

PUBLIC HEARING RE: Amend §360-29(B) – Zoning Code/Map

6:00 P.M.

PUBLIC HEARING RE: Moratorium of Sewage Sludge

6:15 P.M.

REORGANIZATION

JANUARY 8, 2018

AGENDA

PLEDGE OF ALLEGIANCE:

SILENT REFLECTION:

AGENDA APPROVAL

- ADOPTION/APPROVAL OF
- 1) 2018 Regular Meeting & Work Session/Audit Schedules
 - 2) 2018 Meeting Time/Agenda Submission Deadline
 - 3) 2018 Holiday Schedule
 - 4) 2018 Pay Schedule
 - 5) 2018 IRS Mileage Rate – 54.5¢ (2016 Rate 53.5¢)
 - 6) 2018 Fee for Non-Certified Copies (25¢/page)
 - 7) 2018 Assessor’s Fees (Deeds 65¢, Minimum \$1.30)
 - 8) Cell Phone Stipend – (See Memo)
 - 9) Official Town Newspaper
 - 10) Official Town Depositories
 - a) Designate Signatories
 - b) Signatory to Host Community Standing Comte.
 - 11) Town Physician
 - 12) Procurement Policy
 - 13) Investment Policy
 - 14) Roberts Rules of Order
 - 15) Town/Village Joint Meeting dates

- APPOINTMENT OF
- 1) Board Liaisons: Steve Broderick
 - 2) Attorney
 - 3) Engineering Services
 - 4) Grant Writer
 - 5) Stormwater Management Officer
 - 6) Minority Business Officer
 - 7) Women’s Business Officer
 - 8) Electrical Inspectors
 - 9) Records Appeals Officer -FOIL
 - 10) CWM Siting Board 5 Members (Broderick)
 - 11) T/V Police Liaison
 - 12) Bingo Inspector

APPOINTMENTS TO BOARDS
COMMISSIONS & COMMITTEES

- 1) Cable Commission (5 + Ex-Officio)
 - TB Appoints Chairperson/Vice Chairperson
- 2) Environmental Commission (2)
 - Secretary: a) Resignation, Cheryl Milicia
 - b) Appoint Secretary

- TB Appoints Chairperson/Vice Chairperson
- 3) Board of Ethics (5 + Ex-Officio)
 - TB Appoints Chairperson
- 4) Historic Preservation (1 + Ex-Officio)
- 5) Lighting Advisory Board (5 + Ex-Officio)
 - TB Appoints Chairperson
- 6) Lewiston Library Trustee (1)
- 7) Modern CAC (5)
- 8) Personnel Committee
- 9) Parks & Recreation (1)
- 10) Planning Board (1), TB Appoints Chairperson
- 10) Senior Advisory Board (2)
- 11) Signage Committee (5 + Ex-Officio)
 - TB Appoints Chairperson
- 12) Tower/Wind Energy Cmte (7), TB Appoints Chairperson
- 13) Zoning Board of Appeals (1), TB Appoints Chair/Vice-Chair

TOWN BOARD WORK SESSION

JANUARY 8, 2018

A G E N D A

Agenda Approval

Amend §360-29(B) – Zoning Code/Map (SBL NO. 101.12-1-21 thru 101.12-1-41 from R-1 to R-2)

Moratorium of Disposal of Sludge, Sewage Sludge and Septage

Abstract – Bax

Department Head Concerns:

Finance:

Old Business:

- a) Cold War Veterans Exemptions -- Parisi
- b) Fire Hydrant (NYPA) – Parisi
- c) Town Standard for Curbs – Lannon
- d) Rezone LMK Realty

Association of Towns 2018 Training School/Annual Meeting – Clerk

- a) Designate Voting Delegate/Alternate
- b) Resolution I – II

Water meter Purchase -- Broderick

Statements by Residents

ANNOUNCEMENTS:

Town Offices closed January 15th in observance of Martin Luther King Jr. Day

UPCOMING MEETINGS:

Historic Preservation Commission, January 9 @ 6 PM (Lunch Room)

Environmental Commission, January 9 @ 7 PM (Supervisor's office)

Planning Board, January 11 @ 6:30 PM

Zoning Board of Appeals, January 18 @ 7 PM

RTBM, January 22 @ 6 PM

NIAGARA GAZETTE
LOCKPORT UNION SUN
473 THIRD STREET
NIAGARA FALLS NY 14301
(716)282-2311ext
Fax (716)282-2210

ORDER CONFIRMATION (CONTINUED)

Salesperson: LEANN BELFIELD

Printed at 12/26/17 14:32 by lbelf

Acct #: 18809

Ad #: 217758

Status: N

**NOTICE OF PUBLIC HEARING
TOWN OF LEWISTON**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Lewiston on the 8th day of January, 2018 at 6:00 p.m., at the Town Hall, 1375 Ridge Road, Lewiston, New York, on the adoption of a proposed Local Law entitled, "A Local Law Amending the Zoning Provisions of the Code of the Town of Lewiston for Certain Parcels to be Rezoned from 'R-1 Districts' to 'R-2 Districts'" an abstract of which is as follows:

The proposed Local Law amends § 360-29(B) of the Code of the Town of Lewiston and the zoning map of the Town of Lewiston to change the zoning classification for properties identified as SBL Nos. 101.12-1-21 through 101.12-1-41 from 'R1 Districts' to 'R-2 Districts.'

The complete text of said Law is on file at the Office of the Town Clerk, and is available for review by any interested person during business hours.

At such public hearing, all persons interested, who wish to be heard, will be heard.

Dated: December 27, 2018

DONNA R. GARFINKEL
Town Clerk - Town of Lewiston
N#217758

December 27, 2017

Public
Hearing
1

**NOTICE OF PUBLIC HEARING
TOWN OF LEWISTON**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Lewiston on the 8th day of January, 2018 at 6:15 p.m., at the Town Hall, 1375 Ridge Road, Town of Lewiston, New York, on the adoption of a proposed Local Law entitled, "Moratorium of Disposal of Sludge, Sewage Sludge and Septage," an abstract of which is as follows:

The Town Board of the Town of Lewiston currently has under review amendments to the Town Code with regard to solid waste and recycling. The matters pertaining to solid waste and recycling activity within the Town emphasizes the need for suitable regulation under existing and clearly established standards, in an effort to plan for and protect the health, safety and well being of the citizens of and property in the Town of Lewiston. The existing provisions contained in Chapter 293 of the Town Code of the Town of Lewiston may not create and meet such appropriate standards and controls to allow for a harmonious balance and to protect the health, safety and well being of the citizens and property in the Town of Lewiston. The Town Board desires to review and address, in a careful manner, provisions relating to solid waste and recycling and the disposal of sludge, sewage sludge and septage on a comprehensive and town wide basis and to amend and/or adopt appropriate provisions to achieve these purposes.

The complete text of said Law is on file at the Office of the Town Clerk, and is available for review by any interested person during business hours. At such public hearing, all persons interested, who wish to be heard, will be heard.

Ordered by the Town Board

Dated: December 11, 2017

N#218078

December 30, 2017

Public
Hearing
2

2018

PROPOSED

TOWN BOARD MEETINGS

6:00 pm
(4th Monday of month)

	January 22 - Bax	July 23 - Jacoby
	February 26 - Geiben	August 27 - Morreale
	March 26 - Jacoby	September 24 - Bax
	April 23 - Morreale	October 22 - Geiben
May 28 Memorial Day	May ?? - Bax	November 26 - Jacoby
	June 25 - Geiben	December <u>(tbd)</u> Final Audit - Morreale

PROPOSED

TOWN BOARD WORK SESSIONS

6:00 pm
(2nd Monday of month)

	<u>Vouchers Audited by:</u>
January 8	Councilman Bax
February 12	Councilman Geiben
March 12	Councilman Jacoby
April 9	Councilman Morreale
May 14	Councilman Bax
June 11	Councilman Geiben
July 9	Councilman Jacoby
August 13	Councilman Morreale
September 10	Councilman Bax
October ?? Oct 8 is Columbus Day	Councilman Geiben
November ?? Nov 12 is Veterans Day	Councilman Jacoby
December 10	Councilman Morreale

2018

PROPOSED

HOLIDAY SCHEDULE

January 1	New Year's Day
January 15	Martin Luther King, Jr. Day
February 19	Presidents' Day
March 30	Good Friday
May 28	Memorial Day
July 4	Independence Day
September 3	Labor Day
October 8	Columbus Day
November 12	Veterans' Day
November 22)	Thanksgiving Holiday
November 23) >	
December 24)	Christmas Holiday
December 25) >	

Memo To: Town Board

From: Town Clerk's Office

Date: January 8, 2018

As of January 2018, the following employees will receive a monthly cell phone stipend, if approved.

Code Enforcement -- \$25

Dog Control Officer -- \$25

Fire Inspectors (2) -- \$25

Fire Prevention Chairman -- \$25

Town Clerk -- \$25

Assessor -- \$30

Building Inspector -- \$80

Supervisor -- \$80

TOWN OF LEWISTON
PROCUREMENT POLICY

It is the policy of the Town of Lewiston to procure goods and services by advertisement for sealed bids when required by General Municipal Law No. 103.

Exceptions to this policy are allowable pursuant to the General Municipal Law where contracts for public works projects are less than Thirty-Five Thousand (\$35,000) Dollars and contracts for the purchase of goods are less than Twenty Thousand (\$20,000) Dollars. In those cases, the exceptions to General Municipal Law No. 103 maybe allowed pursuant to General Municipal Law No. 104 and the following:

1. In connection with the procurement of goods and/or services having a value of more than Five Thousand (\$5,000) Dollars but equal to or less than Twenty Thousand (\$20,000) Dollars, and for the procurement of contracts for Public Works having a cost of more than Ten Thousand (\$10,000) Dollars but equal to or less than Thirty-Five Thousand (\$35,000) Dollars, three (3) written/fax quotations shall be obtained which shall be maintained in a separate non-bid procurement file.
2. For the procurement of goods and/or services having a value of more than Two Thousand Five Hundred (\$2,500) Dollars but equal to or less than Five Thousand (\$5,000) Dollars, or Public Works contracts having a cost of more than Five Thousand (\$5,000) Dollars but equal to or less than Ten Thousand (\$10,000) Dollars, three (3) oral quotations shall be obtained. The contents of each oral quotation shall be reduced to writing and maintained in a separate non-bid procurement file.
3. For goods and/or services having a value of Two Thousand Five Hundred (\$2,500) Dollars or less, or Public Works contracts having a cost of Five Thousand (\$5,000) Dollars or less, alternate price quotations are not required/subject to department head approval.

In all cases, a written request form for oral and/or written quotations for each non-bid item shall be created and the same shall be maintained in the non-bid procurement file in the Town.

TOWN OF LEWISTON

Employee: _____

Purchasing Work Sheet

Date: _____

ITEM: _____

REASON FOR PURCHASE: _____

Guidelines: (Circle one that applies)

- A.) Goods or services more than \$20,000; Public Works Contract more than \$35,000
Written specifications, Advertising & Sealed Bids.
- B.) Goods or services \$5,000 to \$20,000; Public Works Contract \$10,000 to \$35,000
Attach Three (3) written/fax quotations
- C.) Goods or services \$2,500 to \$5,000; Public Works Contract \$5,000 to \$10,000
Three (3) oral quotations: LIST VENDOR, MODEL, PRICE BELOW

1 . _____

2 . _____

3. _____

- D.) Goods or services up to \$2,500; Public Works Contracts up to \$5,000
Alternate price quotations not required/subject to Department Head Approval

If lowest quoted price is not selected, please detail reason (must be approved by Town Board):

reasons for non-solicitation: (Circle one that applies) A) Acquisition of professional services; B) emergencies; C.) sole-source situation; D.) goods purchased from agencies for the blind or severely handicapped; E.) goods purchased from correctional facilities; F.) goods purchased from or through another governmental agency; G) goods purchased at auction; H.) goods purchased under NY State Contract; K) other recognized exception (explain).

TOWN OF LEWISTON
INVESTMENT POLICY

OBJECTIVES

The primary objectives in priority order:

- to adequately safeguard principal
- to be sufficiently liquid to meet all operating requirements
- to earn the maximum yield possible given the above objectives

AUTHORIZATION

The Budget Officer/Finance Officer is hereby authorized to deposit and invest funds in accordance with New York State General Municipal Law and Local Finance Law.

Eligible investments include:

- 1) Certificates of Deposit issued by a commercial bank authorized to do business in New York State subject to collateral requirements described within this policy;
- 2) Time Deposit Accounts issued and collateralized by a New York State authorized commercial bank;
- 3) Demand Deposits issued and collateralized by a New York State authorized commercial bank;
- 4) Obligations of the State of New York;
- 5) Obligations of the United States Government of those fully guaranteed by the United States Government;
- 6) Obligations of this local government, but only with reserve fund monies;
- 7) Repurchase Agreements limited to banks or trust companies for obligations guaranteed by agencies of the United States of America.

COLLATERAL

All investments of the Town of Lewiston except direct purchases of obligations of the federal government and repurchase agreements shall be collateralized by the pledging of eligible securities. Collateral required in excess of FDIC insurance shall be delivered to the Town in accordance with Chapter 708 of the General Municipal Laws of 1992. The market value of collateral shall at all times equal or exceed the principal amount invested. The Town shall execute a written security/custodial agreement with every depository bank and/or broker.

INTERNAL CONTROLS

- 1) Town of Lewiston policy will require all monies collected by any officer or employee of the Town is timely transferred to the Budget Officer/Finance Officer.

- 2) The Budget Officer/Finance Officer is responsible for establishing and maintaining an internal control structure. This structure should provide reasonable safeguards against loss, and assure that transactions are executed in accordance with the Town Board's authorization.
- 3) As part of the annual audit, this investment policy shall be reviewed to assure conformance with all applicable laws and regulations.
- 4) The Budget Officer/Finance Officer shall submit a monthly report to the Town Board showing investment balances.

FINANCIAL STRENGTH OF INSTITUTIONS

- 1) All trading partners must be credit worthy. Their financial statements must be reviewed at least annually by the Budget Officer/Finance Officer to determine satisfactory financial strength or the Budget Officer/Finance Officer may use credit rating agencies to determine credit worthiness of trading partners.
- 2) Investments in time deposits and Certificates of Deposit are to be made with banks or trust companies. Their annual reports must be reviewed by the Budget Officer/Finance Officer to determine satisfactory financial strength.
- 3) When purchasing eligible securities, the seller shall be required to deliver the securities to our Custodial Bank.
- 4) Proposed depositaries, trading partners and custodians should be evaluated annually by the Lewiston Town Board.

WRITTEN CONTRACTS

- 1) Written contracts are required for Certificates of Deposit and custodial undertakings. With respect to the purchase of obligations of United States, New York State, or other government entities, etc., in which monies may be invested the interests of the Town of Lewiston will be adequately protected by conditioning payment of the physical delivery of purchased securities to the Town of Lewiston or custodian, or in the case of book-entry transactions, on the crediting of purchased securities to the Custodian's Federal Reserve System account. All purchase will be confirmed in writing to the Town of Lewiston.
- 2) It is, therefore, the policy of the Town of Lewiston to require written contracts as follows:
 - a) Written contracts shall be required for the purchase of all Certificates of Deposit.
 - b) A written contract shall be required with the Custodial Banks.

At least annually, the Lewiston Town Board shall review and amend, if necessary, these investment guidelines.

SUPERVISORS SIGNATURE

DATE

ATTORNEY CONTRACT

Agreement made this _____ day of _____, 2018, between THE TOWN OF LEWISTON, hereinafter referred to as "Town" and SEAMAN NORRIS LLP, hereinafter referred to as "Attorney":

1. The Town hereby engages the Attorney and the Attorney hereby agrees to perform services upon the terms and conditions hereinafter set forth.
2. The term of this contract shall commence January _____, 2018, and shall terminate at the first meeting of the Town Board in January, 2019.
3. The Attorney agrees to render general legal services including consultation, attendance at meetings and all normally anticipated services except as set forth in paragraph 4 below. For such services, the Town shall pay the Attorney \$69,000.00 per year payable in monthly installments.
4. The following services shall be rendered by Attorney at an additional charge as follows:
 - a) Conducting or participating in actual or potential litigation on behalf of the Town and its members at the rate of \$195.00 per hour;
 - b) Legal Services in connection with increase in facilities and capital projects with a value over \$500,000.00 and involving new construction or major maintenance or repair for which bidding is normally required. Services will be rendered at a rate of 1% of the cost of the capital project or maximum authorized amount, which is greater inclusive of engineering fees.
 - c) Legal services in relation to a matter before a state agency, against the interest of the state, or otherwise set forth in Public Officers Law Section 73, if conducted by the Attorney, will be billed separately at a rate of \$195.00 per hour.
 - d) Legal services in connection with collective bargaining negotiations, grievances and related matters, at a rate of \$195.00 per hour.
5. Town shall also reimburse the Attorney for all disbursements as provided quarterly on a voucher that are expended on behalf of the Town.

6. The Attorney will not provide services incurred on behalf of the Town in excess of this agreement unless authorized to do so by resolution of the Town Board.
7. This Contract may be terminated by either party at any time, and the Attorney will be paid only for those services rendered prior to the date of termination.

IN WITNESS WHEREOF, the parties hereto affix their hand and seal this ____ day of _____, 2018.

Town of Lewiston

By: _____
David Steve Broderick, Jr., Supervisor

Seaman Norris LLP

By: _____
Brian D. Seaman, Attorney

ENGINEERING SERVICES AGREEMENT

THIS AGREEMENT made this _____ day of _____,
2018, by and between the TOWN OF LEWISTON ("Town") and GHD
CONSULTING SERVICES, INC. ("GHD"):

1. The Town hereby engages GHD and GHD hereby agrees to perform services upon the terms and conditions hereby set forth.
2. The Term of this Agreement shall commence on January 8, 2018, and shall terminate on the first meeting of the Town Board in January, 2019.
3. GHD agrees to render general engineering services including:
 - a. Attendance at all regular Town Board meetings and work sessions,
 - b. Attendance at Planning Board meetings as requested,
 - c. Advice on technical matters with the Town Board and Departments,
 - d. General consultation regarding regulatory compliance issues,
 - e. Consultation concerning code review and interpretation,

- f. Development of preliminary project cost estimates for planning purposes, and
- g. Spot inspections at the request of the Town Board or Departments.

For such services the Town shall pay GHD \$12,000 per year payable in monthly installments.

- 4. GHD shall provide additional engineering services associated with particular Town projects according to the rates in Attachment A, which is hereby incorporated into this Agreement. GHD will submit an itemized bill or invoice to the Town for all such services rendered. No services will be provided or billed under this section without prior approval by the Town Board.
- 5. GHD shall maintain statutory workers' compensation insurance. GHD shall also maintain professional, pollution, general, auto, and employer's liability coverage in the principal amount of at least \$2,000,000.00. Certificates of insurance shall be provided upon request.
- 6. GHDS's services are solely for Town's benefit and may not be relied upon by any third party without GHD's express written consent. Any use, change, or distribution of Work Product without the written

consent of GHD shall be at Town's risk and will not give rise to liability of GHD.

7. GHD shall perform its professional services in the manner consistent with the level of care and skill ordinarily exercised by other professional firms acting under similar circumstances and at similar times. GHD makes no other warranty, implied or expressed.
8. GHD shall indemnify and hold harmless the Town, its employees, agents and assigns to the extent GHD's negligence or willful misconduct causes liability for the Town. Neither party shall be liable for any consequential loss, injury or damages suffered by the other party, including but not limited to loss of use, earning, and business interruption.
9. To the maximum extent permitted by law, GHD's liability and that of its employees, agents, directors, officers, and subcontractors to the Town due to any negligent acts, errors or omissions, shall not exceed \$2,000,000.00, except as to damages resulting from the gross negligence or willful misconduct of GHD.
10. The Town acknowledges that the pre-existing presence, if any, of pollutants, and other potentially hazardous

conditions at the project site were not caused by or are not the responsibility of GHD, and that this contractual arrangement does not transfer any legal responsibilities for such conditions to GHD.

IN WITNESS WHEREOF, the parties certify their hand and seal
this _____ day of _____, 2018.

TOWN OF LEWISTON

By: _____
David Steve Broderick, Jr.
Supervisor

GHD

By: _____
Robert P. Lannon Jr., P.E.,



2018 USA Fee Schedule

Principals:	\$200.00 - \$230.00	Information Technologists:	
Associates:	\$179.00 - \$226.00	◆ Level A	\$112.00
Specialist:	\$187.00 - \$226.00	◆ Level B	\$122.00
Engineers:		◆ Level C	\$133.00 - \$143.00
◆ Level A	\$117.00	◆ Level D	\$154.00 - \$164.00
◆ Level B	\$127.00	◆ Level E	\$181.00 - \$191.00
◆ Level C	\$139.00 - \$159.00	◆ Level F	\$213.00 - \$223.00
◆ Level D	\$165.00 - \$176.00	Database Analysts:	
◆ Level E	\$183.00 - \$193.00	◆ Level A	\$96.00
◆ Level F	\$213.00 - \$223.00	◆ Level B	\$106.00
Geologists/Hydrogeologists:		◆ Level C	\$122.00 - \$142.00
◆ Level A	\$117.00	◆ Level D	\$157.00 - \$177.00
◆ Level B	\$127.00	◆ Level E	\$192.00 - \$202.00
◆ Level C	\$139.00 - \$159.00	◆ Level F	\$205.00 - \$222.00
◆ Level D	\$165.00 - \$176.00	Technicians/Technologists:	
◆ Level E	\$183.00 - \$193.00	◆ Level A	\$83.00
◆ Level F	\$213.00 - \$223.00	◆ Level B	\$101.00
Environmental Chemists/Scientists/Planners:		◆ Level C	\$116.00
◆ Level A	\$112.00	◆ Level D	\$128.00 - \$148.00
◆ Level B	\$122.00	◆ Level E	\$158.00 - \$168.00
◆ Level C	\$133.00 - \$143.00	◆ Level F	\$196.00 - \$211.00
◆ Level D	\$154.00 - \$164.00	Draft/CADD:	
◆ Level E	\$181.00 - \$191.00	◆ Level A	\$78.00
◆ Level F	\$213.00 - \$223.00	◆ Level B	\$88.00
Industrial Hygienists/Safety Professionals:		◆ Level C	\$99.00
◆ Level A	\$112.00	◆ Level D	\$111.00
◆ Level B	\$122.00	◆ Level E	\$121.00
◆ Level C	\$133.00 - \$148.00	◆ Level F	\$131.00
◆ Level D	\$159.00 - \$169.00	Technical Apprentices:	\$83.00 - \$93.00
◆ Level E	\$183.00 - \$193.00	Administrative Support:	\$65.00
◆ Level F	\$213.00 - \$223.00	PIP/Resident Inspection:	\$110.00



A Local Law Amending the Zoning Provisions of the Code of the Town of Lewiston for Certain Parcels to be Rezoned from “R-1 Districts” to “R-2 Districts.”

Be it enacted by the Town Board of the Town of Lewiston as follows:

§ 360-29(B) of the Code of the Town of Lewiston is hereby amended and the zoning classifications for the following parcels, as identified on the Niagara County tax map, are changed as follows:

a) from “R-1 Districts: One-Family Residence Districts” to “R-2 Districts”:

- 101.12-1-21
- 101.12-1-22
- 101.12-1-23
- 101.12-1-24
- 101.12-1-25
- 101.12-1-26
- 101.12-1-27
- 101.12-1-28
- 101.12-1-29
- 101.12-1-30
- 101.12-1-31
- 101.12-1-32
- 101.12-1-33
- 101.12-1-34
- 101.12-1-35
- 101.12-1-36
- 101.12-1-38
- 101.12-1-39
- 101.12-1-40
- 101.12-1-41

The Zoning Map of the Town of Lewiston is hereby amended to incorporate such changes and the amended Zoning Map, as certified by the Town Clerk, is incorporated herein.

A LOCAL LAW EXTENDING THE TOWN OF LEWISTON'S MORATORIUM CONCERNING THE DISPOSAL OF SLUDGE, SEWAGE AND SEPTAGE SECTION

1. PURPOSE AND INTENT.

The Town Board of the Town of Lewiston currently has under review amendments to the Town Code with regard to solid waste and recycling. The matters pertaining to solid waste and recycling activity within the Town emphasizes the need for suitable regulation under existing and clearly established standards, in an effort to plan for and protect the health, safety and well being of the citizens of and property in the Town of Lewiston. The existing provisions contained in Chapter 293 of the Town Code of the Town of Lewiston may not create and meet such appropriate standards and controls to allow for a harmonious balance and to protect the health, safety and well being of the citizens and property in the Town of Lewiston. The Town Board desires to review and address, in a careful manner, provisions relating to solid waste and recycling and the disposal of sludge, sewage sludge and septage on a comprehensive and town wide basis and to amend and/or adopt appropriate provisions to achieve these purposes.

To further this purpose the Town Board previously enacted a moratorium concerning the disposal of sludge, sewage and septage within the Town. Since that time legislation enacted by neighboring municipalities similar in nature to that being studied by the Town of Lewiston has been challenged both in administrative proceedings and in New York State Supreme Court. In particular, there is current litigation now before NYS Supreme Court Justice Caruso regarding the Town of Wheatfield and its Local Law regarding the use of solid waste and recycling and the disposal of sludge, sewage sludge and septage . This litigation has been pending decision for several months and the outcome of said litigation could and may have a dramatic effect on the manner in which the Town of Lewiston proceeds with the preparation of its own Town Code regarding solid waste and recycling and the disposal of sludge, sewage sludge and septage. The Town Board finds that it is prudent to await the outcome of the litigation concerning the Town of Wheatfield's law before it takes action on the same subject matter. The Town Board of the Town of Lewiston therefore it prudent and necessary to extend the existing moratorium applicable to solid waste and recycling and the disposal of sludge, sewage sludge and septage. This moratorium is intended to ensure that no approvals for such land use application be granted or permitted until this Board can complete its planning studies and has had an opportunity to consider and enact appropriate amendments to the Code.

SECTION 2. AUTHORITY.

This Local Law Is enacted pursuant to the provisions of the Town Law and the Municipal Home Rule Law of the State of New York.

SECTION 3. APPLICATION.

This Law shall apply to any and all solid waste and recycling and disposal of sludge, sewage sludge and septage within the Town.

SECTION 4. DURATION.

This Law shall be in effect for nine months from and after its adoption.

SECTION 5. SCOPE.

During the effective period of this Local Law no Board or Agency of the Town shall accept, process, review, recommend or grant approval for solid waste and recycling processing or the disposal of sewage, sewage sludge and septage, and no person or entity shall process, place, spread, or dispose of any sewage, sewage sludge or septage within the Town of Lewiston.

SECTION 6. EXISTING ACTIVITIES.

Any or all projects within the Town having a current permit to landfill sewage, sewage sludge or septage, or any product derived there from issued by the New York State Department of Environmental Conservation pursuant to 6 NRCRR part 360, and which are currently actively land filling such pursuant to such permit shall not be affected by the terms and provisions of this Local Law.

SECTION 7. SEVERABILITY.

The invalidity of any word, section, clause, paragraph, sentence or part or provision of this Local Law shall not affect the validity of any other part of this Local Law which shall be in effect. This Local Law shall take effect immediately upon adoption by the Town Board of the Town of Lewiston and filing with the Secretary of State.

THE
ASSOCIATION OF TOWNS
OF THE
STATE OF NEW YORK

GERALD K. GEIST
Executive Director

KIMBERLY A. SPLAIN
Deputy Director

150 State Street
Albany, NY 12207

Telephone
Area Code 518 - 465-7933
Fax # 518 - 465-0724

LORI A. MITHEN-DeMASI
Counsel

SARAH B. BRANCATELLA
Associate Counsel

KATHLEEN N. HODGDON
Associate Counsel

Dear Town Clerk:

PLEASE READ AT FIRST 2018 TOWN BOARD MEETING
Contains Dated Material to be Returned

The 2018 Training School and Annual Meeting of this Association will be held at the Marriott Marquis, New York City, February 18-21, 2018.

This is a training session for town officials. The following is a brief outline of events:

INFORMATIONAL HEARING from 3:00-5:00 p.m., Sunday Afternoon, February 18 - Julliard Complex, 5th Floor.

GENERAL OPENING SESSION 8:45 a.m., Monday Morning, February 19 - Broadway Ballroom, 6th Floor.

GROUP SESSIONS for various categories of town officers and special programs follow the Opening Session as will be set forth in the printed program:

Town Board Members	Fiscal Officers
Building Officials	Public Works & Highway
Planning & Zoning Officials	Town Clerks
Town Justices Generally	Town Court Clerks
Town Justices (Advanced, Accredited)*	Town Attorneys
Tax Collecting Officers	

BREAKFAST WITH THE ASSOCIATION 7:30 a.m., Tuesday Morning, February 20 - Broadway Ballroom, 6th Floor.

ANNUAL BUSINESS SESSION (Official Delegates) 8:00 a.m., Wednesday Morning, February 21 - Astor Ballroom, 7th Floor.