Controls Installation Project

Town went out to bid on May 18th for the WPCC Controls Installation Project. Six (6) contractors requested bid packets and the Town received two (2) bids. O'Connell Electric Company, Inc. at \$365,795.00 and Frey Electric Construction Co., Inc. at \$404,000.00. GHD reviewed the qualifications and experiences of the low bidder and found they have performed similar work acceptably; therefore, GHD recommends O'Connell Electric Company, Inc., after review/approval from the Town Attorney.

Morreale MOVED to accept the bid from O'Connell Electric Company, Inc. at \$365,795.00, Seconded by Jacoby

In 2012 the Town went out to bond different projects. This bid came in a bit more expensive and will deplete the fund.

Agnello said the difference between the bid, the balance in account H-32, and with additional GHD invoices on this project, is an additional \$83,000. These funds need to be taken from SS1.

Carried 5 – 0.

Jacoby MOVED to transfer \$100,000 from Fund Balance - SS1 to Capital Project - H-32 to cover additional costs for the WPCC Controls Installation Project, Seconded by Geiben and Carried 5 – 0.

Ritter said this project will bring the plant into the 21st Century.

Lannon updated the Board on the Riverfront Park. The Town Highway Dept. is moving right along and doing an exemplary job. Lannon requests Board permission to go out for bid for the Curbing Project for the park.

Morreale MOVED to direct GHD to go out to bid for the curbing at the Riverfront Park, Seconded by Jacoby and Carried 5 – 0.

Broderick said the Kiwanis Park project has broken-ground. Drainage has been installed and they have started to excavate the land.

Finance - Budget Revision

Agnello requests the transfer of \$1,500.00 from Master Sewer Sanitary Contractual - SS2-8120-0400-0000, to Master Sewer Contractual - SS2-8110-0400-0000, to cover contractual expenses.

Geiben MOVED to transfer \$1,500.00 from Master Sewer Sanitary Contractual - SS2-8120-0400-0000, to Master Sewer Contractual - SS2-8110-0400-0000, Seconded by Morreale and Carried 5 – 0.

COUNCILMAN GEIBEN

Geiben spoke with Recreation Director Dashineau who said the Baseball Program is up and active. Director has decided to not hold the annual opening day ceremony due to Covid restrictions. The fishing derby registration will be on the website in the next week or so.

Dashineau is looking Sanborn Park staff, anyone knowing someone please have them apply.

COUNCILMAN JACOBY Nothing to report

COUNCILMAN MORREALE Nothing to report

COUNCILMAN MYERS Nothing to report

RESIDENTS STATEMENTS

Perram, Jared – representing Kilmer Solar LLC – Requests the Board call for a Public Hearing at the June 28, 2021 meeting for the Solar Farm application. Perram will submit updated plans that will reflect the changes requested by the Planning Board.

Jacoby MOVED to call for a Public Hearing for Kilmer Solar LLC, Townline Road Solar Farm for June 28th at 6:00 pm, Seconded by Morreale and Carried 5 – 0.

Merrill, Debbie – Saunders Settlement Road – Merrill spoke about the Round-Up law and having neighbors not spray it. Is there something that can be done to have them not spray near the boundaries.

Broderick is not aware if the Town has a code/law regarding the use of Round-up.

Merrill said people are still using it and they don't realize. Merrill said it is killing her trees, and they are harassing her.

Last year Merrill's lawnmower was not working, she weed whacked the property and planted 70 trees. Town lawnmower people came along, mowed the lawn and mowed down trees leaving about 5.

Broderick asked her to send an e-mail regarding her concerns.

Jacoby MOVED to adjourn the meeting, Seconded by Morreale and Carried 5 – 0.

Transcribed and respectfully submitted by:

Donna R. Garfinkel, Town Clerk