

PRESENT: Supervisor S. Broderick; Councilmembers W. Geiben (ZOOM), J. Jacoby, R. Morreale & J. Myers; Dep. Sup W. Conrad (ZOOM); Hwy. Supt. D. Trane Chief Previte; Finance Director J. Agnello (ZOOM); Atty. A. Bax; Eng. B. Lannon; Bldg. Insp. T. Masters (ZOOM); WPCC Ch. Oper. J. Ritter (ZOOM); Water Foreman D. Zahno (ZOOM); Rec. Dir. M. Dashineau (ZOOM); Seniors Coordinator M. Olick (ZOOM); Dep. Bldg. Inspect. E. Zimmerman (ZOOM); Historian M. Maggard; 2 Press (ZOOM), 1 Resident (ZOOM) and Dep. Clerk C. Schroeder

The Supervisor called the Work Session to order, followed by the Pledge of Allegiance.

AGENDA: Additions: Morreale: Purchase of Excavator & Bid Package for Main Panel Project (WPCC). Jacoby: Co-Sponsor Resolution in Opposition to Asphalt Plant & Library Discussion; Geiben: Recreation Hires. Deletions: Table 2018 Water System Improvements – Change Order & Public Health Emergency Operations Plan.

Myers MOVED the agenda, as amended. Seconded by Jacoby and carried 5-0.

ABSTRACT: Myers MOVED to approve the Regular Abstract of Claims Numbered 02163 (2020) and 00729 - 00924 (2021) and recommended payment in the amount of \$702,127.29 plus a post-audit of \$26,665.68. Seconded by Geiben and carried 5-0.

APPROVAL OF MINUTES: Jacoby MOVED to approve the minutes of 03/22/2021 – RTBM. Seconded by Myers and carried 5-0.

NEW BUSINESS: Peddling & Soliciting. The Supervisor referred to a letter from the Town Clerk asking for guidance on the issuance of soliciting permits during the current pandemic for the safety of Town residents. Town Code Chapter 250 does not address this situation.

Broderick's thought was to suspend solicitation for a few months until July 1 and re-evaluate the situation after that. Geiben agreed.

Jacoby asked if this is applicable to food trucks. Broderick said only for door-to-door solicitation.

Jacoby said he would like to see solicitation removed in the Town altogether. Geiben preferred a solicitor wear a name badge on their person. Broderick said he would talk to the Clerk on how to proceed with identification.

Jacoby MOVED to suspend any peddling & soliciting permits until July 1, 2021. Seconded by Morreale, for discussion.

Geiben said Religious organizations and anything having to do with Election campaigning should be excluded from the motion.

Attorney Bax noted that Not-for-Profits do not have to pay the solicitation permitting fee. That would account for both religious and political solicitation. He said it's up to the Board as to how they want to see this moving forward.

As to food trucks, Bax said he and Atty Seaman talked about how to proceed with setting up some type of permitting fee for that type of solicitation. The Town Code, as it is written, is not set up to handle the modern-day food trucks.

Motion carried 5-0.

DEPARTMENT HEAD STATEMENTS:

Police: Chief Previte is looking for approval for two P/T hires to fill existing positions. The rate of pay would be per the contract. The first candidate is Emily Richeal, who is currently in the Niagara County Law Enforcement Academy, Phase I. The second candidate is Colin King, who also is in the Law Enforcement Academy.

Jacoby MOVED the hiring of Emily Richeal and Colin King, as P/T Police Officers, effective immediately at a rate of pay as per the current contract. Seconded by Morreale and carried 5-0.

Previte received a letter of registration from Officer Adriano Medici who will be accepting a full-time position with the City of Niagara Falls. Previte would like to fill that position by re-hiring Eric Corson, who worked in a part-time position before.

Jacoby MOVED to accept the resignation of Adriano Medici from the Police Dept., with regret and sincere well wishes for his success, effective April 14, 2021. Seconded by Myers and carried 5-0.

Jacoby MOVED to re-hire Eric Corson as P/T Police Officer, effective April 15, 2021 as per the current contract. Seconded by Myers and carried 5-0.

Lastly, Previte said that with all the current changes in the State, he is attempting to inform and update his department as to the changes to the marijuana laws as they exist now. A member of the D.A.'s office will be assisting with this in the first week of May to get the department up to speed as to what they are expecting and what the limitations are.

Parks: Trane asked permission to advertise for P/T help in the Parks Department. **Geiben MOVED for approval. Seconded by Jacoby and carried 5-0.**

Highway: Trane asked for approval to accept the State bid from Beyer Ford for the purchase of two (2) F350 Dump Trucks at a total amount of \$81,724.00.

Jacoby MOVED the purchase of two (2) F350 Dump Trucks from Beyer Ford in the amount of \$81,724.00 subject to confirmation from the Finance Officer of available funds. Seconded by Morreale and carried 5-0.

Trane said there is an issue with the entrance to the Muck Pump on Rt. 31. It's a narrow driveway. They had an incident where one of the Town trucks went off and caused some damage to the pipe. He would like to give the homeowner of the driveway a 15" 20-ft piece of pipe. The homeowner will install the pipe and widen the driveway and replace the damage. The homeowner will do the work himself if the Town supplies the pipe.

Bax said he would get information from Trane and prepare a release that relieves the Town of any liability. He asked that this be tabled until the next meeting.

Recreation: Dashineau said stepoutbuffalo.com has named the Lewiston Dog Park the #2 dog park in Western New York.

Baseball and softball registration is over. The number of registrations has doubled from past years.

Finance: The Finance Officer asked for approval of a 2021 budget revision.

A request to move \$3,000.00 to Town Clerk/Tax Personnel (A00-1410-0100-0000) from A-Fund Contingency (A00-1990-0400-0000) to cover the stipend paid to Town Clerk employees for assistance with tax collection, per contract agreement.

Jacoby MOVED to approve said Budget Revision, as presented. Seconded by Morreale and carried 5-0.

Agnello said the annual Town property insurance is due for renewal. The 2021 proposal is for the exact coverage as was in effect last year. The cost is \$166,873.44, which is lower than what was paid in 2020 by 6.75% or \$11,259.14. The insurance market along with the Town's insurance rating produced the lower cost for the 2021 renewal.

Geiben MOVED to approve the property renewal premium with USI Insurance. Seconded by Morreale and carried 5-0.

Agnello also provided a Cyber Proposal. She recommended cyber insurance to cover a cyber-attack. A \$1,000,000 policy costs \$1,797 for the year. The Town's IT company (Network Services) also recommends this coverage.

Geiben MOVED to approve the Cyber Insurance rider, option 3 at a cost of \$1,797.00. Seconded by Myers and carried 5-0.

BRODERICK

1. Legal: Nothing
2. Engineering: Nothing
3. Dickersonville Cemetery: The Clerk asked the Board to approve changes to the Dickersonville Cemetery Rules and Regulation, as such. Person in charge of Cemetery shall be Maintenance Director (replacing *Director of Parks*).

In addition, the Clerk recommends a consent form for Foundation and Headstone placement whereby, the Town of Lewiston consents only to the location and placement of the foundation and headstone. The Town will not be responsible for any costs incurred, and will not cause the foundation to be constructed or placed. Any and all costs must be bore by the individual(s) who contract for the headstone and all coordination for the headstone, foundation, grave digging and interment must be conducted between the monument company, funeral director and individuals.

Jacoby MOVED to approve the changes to the Dickersonville Cemetery Rules and Regulations, as amended and Cemetery Consent Form. Seconded by Morreale and carried 5-0.

4. Upper Mt. Fire Co - Deletions – The Upper Mt. Fire Company requests the removal from active membership roster the following individual: Paul Joseph, Lockport Rd.

Broderick MOVED for approval. Seconded by Geiben and carried 5-0.

5. Upper Mt. Fire Co - Additions – The Upper Mt. Fire Company submits for active membership in said fire company the following individuals: Christopher Copland, Onondaga St., Rachel Heikoop, Onondaga St. and Alexei Donchu, Lafayette Ave.

Broderick MOVED for approval. Seconded by Geiben and carried 5-0.

GEIBEN

Recreation Hires – Geiben MOVED approval of the following seasonal hires in the Recreation Department: Olivia Rizzo, Recreation Leader - \$13.50/hr; Emily Oliverio, Recreation Leader - \$13.50/hr; Tracie Waterstram, Recreation Leader - \$13.50/hr; Frank Previte Jr, Recreation Leader - \$13.00 hr; Nick Carlo – Recreation Leader - \$13:00/hr; and Antonio Guerucci, Recreation Leader - \$13.50/hr. Seconded by Jacoby and carried 5-0.

JACOBY

Jacoby attended the last Library Trustee meeting. They are moving forward with repairs to their roof and the library has expanded their hours to include Saturdays.

MORREALE

One-lot Subdivision: The Planning Bd, on March 18, 2021, reviewed a request from Alexis Stopa-Weis for one-lot for property located on Porter Center Rd, SBL# 75.00-1-34. The Planning Bd recommends approval, as presented, as a minor subdivision. The Environmental Commission recommends a Negative Declaration.

Geiben MOVED to issue a Negative Declaration on said minor subdivision. Seconded by Jacoby and carried 5-0.

Jacoby MOVED to approve Stopa-Weis One-lot subdivision, as presented. Seconded by Myers and carried 5-0.

Site Plan Revision: The Planning Bd, on March 19, 2021, reviewed a Site Plan Revision for Shulze Enterprises for property located on Ridge Rd, SBL# 102.02-1-18.121, 102.02-1-18.122, for in-door storage.

The Planning Bd recommends approval of the Site Plan Revision with the following conditions:

- 1) The Applicant adjust parking arrangement so that the north eastern driving lane shown as having 21' of clearance be adjusted for additional minimal clearance with consent of the Fire Inspector.
- 2) Applicant to show filed easements for ingress/egress after Town Attorney review and approval.
- 3) Proof of shared parking agreement between SBL# 102.02-1-18.121 & 102.02-1-18.122

Jacoby MOVED to issue a Negative Declaration on said Site Plan Revision, with conditions. Seconded by Myers and carried 5-0.

Morreale MOVED to approve Site Plan Revision for Shulze Enterprises, with conditions, as presented. Seconded by Jacoby and carried 5-0.

WPCC: Morreale said Ritter would like to purchase a Kubota Mini Excavator to aid and repair the replacement of sewer lines in the Town and other ground work at the plant. It's on a State Bid. The total sales price is \$48,148.26. Funds are available in the WPCC equipment line.

Jacoby MOVED the purchase of a Kubota Mini Excavator in the amount of \$48,148.26. Seconded by Myers and carried 5-0.

Ritter, via Zoom, said the WPCC is looking for approval to move forward with advertisement for bidding on the Main Panel Project. GHD put together the specifications. The project consists of SCADA (Supervisor Control and Data Acquisition). A computer system for gathering and analyzing real time data on the operations at the WPCC and Village of Lewiston Pump Station. Ritter said he will be able to see how the plant runs on his phone.

Morreale MOVED to go to bid for the WPCC Controls Installation Project (Contract 2021-2E). Seconded by Jacoby and carried 5-0.

Ritter said they would award the bid at the May 24th RTBM.

Resolution in opposition to Asphalt Plant (co-Sponsor with Councilman Jacoby):

Jacoby MOVED the following Resolution (co-sponsored by Councilman Morreale) in opposition to the Construction of an Asphalt Plant on the border of the Town of Lewiston; as follows:

Purpose: To express the Town of Lewiston's opposition to the construction of a proposed asphalt plant in the Town of Niagara in close proximity with the border of the Town of Lewiston and in support of the opposition expressed by Niagara University, neighboring residents and other stakeholders in the area.

WHEREAS, the Town of Lewiston Town Board has an obligation to preserve and defend against issues relating to the quality of life of all its residents and stakeholders; and

WHEREAS, the Town of Niagara has recently announced plans for the construction of an asphalt plant on the border of the Town of Lewiston, in close proximity to Niagara University, residential housing and other interested stakeholders; and

WHEREAS, the Town Board of the Town of Lewiston believes that the construction of such an asphalt plant could have a negative impact on the quality of life for the residents of the Town of Lewiston, the Niagara University community and other stakeholders in the area

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Lewiston hereby formally opposes the construction of the proposed asphalt plant at the currently proposed location.

The motion was Seconded by Morreale. Carried 5-0.

Geiben asked if this resolution would hold or would it have to be repeated when they receive notice of an application from the Town of Niagara.

Bax said it would be in the Town's best interest to respond a second time with a new resolution, with more detail as to what is proposed to the Town of Lewiston.

MYERS

Myers said he has been talking to Bldg. Inspector Masters in regard to the Cable regulations and installations throughout the Town. Bax said he is working on a law now. As soon as he has something drafted, he will forward it to the Board.

Masters, via Zoom, commented.

PRIVILEGE OF THE FLOOR – No statements made.

Before closing, the Supervisor called on Seniors Coordinator Olick. Olick said new windows and doors are being installed at the Senior Center and look amazing. Also, even though 99% of the seniors have been vaccinated, they are still following Covid-19 protocol at the center.

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

Transcribed and
Respectfully submitted by:

Carole N. Schroeder
Deputy Town Clerk