

PRESENT: Supervisor Newlin; Councilmembers Bax, Edwards, Johnson and Palmer; Attorney Leone; Deputy Attorney Koryl; Finance Officer DiRamio; Building Inspector Masters; Town Engineer Lannon; WWTP Chief Op. Lockhart; Recreation Director Dashineau; 3 Press; 7 resident and Clerk Donna Garfinkel

Supervisor called meeting to order – 5:40 p.m. and asked Board members for any additions to the agenda.

Bax requests setting a Public Hearing for the amended Sewer Code. Newlin removed the Art Park issue.

Bax MOVED to approve the Agenda as amended, Seconded by Johnson and Carried 5 – 0.

First Agenda Item – Approval of Abstract

Edwards MOVED to approve the Regular Abstract of claims numbered 3452 to 3695, and recommend payment in the amount of \$185,229.36 Carried 5 – 0.

Edwards MOVED to approve a Post Audit of \$180,487.47, Seconded by Johnson and Carried 5 – 0.

Seconded Agenda Item – Staub – Ridge Road – Easement to maintain cemetery

At the Planning Board meeting of August 20th, Mr. Staub agreed to give the Town a 15' easement to cemetery. The Board needs to direct the Town Attorney to move forward with the easement.

Palmer MOVED to direct the Town Attorney to prepare an easement for the property located at 1063 Ridge Road to allow access to the cemetery, Seconded by Bax

Leone informed the Board in advance in case there is an issue, that he represented the former owner of the property before it was sold.

The Town is required to take care of any “abandoned” cemeteries. Leone recalls it not being in close proximity to the road, but located in the rear of the property. The easement is for ingress and egress purposes.

Edwards asked if the Town recognizes the cemetery.

Leone said if the Board doesn't accept it now, it will just be a matter of time. If the property owner is willing to give the easement, it is a good idea to recognize and to accept it now.

Motion Carried 5 – 0.

Leone requests this be addressed by Attorney Koryl. Board members agree.

Third Agenda Item – Sanborn Issues

Newlin reported books should be moved at the Sanborn-Pekin library by the end of the year to allow for the new carpet installation.

Roof repair proposals for the rear picnic shelter located at the Sanborn Fire Hall have been received. Lowest bidder is Tuscarora Roofing & Siding Co. Inc. at the amount of \$3,800. Funds to come from the H-99 account.

Edwards MOVED to accept the low bid of \$3,800 from Tuscarora Roofing & Siding, Seconded by Bax and Carried 5 – 0.

Edwards MOVED to authorize the Supervisor, after review by the Town Attorney, to enter into a contract with Tuscarora Roofing & Siding, per bid specs, Seconded by Bax and Carried 5 – 0.

Fourth Agenda Item – Mr. Bradt – Pletcher Road – Sewer extension for new home

Bradt requests approval of a westward extension of the sewer line to allow for new home.

Bradt has discussed several possibilities with Mr. Lockhart. It is not the Town's responsibility to extend, it is the developer. It was suggested they extend into the Town right-a-way, at his expense. It is like a reverse easement.

Leone to contact Bradt and draft an agreement and report back to the Board.

Fifth Agenda Item - Niagara Falls County Club – Request 30-day waiver requirement – liquor license.

Town received a letter from a representative of the Niagara Falls Country Club requesting the 30-day waiver.

Koryl said the Board may choose to do so if they want.

Bax MOVED to waive the thirty (30) day notice requirement in regards to the liquor license at the Niagara Falls County Club, Seconded by Johnson and Carried 5 – 0.

Fifth Agenda Item – Jazz Festival Request

A letter received from Mayor Soluri requesting funds to help alleviate the cost for the festival will be address under budget discussions.

Sixth Agenda Item – Chamber of Commerce Request

Town received a letter in September describing the need for funds to help pay for electrical infrastructure on Center Street. Newlin will address under budget discussions.

Seventh Agenda Item – Addition to Sanborn Fire company roster

Johnson MOVED to appoint Victor Foster, 3115 Saunders Settlement Road – Suite 324, Sanborn, to the Sanborn Fire Company roster, Seconded by Bax and Carried 5 – 0.

Eighth Agenda Item – Water Department Request

Newlin said the department is looking into doing work on the Pressure Relief Valves pits. Newlin will update Board at a later date.

Ninth Agenda Item – Advertise for Application for Boards and Commissions.

Newlin MOVED to authorize the Clerk's Office to advertise for applications for Boards and Commission for 2010, with a return date of December 11, 2009, Seconded by Bax and Carried 5 – 0.

Tenth Agenda Item – Public Hearing Schedule – Sewer Code

Bax MOVED to schedule a Public Hearing on November 23, 2009, 7:00 p.m. to amend the Town Sewer Code, Seconded by Edwards and Carried 5 – 0.

Eleventh Agenda Item – Budget Discussion

Budget needs to be adopted by November 20, 2009; therefore Newlin request a final meeting on November 18th.

Newlin MOVED to schedule a budget meeting for November 18, 2009, 2:30 p.m., Seconded by Johnson and Carried 5 – 0.

The sales tax amount the Town will receive is more than anticipated; therefore Newlin requests the following adjustments.

Newlin MOVED to increase budget line A-7510-0436-0000 – Historical Association of Lewiston, to \$10,000, Seconded by Bax and Carried 5 – 0. Funds from Fund Balance.

Newlin MOVED to increase budget line A-8989-0436-0000 – Lewiston Council on the Arts, to \$69,000, Seconded by Bax and Carried 5 – 0. Funds from Fund Balance.

A new budget line needs to be created for the Lewiston Jazz Festival. Budget Officer DiRamio will give it a budget code.

Newlin MOVED to create a budget line and code for Lewiston Jazz Festival with \$4,000 for 2010, Seconded by Edwards and Carried 5 – 0. Funds from Fund Balance.

The Niagara Falls Air Base requested \$5,000 for 2010, Newlin suggested fulfilling that request.

Edwards and Councilman Elect Marra attended a meeting with NIMAC and they have lost their funding for the lobbyists – approximately \$100,000. It will be tough to keep the base open. Edwards said without the efforts of NIMAC and the lobbyists we would not have what we have today.

Edwards MOVED to increase budget line A-8989-0437-0000 – NF Air Base, to \$6,000, Seconded by Palmer and Carried 5 – 0.

Newlin said Hart Interfaith Program is a great program which helps Seniors and people with disability. It allows them to contact services in the community that can help them.

Bax MOVED to increase budget line A-8989-0430-0000 – Hart Award, to \$5,000, Seconded by Johnson and Carried 5 – 0.

The refuse tax line was paid out of H-99 this year (2009) and Newlin would like the Board to consider doing that in 2010. Cost for garbage collection from Modern Disposal Inc. is \$35/home. This will assure no refuse tax to residents.

Palmer would like to discuss it at the next budget meeting.

Bax would like the Board to consider an additional budget line for Legal Contingency associated with the CWM relicensing.

The amount needed is not known, but Newlin has money carved out.

Edwards said the State Retirement and Health Insurance have increased an average of 15.5%. Personally these increases are paid out of his pocket, and most tax-payers pay out of their pocket. Some tough decisions need to be made in the future. The Town cannot keep going with double digit increases in health care and pension. It will have to stop either with a lesser pension or employee pay into health care.

Newlin acknowledge Supervisor Elect Reiter and would like to make a public comment. Newlin submitted the salary of the Supervisor at \$40,685, a three (3) percent raise which other elected officials received last year.

A public hearing was held, no comment was made, plus or minus, on the dollar amount. So the number is locked in. The Supervisors salary was an item of much contention and debate during the election.

That number is not locked in. State law does provide for that number to be reduced. Newlin will forward a letter to Mr. Reiter outlining the process.

Bax MOVED to enter into Executive Session to discuss Police Personnel, Seconded by Palmer and Carried 5 – 0. (6:25 p.m.)

PRESENT: Supervisor Newlin; Councilmembers Bax, Edwards, Johnson and Palmer; Attorney Leone; Deputy Attorney Koryl *

Motion by Johnson to exit Executive Session, Seconded by Bax and Carried 5 – 0. (6:40 p.m.)

The Board approved hiring two part-time Police Officers to help with coverage issues previously.

Johnson MOVED to hire, a Part-Time employee for the Lewiston Police Dept. Victor Muto, based on the recommendation of Chief Salada, Seconded by Palmer and Carried 5 – 0.

Motion to adjourn the Worksession by Palmer, Seconded by Bax and Carried 5 – 0. (7:00 p.m.)

Respectfully Transcribed and Submitted:

Donna Garfinkel
Deputy Town Clerk

* Minutes taken by Deputy Town Attorney Koryl