

Present: Supervisor S. Broderick; Dep. Sup. W. Conrad; Councilmembers A. Bax, B. Geiben, J. Jacoby & J. Myers; Chief F. Previte; Bldg. Insp. T. Masters; Finance Director J. Agnello; Atty. T. Seaman; Eng. B. Lannon; WPCC Ch. Op. J. Ritter; Water Foreman D. Zahno; Parks/Rec Director M. Dashineau; Fire Insp. P. Martin; Historian M. Maggard; 1 Press (Sentinel); 4 Residents and Dep. Clerk C. Schroeder

Excused: Highway Supt. Dave Trane

The Supervisor called the meeting to order, followed by the Pledge of Allegiance and a moment of silent reflection in recognition of Holocaust Remembrance Day and the 34th Anniversary of the Space Shuttle Challenger disaster that occurred January 28, 1986.

AGENDA: Additions: Broderick: Executive Session re Personnel and on-going contract negotiations. Bax: Shift in Police Contractual budget for repair of a generator.

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

RESIDENTS STATEMENTS: None

ABSTRACT:

Geiben MOVED to approve the Regular Abstract of Claims for 1/13/2020 Numbered 3696 to 3815 (F/Y 2019) Numbered 1 to 40 (F/Y 2020) and recommended payment in the amount of \$689,905.78, plus a post audit of \$20,615.08. Seconded by Bax and carried 5-0.

Geiben MOVED to approve the Regular Abstract of Claims for 1/27/2020 Numbered 3816 to 3890 (F/Y 2019) and Numbered 41 to 123 (F/Y 2020) and recommended payment in the amount of \$447,676.13, plus a post audit of \$12,099.24. Seconded by Bax and carried 5-0.

MINUTES:

Geiben MOVED to approve the minutes of 12/30/2019, Final Audit / RTBM. Seconded by Jacoby and carried 4-0. Myers abstained.

Geiben MOVED to approve the minutes of 1/6/2020, Re-Organization / Work Session. Seconded by Bax and carried 5-0.

DEPARTMENT HEADS:

Police: Chief Previte said the department is doing well but struggling with the different changes regarding bail reform and discovery. Previte is in the process of conducting interviews for filling the full-time slot vacancy. The department is working on an Active Shooter training drill to be conducted March 30th at Niagara-Wheatfield High School. Other agencies will be involved.

Building: Masters said he and the Code Enforcement Officer are attending schooling thru Wednesday.

WPCC: Ritter said the De-watering Project is in the testing phase. Anyone interested is more than welcome to look at it.

Parks/Recreation: Dashineau said the Kiwanis Park Basketball Court project was approved for funding by the Greenway Standing Committee. The next step is to work on the scope of the project. He will ask for a vote at the next meeting to go out to bid.

Historian: Maggard said she is almost done putting her office together after being out for a few months.

FINANCE:

The Finance Director requested the Board authorize the Supervisor to sign a contract with Drescher & Malecki, LLP for auditing services for the next four years.

Geiben moved to direct the Supervisor to sign said agreement. Seconded by Bax and carried 5-0.

Agnello presented the Board with 11 budget revision to the 2019 Budget, as follows:

1. A request to move \$1,000.00 from Highway Superintendent Personnel - A00-5010-0100-0000 to Town Garage Contractual - A00-5132-0400-0000 to cover expenses thru the fiscal year.
2. A request to move \$500.00 from Sanborn Seniors Personnel - A00-7635-0100-0000 to Sanborn Seniors Contractual - A00-7635-0400-0000 to cover expenses thru the fiscal year.
3. A request to move \$9,256.00 from Recreation Seasonal Ice Rink Personnel - A00-7310-0100-4403 with \$4,225.00 going to Parks-Ice Rink Out of Dept. Personnel A00-7110-0100-4403 and \$3,413.00 going to Ice Rink Gas & Electric - A00-7310-0403-3500 and \$1,618.00 going to Ice Rink Contractual - A00-7310-0403-4403 to cover expenses thru the fiscal year.
4. A request to move \$5,000.00 from Police Personnel - B00-3120-0100-0000 to Police Contractual - B00-3120-0400-0000 to cover expenses thru the fiscal year.
5. A request to move \$11,495.00 from Parks Personnel - B00-7110-0100-0000, with \$8,498.00 going to Parks Equipment - B00-7110-0200-0000 to cover the approved seal coat for Pletcher Road Park parking lot and bike path, and \$2,997.00 going to B Fund Unemployment - B00-9050-0800-0000 to cover unemployment expense for a Parks employee.
6. A request to move \$14.00 from Highway Insurance - DB0-1910-0400-0000 with \$3.00 going to Highway Medicare - DB0-9020-0800-0000 and \$11.00 going to Highway Social Security - DB0-9030-0800-0000 to cover expenses due to changes in 2019.
7. A request to move \$19,162.00 from Snow Removal Personnel - DB0-5142-0100-0000) and \$19,243.00 from Permanent Improvement - DB0-5112-0400-0000 for a total of \$38,405.00 going to General Repairs Personnel - DB0-5110-0100-0000 to cover Personnel expenses.
8. A request to move \$1,084.00 from Permanent Improvement - DB0-5112-0400-0000 to Out of Dept. Personnel - DB0-5142-0100-0100 to cover personnel expenses.
9. A request to move \$1,036.00 from Administrative Allocation - DB0-1310-0100-0002, \$4,705.00 from Seasonal Help Personnel - DB0-5110-0100-0200, \$1,368.00 from Permanent Improvement - DB0-5112-0400-0000, \$5,322.00 from Machinery Personnel - DB0-5130-0100-0000, \$3,452.00 from Highway Retirement - DB0-9010-0800-0000, \$14,999.00 from Highway Hospital & Medical - DB0-9060-0800-0000 and \$5,134.00 from Highway Union Welfare Benefits - DB0-9070-0800-0000 for a total of \$36,016.00 going to Snow Removal Contractual - DB0-5142-0400-0000 to cover the purchase of salt.

Geiben MOVED for approval of the revisions, as presented. Seconded by Jacoby and carried 5-0.

OLD BUSINESS: GHD Contract.

Geiben MOVED to authorize the Supervisor to sign the Engineering Services Agreement with GHD. Seconded by Jacoby and carried 5-0.

NEW BUSINESS: Clerk's Correspondence

Magavern Magavern Grimm LLP represents The View Sanborn LLC. The View Sanborn LLC is applying for a license for on-premises consumption of alcohol at 2943 Upper Mountain Road. They submitted a 30-Day Advanced Notice. Magavern Magavern Grimm LLC is requesting a letter waiving the statutory 30-day waiting period.

Geiben MOVED that a letter be sent waiving the 30-day waiting period. Seconded by Jacoby and carried 5-0.

SUPERVISOR:

- a) Engineer: Lannon said they are still in the process of canvassing bids for the Water System Improvement Project, Contract 2018-1 and Police Storage Bldg Project – Electrical (Re-bid) Contract. They have 45-days days before accepting or declining the bids.
- a) Legal: Nothing
- b) Resolution to Recommend that International Joint Commission (IJC) Plan 2014 be rescinded:

Whereas, Lake Ontario and the Niagara River Basin, national and international resource; and

Whereas, the Lake Ontario Preparedness Group, Harbor and Marinas are a vital, economic and recreational resource to the County of Niagara; and

Whereas, the lake levels are managed by the St. Lawrence River Board of Control under the jurisdiction of the International Joint Commission comprised of commissioners from both the United States and Canada; and

Whereas, the adoption of Plan 2014 by the International Joint Commission (IJC) has substantially contributed to the damage being caused along the lakeshore including the Villages on Lake Ontario and the Niagara River; and

Whereas, the Lake Ontario Preparedness Group, it's residents and local businesses are once again incurring substantial damage to the property along and around their water fronts which has threatened not only the economic vitality of the area but also the life and safety of residents and visitors to the Lake Ontario Preparedness area, while at the same time causing severe property damage in and around the Niagara County water front; and

Whereas, the Lake Ontario Preparedness Group, in conjunction with the County of Niagara have experienced significant expense as a result of efforts to keep the high water from further impacting the Lake Ontario Preparedness Groups water fronts; and

Whereas, the flooding experienced again this year threatens municipal infrastructure; and

Whereas, it is conceivable and reasonable to expect future flooding as was experienced in 2017, 2019, and now 2020 which is caused in great part y PLAN IJC 2014,

Now therefore be it resolved by the Lake Ontario Preparedness Group as follows:

1. The International Joint Commission immediately rescind and suspend Plan 2014 and fall back to Plan 58DD. The Lake Ontario Preparedness Group further requests that any plan developed to succeed these plans protect the interests of the municipality, the first responders, visitors and residents.
2. As provided in treaty forming the International Joint Commission, funding the municipalities and riparian property owners must be provided to plan and implement flood prevention, mitigation and recovery commensurate with anticipated increases in flooding, erosion and damages.
3. Any committee or task force created to review mitigation and safety plans fronting the Great Lakes must contain several representatives from the Lake Ontario Preparedness Group.

Geiben MOVED to approve said resolution, as presented and to authorize the Supervisor to sign the resolution on behalf of the Town of Lewiston. Seconded by Myers and carried 5-0.

- c) Re-Appoint Les Myers, Fire Prevention Chair: **Bax MOVED for approval. Seconded by Jacoby and carried 5-0.**

January 27, 2020, RTBM

COUNCILMAN BAX:

- a) Environmental Commission Secretary: Bax said it is his understanding that the Commission appoints its own secretary. The Board determines the compensation for that position.

Bax MOVED to compensate the secretary of the Environmental Commission the same rate as the Chairman. Seconded by Geiben and carried 5-0.

- b) Police Contractual: **Bax MOVED to transfer \$925.36 from Police Personnel to Police Contractual for the repair of a component to the generator. Seconded by Geiben and carried 5-0.**

COUNCILMAN GEIBEN:

Geiben MOVED to hire Jalen Duff as Recreation Aide at the rate of \$11.80 per hour. Seconded by Bax and carried 5-0.

COUNCILMAN JACOBY:

Jacoby noted that the Historic Preservation is moving their meetings back to the 2nd Tuesday of the month at 6 PM. The next meeting will be February 11, 2020.

COUNCILMAN MYERS: Nothing

PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS:

Steve Lyle and Paulette Glasgow had issues as to agenda items being made available to the public before a meeting. Glasgow said there is a State Law that correspondence to be discussed at a Board meeting is to be posted on the Town's website. If items are added to the agenda at the meeting, correspondence was to be made available to the public at that meeting. It is one of your resolutions and its State law, she said.

Geiben said it is one of their objectives to not appear at a meeting and find things on the dais. We want them ahead of time.

Broderick said there is Public Information meeting, January 28th, at the Lewiston Senior Center on the Riverfront Town Park beginning at 6:30 p.m.

Geiben MOVED to enter into Executive Session to discuss a Personnel issue and Contract Negotiations. Seconded by Jacoby and carried 5-0. Time 6:25 p.m.

EXECUTIVE SESSION: Minutes taken by Tom Seaman

Present: Broderick, Bax, Geiben, Jacoby, Myers, Conrad, Agnello and Seaman.

Issues Discussed:

1. Personnel issues related to appointment, employment and/or retirement of a particular employee
2. On-going collective bargaining negotiations

Bax MOVED to exit executive session. Seconded by Myers and carried 5-0.

No action taken.

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

Transcribed and
Respectfully Submitted by

Carole N. Schroeder
Deputy Town Clerk