

PRESENT: Supervisor Broderick; Councilmembers Bax, Ceretto, Geiben and Morreale; Finance Officer Blazick; 1 Press; 8 Residents and Clerk Donna Garfinkel

The Supervisor opened the Public Hearing and requested the Clerk read notice into record.

NOTICE IS HEREBY GIVEN that the Preliminary Budget of the Town of Lewiston for the fiscal year 2018, including general town funds, highway funds, fire protection district funds, and lighting district funds has been completed and filed in the office of the Town Clerk of the Town of Lewiston, 1375 Ridge Road, where it is available for inspection by any interested person during normal office hours.

The Town Board of the Town of Lewiston will hold a public hearing on said Preliminary Budget on Monday, October 30, 2017 at 6:00 pm at the Lewiston Town Hall. At such hearing, any person may be heard in favor of or against the Preliminary Budget as compiled or for or against any item or items therein contained.

The following are the proposed 2018 salaries of certain Town Officers of the Town of Lewiston.

Supervisor	\$41,906
Council Members (4)	\$13,856
Highway Superintendent	\$70,181
Town Clerk	\$62,192
Town Justices (2)	\$27,399

A Public Hearing will also be held at the same date, place and time specified above on the amounts to be raised by taxation for Special Districts, Special Assessment Rolls having been prepared and filed for all benefit districts, at which public hearing all interested parties who wish to be heard will be heard.

By Order of the Town Board
October 12, 2017

The Supervisor welcomed residents to speak.

Warren, Rose Mary – Griffin Street – Warren had a chance to look at the budget up to page 11.

Warren questions the Casino dollars.

Warren believes there should be more realistic budgeting in the Parks & Recreation Department because later on the Board will be transferring money in and out. Warren calls this creative accounting.

There are administrative fees for the Power Allocation. \$5,000 – 2016; \$5,000 – 2017. The Town renewed the ECA and the Town is paying them to take the money. The Town has a contract with ECA for 5-years, and Warren is wondering if the \$5,000 is coming out of the money the Town gets from the Power Authority.

Transferring from other funds – Ice Rink. In 2017 it was \$53,000. The change looks like there is money coming in and money going out from the Recreation Dept. to the Ice Rink. Warren just doesn't get it.

Attorney – Litigation – in 2016 it was \$95,000; 2017, \$169,000 was budgeted. There may be pending litigation, problems with workers. But in 2018 there is only \$139,000 budgeted. There will be more Attorney fees with this water district consolidation, because it is not the Town Attorneys it is Seaman.

Niagara Power Coalition – the Town is still paying them \$9,000, Warren thought this was done.

Supervisor asked the Clerk to read a letter received from Paulette Glasgow.

Dated October 18, 2017 –

Honorable Board: Please forgive me for not being able to present these remarks in person but at present I'm at home recovering from surgery, and would like these remarks read into the record at the

October 30th Public Hearing on the Town of Lewiston 2018 budget. As I've often commented on of your duties is to ensure the health, safety and general welfare of the residents of the Town of Lewiston. This, at times, is not an easy duty but it is a duty that comes with the office you occupy. But how do these three items relate to the annual budget?

In order to ensure the health, safety and general welfare of our community is maintained you must exercise fiscal due diligence and appropriating for services that are essential to maintain quality of life. Healthy water, sewer and drainage; safe and passable roads and police and fire services that will not only protect us and those we love.

The third element of your responsibility, promote general welfare, is as important as the other two. Because it concerns protecting the financial concerns of those you serve. Former Town Boards got this right because they understood these responsibilities by denoting what was an essential service and what was not. Over the past year I have watched as special interests both within and without of Town government blur the meaning of essential service and in the process cause Lewiston residents to be faced with undo financial hardship.

Looking at this proposed 2018 budget one sees the continuance of a Town tax but not a decrease of appropriating for non-essential services causing undo financial hardship to our seniors and those who must live paycheck to paycheck.

What are some of these non-essential services? Last year you made the right decision not to fund the ice rink at Academy Park, by spherical interests pressured you into appropriating funding. First it must be said here it is illegal for any Town employee to solicit funding using public resources such as Town website or letterheads. Understanding the Town Board has a busy life that is exactly what happened in 2017. A Town employee utilized public resources to act as a fundraiser. I would hope that in 2018 the Town Board would discourage such activity and hand over the operation and maintenance of the Academy Park ice rink to the community sponsor who raised nearly \$90,000 to not only run the ice rink but extended the skating season.

Should these citizens choose not to once again volunteer their services there are a number of public ice rinks around Lewiston. For example Dwyer Arena at Niagara University offers public indoor skating. There is free public skating at DeVeaux Woods and Reservoir State Park which also has a building that could be rented for all sorts of activities. At a time when the Parks/Recreation Director is asking for funding to construct a building to store equipment the \$80,000 along with what is in several dormant capital accounts could be utilized to have that building become a reality.

Further you are considering the construction of a dog shelter. To some this may be an essential service but to the Lewiston taxpayer it is a long range expense. True both the dog shelter and ice rink can be funded using NYPA funding along with grants but money from these sources cannot be used to pay salaries or future maintenance, operation and possible liability that cost would be passed down to the Lewiston taxpayer.

Several months ago, it was questioned why the Town was firing individuals to fill positions that became vacant. A glance at the proposed 2018 budget shows the escalating increase the Town must pay for retirement, unemployment and workmen's compensation. Although the laying off of an individual is a tough decision, your responsibility is to ensure the Lewiston taxpayer isn't burdened with undo financial hardship. For example do we really need a non-resident Junior Accountant? For many, many years the finances were done by two individuals, the Supervisor, as Chief Fiscal Officer and the Finance Director, who at times performed this job on a part-time basis. Some will say there is a need for three individuals to oversee and manage our finances but common sense tells us that if you need three people to do the finances either someone isn't doing their job or this position was once again filled via nepotism. This job was originally created so that an individual could receive retirement benefits which the Lewiston taxpayers are paying for. Former Supervisor Brochey and one member of the present Town board realizing it was a needless position voted to have it abolished and in the process save the taxpayer money. But for some reason this position is being funded even though it has never received a re-instatement of Civil Service approval.

I urge the Town board to once again remove funding for the Junior Accountant and return this money to the general fund. Should the need arise for assistance in the finance office quite possibility you

might want to do as the Assessor does and hire someone as a temp. The Town would only have to incur the cost of salary and not benefits which would be a cost savings.

Previously I've inquired why there is a need for so many lawyers, and just to be crystal clear I am not questioning the funding for the \$50,000 set aside for CWM litigation. I am questioning why we need a labor lawyer to negotiate contracts. Two Town lawyers and one to oversee the \$10 million water line project. Some will say there is a need for this legal advice yet in the past, previous Town Boards hired one or two lawyers that handled all aspects of the law. Further by centering all legal work on one particular law firm you might not be realizing a cost savings by seeking competitive bids for all the service you need.

Several months ago the Highway Superintendent came to you with a request to find funds to purchase a paver. After much discussion funds were moved around and a paver was purchased. But could this exercise have been done a bit easier and in the process provide a revenue stream for the Highway Dept. That would use this revenue to purchase future highway equipment. For example under the present re-licensing agreement the over \$2-million now sitting H97 could have been used to purchase this paver. Section 4.3 of the agreement reads as follows "funds shall be expended to promote public safety". Having a paver that enables the public to have safe, passable roads would be an approved reason to utilize the over \$2-million sitting in this capital account. Once purchased the Town could lease out this paver to other municipalities just as the County does and in the process create a revenue stream. The funds from this lease could be deposited into a dedicated account to be used to purchase future highway equipment.

For several years the Town has received from Niagara County and the Town of Cambria funding to operate our senior van. As I've said in the past, the \$10,000 received annually should go into a dedicated fund that would accumulate and be utilized to purchase a replacement van. In the past we have relied on the possibilities of a grant being made available. As we learned in 2016 when a grant was submitted to the State and rejected, we shouldn't rely on grants to provide a van for our seniors. The solution to having the funding in place to purchase a future van should be, as was done in the past, to establish a dedicated fund to purchase a future van from the \$10,000 the Town receives annually.

Part of the budget process is to include within the budget a three or five year facilities capital plan. The goal of such a plan would be to collect, coordinate and prioritize future needs for the Town infrastructure and facilities. The Finance Director has previously gathered this information from department heads and these needs, along with a proposed finance plan, should have been included in the 2018 budget. By doing this during the budgetary process, it lightens the load for the finance office because both the budget and capital plan would be approved at the same time. A capital plan along with a fund balance policy is something I inquired about last year and the external auditors strongly recommended be formulated, yet this has yet to be done. The purpose of a fund balance policy is to carefully account for, manage and plan the funding for services desired by the public. Further by establishing a fund balance policy you make available surplus finances for economic development and new streams of revenue which your external auditors strongly suggest you seek.

Lastly, as I brought to your attention last year and as I do again, there is over \$40,000 sitting in dormant accounts. Last year, I was told that before money from these accounts could be moved you had to first determine what they were there for and if they would be needed in the future. It's now a year later and these accounts are still dormant and money is sitting in them unused. Once again I request the money in these accounts, if they are not needed, be withdrawn and placed back into the general fund.

Further, sitting in H28 and H29 is nearly \$160,000 that has been sitting in these accounts for many years. The money in these accounts should be withdrawn and utilized to construct a public safety building that would elevate the police department's needs for storage while functioning as a fire and hazmat facility. The Town, as has been said many times by the external auditor must not simply rely on tipping fees and grants in order to run the Town and provide the public with essential services. The use of these dormant accounts along with finding long range revenue streams will lessen the financial burden that is passed down to the Lewiston taxpayer.

Thank you very much for your time and I would appreciate these remarks being read into and part of the official record of the Town of Lewiston at the October 30th, 2017 Public Hearing on the annual budget.

Broderick read the following memo from Parks & Recreation Director Mike Dashineau:

My apologies for not being able to make tonight's meeting. In response to questions about Ice Rink funding included in the 2018 Town Budget, please note that the Ice Rink funding is outside of normal Town Budget funding and will be supported using only funds derived from revenue at the rink earned from the current year's operation as well as previous years operation revenue.

From 2011 to 2016, the Ice Rink saved its raised revenue with the goal of "buying out" the lease to own agreement that was in place. These funds went into H-49. There is currently about \$75,000 remaining in that account after the buyout of the lease. This money is currently used to support the rink operation beyond the cost of the rink minus revenue raised by its operation. Last year, the cost of the Rink out of the previous year's revenue was about \$16,000, as the Rink itself supported about \$55,000 in fees and sponsorships.

It is our goal to keep the rink solvent and of no burden to the Town budget this season and in the future. I hope this answers any questions on where the funds come from that are used to support the Rink.

Geiben MOVED to close the Public Hearing, Seconded by Ceretto and Carried 5 – 0. (6:16 pm)

Transcribed and Respectfully Submitted by:

Donna R. Garfinkel
Town Clerk