

PRESENT: Supervisor S. Broderick; Councilmembers A. Bax, W. Geiben, J. Jacoby & R. Morreale; Dep. Sup W. Conrad; Chief Previte; Bldg Insp. T. Masters; Finance Director J. Agnello; Atty. T. Seaman; Eng. B. Lannon; Sr. Director J. Collesano; Dep. Hwy. Supt. B. Christman; Water Foreman D. Zahno; Parks/Rec Dir. M. Dashineau; Historian M. Maggard; 15 Residents; 1 Press (Sentinel) and Dep. Clerk C. Schroeder

EXCUSED: Hwy Supt. D. Trane and WPCC Chief Operator J. Ritter

The Supervisor called the Public Hearing to order followed by the Pledge of Allegiance and a moment of Silent Reflection.

The Clerk read the legal notice into the record.

PLEASE TAKE NOTICE that a Public Hearing will be held by the Town of Lewiston Town Board, Niagara County, New York, on the 17th day of October, 2019, commencing at 6:00 P. M., at the Town Hall, 1375 Ridge Road, Lewiston, New York, to hear and consider the following property and property owner/applicant:

OWNER/APPLICANT: Richard and Adrienne Piva/Borrego Solar

PROPERTY LOCATION: 4352 Williams Road

Ransomville, NY 14131

(Tax Map No. 75.00-1-25)

Niagara County, New York

TO CONSIDER APPLICATION FOR A SPECIAL USE PERMIT AND SITE PLAN REVIEW for a ground mounted utility grade solar energy system on said premises.

All interested parties will be heard by the Town of Lewiston Town Board at said Public Hearing. A full copy of the application is available for review at the Town of Lewiston Building Inspector's office during normal business hours.

By Order of the
TOWN OF LEWISTON TOWN BOARD
Dated: September 23, 2019

Marc Kenwood, Consulting Engineer assisting Borrego Solar, gave an overview of the project. The proposed project is to construct a 7.2 megawatt (DC) ground mounted grade solar energy system at 4352 Williams Road. The project is located on the west side of Williams Road, approx. 2,250-ft north of Swann Road. It is located on 97.65 acres of agricultural land. The project encompasses 28.5 +/- acres on the eastern half of the parcel. This includes one 17.62 +/- acre fenced solar array and 6.3 acre access driveway. It extends 1,340-ft in from Williams Road. They are proposing 3.4 acres of tree clearing along the southern boundary of the field. Aerial utilities will extend in about 200-ft from Williams Road; after that everything is underground.

Utility scale solar projects are allowed and regulated under the Town of Lewiston's Zoning Code. They are allowed in Rural Residential Districts, as well as Industrial Zones. The proposed project is in a Rural Residential District. The site layout has been designed in accordance with the Town's Solar Energy Code. Some of the requirements include a minimum lot size of five acres and a maximum lot area of 100 acres. Again, this project is proposed on a 97.6 acre lot. The project exceeds the minimum requirements for front, rear and side set-backs. There is also a required setback to existing dwellings as follows: 250-ft to any existing dwelling on the subject parcel. The distance to the landowner's residence is 465-ft. The Code also requires a 500-ft setback to any existing dwelling on adjoining lands. The distance to the nearest dwelling (Lauer property) is 513-ft.

Based on concerns expressed by neighbors, the Site Plan was amended. The driveway entrance across the road was shifted south 25-ft. Landscaping, in the form of tree planting, was added along the Williams Road frontage and along the access driveway closer to the field. The access driveway length was reduced by 460-ft. Tree clearing was reduced by 1.5 acres.

The construction of this facility is environmentally friendly. Minor amounts of excavation and grading are required. Tree clearing and stump grinding is going to occur along the southern edge of the field. During construction, the project will generate 50 vehicle trips per day, 25 arriving and 25 exiting. This includes construction deliveries and employees. Upon

completion, the site will be fenced. Once the project is in operation, it will generate no discernible noise to neighboring acceptors, no excess glare, no traffic and no night-time site lighting.

The Supervisor invited public comments.

Evelyn Lauer, 4300 Williams Road, read a prepared statement:

On September 23, I spoke at the Town Board meeting to express my concern and opposition for the proposed Utility Grade Solar Facility to be built next door to me. Some of my concerns revolve how a power plant would change the rural character and environment of our small community neighborhood. I'm not against alternative energy sources. I am however, against indiscriminately siting industrial solar facilities. For this proposed one, I'm very much concerned how it will affect our community and if it will ruin our neighborhood. When visiting Borrego's website, I came across the statement, "Our job as a land developer is to identify the right parcel of land suitable for utility scale solar projects." On the list of characteristics Borrego considers when evaluating that the property is right for solar the number one characteristic is that it is located near a large town or city. Our small one-acre road can hardly be classified as being located near a town or city. The *Sentinel* reported that the property in question has historically been used as farmland. How does that fit in with Borrego's position that they are putting unused open spaces to work? According to the Town's zoning on solar energy systems, "The Town Board finds a growing need to properly site all types of solar energy systems within the boundaries of the Town of Lewiston to protect residential, business areas and other land uses to preserve the overall beauty, nature and character of the Town of Lewiston." How is allowing an industrial power plant next door protecting my residential area? If you approve this application, how is that preserving the overall beauty, nature and character of the Town of Lewiston, and specifically the nature and character of Williams Road? As a resident whose property borders this proposed project, I feel that the Town has deserted me by keeping me out of the loop on the entire project and planning stages of this facility until forced to address residents concerns. Can the Town and Borrego guarantee that my life, my home and property values will not be impacted? Does Borrego plan on taking measures to limit the impact of this facility and transform it in a way that we won't hear or see this sprawling facility that will be constructed a mere 100-ft from my property line. Do you have any idea if there are health risks or issues connected with long-term exposure to industrial solar facilities? Has Borrego ever been sued to stop a facility from being forced into an area when the residents are opposed to it? If so, how many times and what were the outcomes?

When I purchased my property 25 years ago, I wanted to put down roots in a rural and country setting. If I wanted a home in an industrial location I would have chosen to live in Niagara Falls, Lockport or Buffalo. If you permit this facility to be constructed, it will change the nature, character and feel of my home, my property and neighborhood for the rest of my life. My final plea to the Town Board is this, Please do not ruin this great neighborhood. Williams Road is not an appropriate location for a utility grade solar facility. It is not an industrial road and should be kept this way.

Andrew Nichols, 1906 Ridge Road, said he heard a third solar project owned by the same energy company is being proposed adjacent to his property between Swann and Rt. 104. He is a 5th generation fruit farmer. His family has lived over 200 years in the Town. He came before the Board a year ago when the Masters's project was being proposed. A number of residents voiced their concerns that they did not support the solar energy project on Swann Road. The Town Board went ahead and approved it. Nichols said he is here tonight to voice his same concerns. These projects do not belong in the country. You can call it a solar farm but it is not a farm. A farm is using the land for agricultural purposes to grow food. I have been picking grapes on the hillside for the past month and look down over the Swann Road facility. That field of steel does not belong in our neighborhood. The one on Williams Road does not belong there. Another one being proposed next to me does not belong there. I have invested thousands of dollars on my property to grow crops and you're going to destroy it by allowing steel and glass panels around me. This is a concern I brought up last year. You

allow special use on one property. What's going to happen? We are going to create a Swann Road solar corridor.

Jason Lombardi, 4339 Williams Road, said every property owner around this area is being contacted by solar companies. Is there going to be a limit on the number of solar projects? We, as residents, want to know. I'm looking at selling my house that I killed myself to build. I don't see how this is going to benefit the Town if these solar projects keep going up. How is it going to attract people to come to Lewiston? How many of these things are you going to allow in this area?

Broderick said no decision has been made on that.

Bax said the capacity for that area can only handle so many solar panels before you put any more input into the system. It is my impression that it would tap-out. There would be a limit and it would not be commercially viable. If that's no longer the case, that is something we should investigate.

A representative from Borrego Solar said National Grid has a limitation on what they will allow. There is a capacity on that sub-Station. They have made upgrades to allow for their sites but it is not substantial enough to allow for a flood of solar arrays to be interconnected. We are talking 10-20 million dollars of upgrades to be put in place which National Grid would have to approve. There has to be a demand for that energy. If the demand doesn't exist, they will not allow for these upgrades to be put in place. We have seen that in other upgrades in New York State. Borrelo Solar will get something from National Grid that give that sort of statement, as well as contact information. There are two sub-stations in Lewiston. Swann Road has one and one in the Sanborn region.

Brian Scully, Swann Road, said he is one of many opposed to the newest solar project. By the time the proposal comes into the room, a decision may have already been made. We built our house eight years ago on a piece of family property in the country. We wanted our children to be able to grow up to appreciate nature, play outside and come in at dark. We walk our dogs to the sounds of coyotes and winds across the cornstalks. We are not much for neighborhoods. We love every minute being a Swann Road resident. Our neighbor owns a large piece of property that is bordered by Ridge Road and Swann Road. He has leased this land to a local farmer. We look forward to the harvest every year. That property owner was approached to install a 20-acre solar farm on his property. Nightly walks against the hum of generators and the cold view of the backside of solar panels are not what we envisioned when choosing to move to Swann Road. Last year, even against strong opposition, the Board voted unanimously to approve the solar project down the street from me. This minimally invasive visual aspect can be seen from my son's bedroom window. The view from my in-law's house on Ridge Road has forever been transformed. That project only benefits one person – the property owner. In the past two years, those with positions of power or lots of money seem to have bigger voices than residents that would be affected. You opened the door on these solar projects saying no laws were on the books to deny the first one. These companies, with no vested interest in our community, will keep walking thru these doors until you shut them. I'm not against solar energy. There are many great pieces of property that can host solar panels; perhaps on top of a landfill or on Lake Road where there is plenty of property. These locations would reap the same benefits to those involved and garner fewer complaints from inhabitants. We do not want further development on Swann Road for solar panels. I implore the Board to immediately take action to set limits on the addition of these. Areas zoned for agriculture should not be threatened by supposed farms which do not belong alongside cherries, grapes, wheat and corn.

John Grabowski said alternative energy is the way of the future. He works for a company that makes products that build solar panels. Mr. Piva owns a large parcel of land. This project should be placed at the back part of the parcel, where it cannot be seen. Most of Lewiston is vacant old farmland or cornfields miles off the road. This is where these solar fields belong – in areas where it does not interfere with the locals. These are the things you need to consider moving forward. When you have this much land to work with, why do you put these things up front and invade the area with it? That is what residents are complaining

about. This is an invasion of their privacy and financial well-being. Mr. Lombardi may lose a substantial amount of money on his home, as will the Sanoian's. You're not going to lower their taxes and they are not going to get free electricity for their loss. They are going to bear the brunt of that loss solely. That is for the gain of Borrego, Mr. Masters or Mr. Piva. Negotiate with Borrego and have them move it back out of sight.

Jennifer Lombardi, lives at 4339 Williams Road, with her husband and two sons. She lives directly across from the proposed solar facility. As a lifelong resident, she chose to live in this community to build her family home on a quiet country road which allows her children the freedom to walk and ride their bicycles without fear. Her son is multiply disabled and derives great pleasure visiting neighbors up and down their friendly road. With the introduction of the proposed solar farm, the increase in traffic and the noise will most likely prohibit this for him, mostly due to multi-sensory difficulty. Aside from the concern about the safety of these plants, I find them to be an extremely visible eyesore. The fact that it will be directly across from her home upsets her greatly. Why can't these solar farms be erected in places without a high concentration of homes? Williams Road is a short road with many families. We have put a great deal of money into our property and take great pride in what we've built for our family. I strongly oppose this solar plant and leave you with one final question. If this goes thru, which one of you would like to buy my home with its new front view of a solar plant?

Sherry Leggett, Moore Road, lives directly across from the solar project on Moore Road. She asked if plans can be changed after the project is approved. Her concern was the driveway entrance. They did not install the driveway that was on the plan. She had a semi on her property which caused property damage. She said the plan was changed from what she saw that night to what they built. There were problems with her property because of it. She is concerned because Williams Road is similar to Moore Road in size.

Candy Grabowski, Williams Road, asked why the trees are not planted first before the solar panels are built. Kenwood said they are typically put in after the end of the project. With regard to the Williams Road project, trees would be planted first once the driveway is put in.

Dave Catlin, Williams Road, asked if there is a bond if the solar company goes out of business. Broderick said there is a decommissioning bond to remove all the equipment and replace the farmland to the way it was with as minimal damage as possible.

Geiben said the Town was getting a lot of pressure from New York State as part of the "green agenda" that is being pushed down the pike. There is a community, where a solar project is even larger, where the State has taken overall control of. If we did not have something on the books, it could have happened to us. The State could have taken away our "Home Rule". We felt it was necessary to create a Solar Law. The law was based on what was being proposed by New York State. Obviously, it can be fine tuned. Geiben said the Town was told it could only handle two or three solar farms.

Geiben said he would like to see a Solar Project on the Lake Ontario Ordinance Works when it gets cleaned up. It's a perfect Brownfield area for it.

This ended the public comment period.

Geiben MOVED to close the public hearing, Seconded by Morreale and carried 5-0.

Broderick said no action would be taken on the Special Use Permit/Site Plan for Piva/Borrego Solar Project.

Work Session:

AGENDA: Additions: Broderick: Resolutions (2); Geiben: Executive Session re Consultation with Attorney.

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

ABSTRACT: Jacoby MOVED to approve the Regular Abstract of Claims numbered 2680 - 2911 and recommended payment in the amount of \$559,870.79, plus a post audit of \$102,137.87. Seconded by Morreale and carried 5-0.

MINUTES:

Geiben MOVED to approve the minutes of 9/9/2019, PHs/Work Session and 9/23/2019, RTBM. Seconded by Bax and carried 5-0.

Geiben MOVED to approve the minutes of 10/2/2019, Tentative Budget Presentation. Seconded by Morreale and carried 4-0. Bax abstained.

DEPARTMENT HEAD CONCERNS:

Seniors: Dir. Collesano thanked the Parks, Water, WPCC and Highway departments for all their in-house assistance. She said the roof at the Senior Center is leaking. Lannon said he contacted the company that installed the roof for an inspection. The roof is 5-years old. There is a 2-year warranty provided by the contractor. The material has a 20-year warranty provided by the manufacturer of the material.

Police: Previte asked for an Executive Session to discuss the employment of a particular individual.

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

Building: Masters said he did not get the roof bids back for the Park Pavilions. He hoped to have them available at the next meeting.

Masters commented: I'm in a funny position being the Building Inspector and also a landowner of a solar farm. If any of you with an opposite view of what you heard tonight, I would be happy to enlighten you of an opposite view and some hypocritical statements that were made.

Dep. Sup: Conrad thanked Chief Previte and Officer Brandon Hall for participating in the Safety Patrol Ceremony at West Street School. It was a great presentation and very inspirational.

Water: Foreman Zahno said he wanted to move forward on the CDL Class for Jeffrey Dell.

Geiben would be in favor, but requested an official letter of the request. Seaman said the Town could go ahead with the approval and ask the department head to memorialize his feelings in a letter.

Bax MOVED to approve the CDL class for Jeffrey Dell. Seconded by Jacoby and carried 5-0.

Engineer: Lannon reached out to the DOT regarding of the status of the waterline approval. The DOT has reviewed three of the five departments. The other two are forthcoming. Lannon said they are looking at sending out bids in January.

Highway: Dep. Hwy. Supt. Christman met with the Engineer with regards to amendments to change the financial expenditure for the snow and ice agreement. Seaman said the Board can make a resolution to approve it, subject to Attorney approval.

Bax MOVED to approve the snow and ice agreement, subject to Attorney approval. Seconded by Morreale and carried 5-0.

Bax MOVED to authorize the Supervisor to execute said agreement, after Attorney approval. Seconded by Geiben and carried 5-0.

Parks/Recreation: Dashineau asked to declare the bleachers at Washuta Park as excess equipment. Lewiston Fire Co. #1 has asked to use the bleachers for a fire drill.

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

Morreale MOVED to accept the High Bid of \$1,125.00 from Auctions International for a 2007 Ford F150 Pick-up Truck, VIN#1FTPX14V77NA24041. Seconded by Jacoby and carried 5-0.

Broderick read a letter from a concerned resident on Mary Lane:

“I am writing this letter regarding the Town R.O.W. behind houses on Mary Lane. Many calls have been made to Town Hall regarding the mess that was left after the ash trees were removed. The mess left behind is an eyesore to the residents of our street. Since the trees were cut and wood not cleaned up, we have experienced mice, bats and skunks. One neighbor lost a safety cover for her pool worth over \$2,000 and floats due to a mouse problem. After trees were cut, she noticed a hole in her shed roof. One neighbor encountered a bat in her house. We have encountered many skunks. We ask you to take our concerns more seriously before this situation get worse. Workers at Town Hall say they will call back but never do. If our concerns are not dealt with a petition will be started and residents will take further action.”

Dashineau said the clean-up is a big job. They are hauling wood out by hand. They don't want to get equipment stuck. When you cut down 800 trees, there are going to be a lot of displaced animals. Their natural environment has been disturbed. It's a temporary problem.

Broderick said they should proceed with cleaning up. Geiben asked Dashineau to call the homeowner's phone number listed on the letter.

Town Clerk: The Town Clerk/Tax Collector requests the purchase of the BAS On-line Software Program, at a cost of \$4,000 and an annual maintenance fee of \$900, for a total cost of \$4,900 for the first year. Seaman said this is a sole source contract for the software program.

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

The Supervisor addressed a letter from Ross Johnson, 4244 Wolf Run. He paid for a premium lot (.75 acre). He is requesting a change to the scale of the public drainage easement that encompasses the majority of his backyard. Designating the majority of the backyard as a drainage easement appears to be a carryover from an earlier design phase. It is no longer appropriate considering the drainage infrastructure that is currently in place. Extensive underground drainage pipes are installed along the side and rear of the lot. He is requesting relief to the current restrictions so he can erect an ornamental fence within the next 30 days and add further property improvements in the out years.

Seaman said he spoke with both Mr. Johnson and Bill Tuyn (Forbes Capretto). He has no issue with revising the easement as long as it makes sense to both the Engineer and Building Inspector in terms that the easement is revised to what they are proposing.

Lannon said he would like to take an opportunity to talk to the Building Inspector about this and make a determination on it before it goes back to the Board for approval.

Finance: Agnello asked for a revision to move a total of \$4,900 from the Dog Control Personnel budget (A00-3510-0100-0000) with \$4,000 going in to the Town Clerk Equipment budget (A00-1410-0200-0000), and \$900 to the Town Clerk Contractual budget (A00-1410-0400-0000) to cover the purchase of the BAS Tax Collection Online portal software.

Bax MOVED for approval. Seconded by Morreale and carried 5-0.

Agnello said earlier in the day, they met with department heads on their respective budgets. The Preliminary Budget will be delivered to the Board at the meeting of October 28th. The Public Hearing on the 2020 Budget will be on Thursday, November 7 at 6 PM.

Niagara Public Safety Commission – Lease Agreement:

The Agreement would allow the County to lease a portion of land, located off Harold Road, for a term of twenty years in order to erect a public safety communication tower.

Geiben MOVED for the approval of the Lease between the Town of Lewiston and County of Niagara, as presented. Seconded by Bax and carried 5-0.

Geiben MOVED to authorize the Supervisor to sign said agreement. Seconded by Jacoby and carried 5-0.

SRO Lease Agreement w/Niagara Wheatfield:

Seaman said this was in regard to an issue about extended hours for the School Resource Officer. It is his legal opinion that the current SRO Agreement that is in place and runs from 2017 – 2021 encompasses the concept that you can have an officer for additional time outside the normal school hours. There's also a MOU with the union with regard to that. It's Seaman's opinion that there is no need for an amendment or modification to the agreement.

Signage Resolution:

The Supervisor read a proposed Resolution requesting the State's assistance to preserve the community's historical character by making structural improvements and reducing and downsizing signage.

WHEREAS: Lewiston citizens, businesses and local governments, have worked diligently over the past decades to establish a vibrant community that is renowned for its history and cultural assets, and

WHEREAS: Lewiston has received national recognition as one of the top small towns in America, and while Lewiston's future is bright, it is critically important that we continually work on ways and means that will enhance our quality of life, and

WHEREAS: It is in the interest of economic development and local prosperity, that Lewiston preserves, protects and promotes its historical heritage and cultural assets, by ensuring that our community is free of extraneous signage and obtrusive visual pollution that can be distracting, unsightly, and confusing, and

WHEREAS: In order to accomplish our goals, as similar communities have done across the nation, we are looking to create a cooperative alliance with agencies and governments, including New York State, to help us reduce sign pollution in an effort to reduce clutter, adapt our infrastructure to be more historically compatible, soften aesthetics, and make our community more attractive, prosperous and safer, and

WHEREAS: The State of NY Department of Transportation intends to make improvements locally, including resurfacing Center Street in Lewiston in 2021,

SO THEREFORE BE IT RESOLVED: The Town of Lewiston respectfully requests the advice and assistance of D.O.T. to help us improve our historical presence, cultural reputation and local economy, by consulting with the Town during the planning and design phase, and consider such things as:

- 1) Removing the large gantry at the entrance of Lewiston and replacing it with a smaller sign on the side of the road, and
- 2) Remove the crosswalk and signs located near the gantry, and replacing it with sidewalk pedestrian signs that urge pedestrians to cross at the 9th Street stop light.
- 3) Review, redesign and consolidate the signage on Route 104 on Lewiston Hill.
- 4) Downsize and/or eliminate other signs that may not be needed, are duplicative or can be reduced in size.

BE IT FURTHER RESOLVED: That copies of this resolution be sent to Governor Cuomo, Frank Cirillo, Regional Director of NYSDOT, NY State Senator Robert Ort, Assemblyman Angelo Morinello, and the Village of Lewiston Board of Trustees.

Geiben MOVED the foregoing resolution. Seconded by Bax and carried 5-0.

Board of Assessment Review:

Bax MOVED to re-appoint Andrew Nichols to the Assessment Review Board for the term, October 1, 2019 to September 30, 2024. Seconded by Morreale and carried 5-0.

NFARS Compatible Use Plan:

The Supervisor read the following resolution:

Whereas: The Niagara Falls Air Reserve Station (NFARS) is Niagara County's largest employer with over 3000 full time and part time employees and is responsible for generating over \$88 million in annual payroll, \$168 million in annual economic impact and plays a critical role in our national security, and

Whereas: In the past, NFARS has found itself at risk of closure through the Base Realignment and Closure process (BRAC), and

Whereas: Through an intense and concentrated community effort, locally and in Washington, supporting NFARS, these closure proposals were reversed, and

Whereas: A persistent threat to any US Air Force installation is "encroachment" from land uses in surrounding areas that interfere with flight operations, and

Whereas: The presence of encroachments have led to US Air Force bases being closed, and

Whereas: Local governments play a crucial role in evaluating and approving land uses and projects, and

Whereas: The municipalities of Wheatfield, Lewiston, Niagara, Pendleton, Cambria and Niagara Falls have all explored the Office of Economic Adjustment (OEA) program to fund the development of a "Compatible Use Plan" (CUP) to protect military installations from encroachment uses, and

Whereas: NFARS and the Niagara Falls Military Affairs Council (NIMAC) leadership have stated that a CUP designed by these communities would be a strong statement to the US Air Force that the community is invested in the long-term viability of NFARS,

Now therefore be it resolved: That the Town of Lewiston supports pursuing funding for a "Compatible Use Plan through the Office of Economic Adjustment , in conjunction with the NFTA, Niagara County and NFARS for the purposes of coordinating local land use planning to prevent encroachment uses from interfering with operations at NFARS, and,

Be it further resolved: That a copy of this resolution be sent to the Niagara County Legislature, NFARS, NIMAC Senators Charles Schumer and Kirsten Gillibrand

Bax MOVED the foregoing resolution. Seconded by Morreale and carried 5-0.

License Agreement w/FirstLight Fiber for Niagara University cell tower:

Seaman said the License Agreement is to allow FirstLight Fiber to install, utilize and maintain a 39-ft conduit underground a piece of property owned or maintained by the Town near the corner of University Drive and Lewiston Road, in order to assist in the operation of a cellular tower to be located on property owned by Niagara University.

Geiben MOVED for approval, as presented. Seconded by Morreale and carried 5-0.

Morreale MOVED to authorize the Supervisor to execute said agreement, after the Town receives three (3) originals back from the company. Seconded by Geiben and carried 5-0.

HVAC Discussion:

Morreale said he would like to get a maintenance agreement for the Senior Center and Town Hall HVAC units. This would include annual inspection of all rooftop units, preferably in mid June. In October, the heating units will be inspected, cleaned, filters changed and replacement of fan belts, if necessary. If additional maintenance on the heating or a/c unit is needed in either building, it must be okayed by the Building Inspector.

Seaman said if it's a yearly contract under \$5,000, it can be granted without a formal bid. Morreale said he would write something up.

Sewer Credit, Vrooman Drive:

Geiben MOVED to approve a sewer credit to Dr. Perry, 4639 Vrooman Drive in the amount of \$72.90. Seconded by Jacoby and carried 5-0. This falls within the Sewer Use Agreement.

Halloween Hours: **Bax MOVED to set Halloween Hours in the Town of Lewiston from 4-7 PM, October 31, 2019. Seconded by Morreale and carried 5-0.**

PRIVILEGE OF FLOOR: No one wished to speak.

Geiben MOVED to enter into Executive Session for 1) Consultation with Attorney and 2) Personnel Issue involving a particular employee. Seconded by Bax and carried 5-0.

Time: 7:50 PM.

Executive Session: Present: Broderick, Bax, Geiben, Jacoby, Morreale, Agnello, Seaman, and Chief Previte (Issue #1 only).

Issues Discussed:

1. Personnel issue/ employment status of a particular employee.
2. Consultation with Counsel

Minutes taken by Atty. Seaman.

Bax MOVED to exit Executive Session. Seconded by Jacoby and carried 5-0.

Action Taken: None

Bax MOVED to adjourn. Seconded by Jacoby and carried 5-0. Time: 8:22 PM.

Transcribed and

Respectfully submitted by:

Carole N. Schroeder
Deputy Town Clerk