

**PRESENT:** Supervisor S. Broderick (ZOOM); Councilmembers W. Geiben, J. Jacoby, R. Morreale, J. Myers; Deputy Sup. W. Conrad, Atty. A. Bax (ZOOM); Highway Supt. Trane; Police Chief Previte; Bldg. Insp. T. Masters (ZOOM); Finance Director J. Agnello, Eng. R. Lannon (ZOOM); Water Foreman Zahno (ZOOM); Senior Center Director M. Olick (ZOOM); WWTP Chief Opt. J. Ritter (ZOOM); Recreation Director M. Dashineau (ZOOM); 6 residents (4 - ZOOM), 2 press (ZOOM) and Clerk D. Garfinkel

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

#### AGENDA APPROVAL

Additions: Jacoby / Morreale – Asphalt Plant project resolution

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

#### RESIDENTS STATEMENTS

Smith, Tom – Cayuga Street – Smith said he will be here at every Board meeting until some positive changes are made. He has lived here his entire life. Nobody should be above the law and nobody should be below the law, but that is what it is here in Lewiston.

There are problems here in Lewiston that are not going away. Crimes were committed, Smith has shown people the video, showed people Previte's deposition. This is not the first crime, there are others that proceeded this crime.

The Police have falsified business records. Smith has copies of the same police reports, same numbers, two narratives. That is a crime, that is falsification of business records.

They did this to Smith and his nephew, who is home on leave.

Everybody in this room needs to decide what type of America are we going to live in.

Smith said he was framed and set-up with a gun charge, saying he threatened a family. If Smith did not video tape this, he would be in jail. There have been lies for years.

Smith said one of the Town officers tried to fight him at Sunoco, menacing him for five minutes. Smith's nephew comes up and the officer started with him.

#### DEPARTMENT HEAD STATEMENTS

Chief Previte said if there is ever any issues, the Board knows how to contact him. To sit here and listen to nonsense and speculation and people demean the Police Dept., and make false accusations. There is a system in place to address this type of action. This is not how it should be handled.

Previte does not need to sit here and be accused of committing crimes, it is ridiculous to have to listen to rantings of people, who are unsubstantiated in this type of meeting, and does not appreciate it.

Tom Smith continued to holler negativity toward the Police and Previte when exiting the building.

Finance Officer Agnello requests the following budget revisions: Transfer \$74.00 from Master Sewer Sanitary Contractual – SS2-8120-0400-0000 to Master Sewer Equipment – SS2-8110-0200-0000 to cover the purchase of a printer.

**Geiben MOVED to transfer \$74.00 from Master Sewer Sanitary Contractual – SS2-8120-0400-0000 to Master Sewer Equipment – SS2-8110-0200-0000, Seconded by Morreale and Carried 5 – 0.**

Dresher & Malecki have filed the Towns 2020 NYS Annual Update Document with the State Comptroller's Office.

The Auditors will begin the Town audit on June 1, 2021.

Highway Superintendent Trane – Morreale spoke of bill #S1090, Governor Cuomo signed that extends certain provisions of the general municipal law, relating to granting localities greater contract flexibility to authorize shared purchasing.

Trane said this will allow all departments in the Town to buy off of other municipal contracts.

**Morreale MOVED to allow the Town greater contract flexibility with other municipalities to authorize shared purchasing, Seconded by Geiben and Carried 5 – 0.**

Geiben spoke to Water Foreman Zahno and he reported the contractors are starting the landscaping of the Waterline project in Colonial Village. Lower River Road will be next.

Recreation Director Dashineau – Requests the appointment of Larissa Reid - Recreation Leader at \$13.00/ hour.

**Geiben MOVED to hire Larissa Reid - Recreation Leader at \$13.00/ hour, Seconded by Jacoby and Carrie 5 – 0.**

The Recreation Dept. is ready to move forward with the fishing program. Captains Frank Campbell, Joe Marra and Joe Oliverio have helped put together, what is hoped to be a successful program. The Town, along with the Village of Lewiston and Youngstown, will distribute beginner tackle box and pole, to each child that registers. For 5-6 weeks, there will be a safety training course, an informational session on the types of fish in the river and how to fish them, handouts and online communication with the program and the participants. We would like to keep this program free, since there is a lot of volunteer effort going into it.

Dashineau requests approval to purchase 35 tackle boxes and poles. After discussion with Attorney Bax the Board does not need to approve the purchase.

Dashineau submitted the designs chosen by the Parks and Recreation Advisory Committee for the new playground at Pletcher Road Park and Sanborn Park, to be submitted to the Niagara River Greenway Commission on May 11<sup>th</sup>.

While the design is not 100% final, upon approval and funding, Dashineau will request the Board to award the contract to Gametime / Maturano Construction.

Senior Center Director M. Olick – The window and front door project is complete. All is going well at the Center.

APPROVAL OF MEETING MINUTES April 12, 2021 – Work Session

**Geiben MOVED to approve the minutes of 4/12/2021, Seconded by Jacoby and Carried 5 – 0.**

AUDIT PAYMENT - Councilman Myers

**Myers MOVED to approve the Regular Abstract of Claims numbered 21-00929 to 21-01074, and recommend payment in the amount of \$1,205,295.37, plus a Post Audit of \$12,639.43, Seconded by Geiben and Carried 5 – 0.**

PENDING / OLD BUSINESS

Change Order #3– 2018 Water System Improvement Project

Lannon said this Change Order has been proposed to widen the existing 6-foot bike path on Lower River Road from Pletcher Road, South to the town line, to an 8-foot-wide path.

It will be funded entirely by NYS Greenway Funds in association with NYS Parks.

This will give Milherst Construction, Inc. an additional 5,000 square yards of particular pay item, within the contract to accommodate the construction.

**Geiben MOVED to approve the 2018 Water System Improvement Project Change Order No. 3, Seconded by Jacoby**

Jacoby asked Lannon if they will be removing the existing material and putting in heavier material with a topcoat? Lannon said yes. It will be a much smoother finish, similar to a road surface.

Resident Lyle spoke and is curious if residents are happy if it is wider in front of their home.

Broderick said he has spoken to many of the neighbors and none of them have expressed any disappointment. This path is used extensively and will look well done and straighter.

**Carried 5 – 0.**

Release - Muckland Pump Driveway

Bax forwarded the Release paperwork for Trane to have signed by the resident. No Board action needed.

Emergency Plan

This was addressed and discussed at the Work Session. Bax has since added wording to include laborers in the Water Dept. and Highway Dept.

**Geiben MOVED to approve the Town of Lewiston Emergency Plan dated March 1, 2021, Seconded by Jacoby**

Geiben questioned the word Laborer being plural. Bax said that would be fine.

**Carried 5 – 0.**

NEW BUSINESS - Residents / Public Correspondence - None

SUPERVISOR BRODERICK

Roster deletion – Upper Mountain Fire Co.

**Broderick MOVED to remove Hailey, Terrance – The Circle, from the Upper Mountain Fire Co. roster, Seconded by Geiben and Carried 5 – 0.**

Sewer Forgiveness – Sandlewood Drive - Ritter said this falls within the Town Sewer policy.

**Broderick MOVED to forgive the \$40.90 sewer charge for Geracci – 594 Sandlewood Drive, Seconded by Geiben and Carried 5 – 0.**

Legal – None

Engineering - Creek Rd. Sewer – PIP – Bradt

A duplex has been built at the corner of Darryl Johnson Drive and Creek Road. It is ready to be occupied, but there is no sewer service. There is a P.I.P. application to install a sewer from that building, south to Pletcher Road. It is about 1,100 feet in distance. The Town received a deposit for the Construction Observation Fee, P.I.P. application, required Bonds and Insurance. Attorney Bax has reviewed the documents and all looks in order.

Lannon requests Town Board authorization for this P.I.P. for Creek Road sewer.

**Geiben MOVED to approve the P.I.P. for Creek Road sewer, Bradt duplex project, Seconded by Jacoby**

Broderick said Masters and Ritter have worked with Mr. Bradt for over a year to complete this. Bradt worked hard and long to work with the Town to have this done. Broderick thanks Mr. Bradt for his cooperation in working with the Town.

Jacoby asked if this sewer will allow for other sewers to be connected. Lannon said yes.

**Carried 5 – 0.**

Finance - Budget Transfer – already addressed

**COUNCILMAN GEIBEN**

Older American Month Proclamation

Geiben read Proclamation that will be presented to the Senior Center / Senior Club by Clerk Garfinkel in May.

**Jacoby MOVED to approve the Proclamation, Seconded by Geiben and Carried 5 – 0.**

**COUNCILMAN JACOBY**

Site Plan Review – Martin – 4702 Lower River Road – SBL#87.18-1-42 – deck/retractable dock

This project has been reviewed by the Planning Board, Environmental Commission, NYS DEC and the Army Corp. of Engineers. The Environmental Commission asks that removal of greenery during construction be minimized as much as possible.

**Jacoby MOVED to approve a Negative Declaration for Site Plan Review – Martin – 4702 Lower River Road – SBL#87.18-1-42 – deck/retractable dock, Seconded by Geiben and Carried 5 – 0.**

**Jacoby MOVED to approve the Site Plan for Martin – 4702 Lower River Road – SBL#87.18-1-42 – deck/retractable dock, Seconded by Geiben and Carried 5 – 0.**

Proposed Resolution regarding the proposed Asphalt Plant Project.

Jacoby and Morreale received a resolution from the Town of Niagara. They would like Lewiston to do a similar one. The resolution will show the opposition to the construction of an asphalt plant on the border of Lewiston and the Town of Niagara. Jacoby asked Bax if he would be able to prepare this. Bax said yes.

Geiben asked if Jacoby and Morreale are making the motion to move ahead with this resolution. Jacoby said yes. Geiben would like to second this.

**Jacoby and Morreale MOVED to direct Attorney Bax to prepare a Resolution regarding the proposed Asphalt Plant, Seconded by Morreale and Carried 5 – 0.**

**COUNCILMAN MORREALE**

Highway Dept. Purchase Resolutions – already addressed

National Grid LED Outdoor Lighting Conversion

The Finance Dept. prepared a cost analysis on the LED Conversion of streetlights. The analysis shows a comparison from April 2019 – March 2020, and April 2020 – March 2021, the Town had a savings of \$4,044.32, with a 151,475-kwh reduction.

REGULAR TOWN BOARD MEETING

April 26, 2021

6:00 pm

The project cost \$33,679.44, the Town received a rebate of \$27,570.00 for a total cost to the Town of only \$6,109.44. This was the cost to replace 522 streetlights. Morreale believes the Town will have a savings of \$4,000 - \$5,000 a year.

Geiben appreciates all the work Morreale did on this project. It has saved the Town a lot of money.

COUNCILMAN MYERS – Nothing to report

RESIDENTS STATEMENTS

Lyle, Steve – Lower River Road – Lyle questioned the length of the widening of the path. Broderick said it will be just north of Joseph Davis park to the town line.

Geiben spoke regarding a letter received from Pivot Energy looking for acreage from the Town for solar projects. The Town has no such property. Should a letter be sent to them stating this fact? Broderick said sure.

Clerk to create a letter to be sent out.

**Morreale MOVED to adjourn the meeting, Seconded by Myers and Carried 5 – 0.** (6:50 pm)

Transcribed and respectfully submitted by:

Donna R. Garfinkel, Town Clerk