

PRESENT: Supervisor S. Broderick; Councilmembers J. Jacoby, R. Morreale, and S. Waechter; Atty. A. Bax; Finance Director J. Agnello; Bld. Insp. T. Masters; WWTP Chief Opt. J. Ritter; Highway Superintendent M. Zahno; Water Foreman D. Zahno; Town Assessor L. Johnson; Recreation Dir. T. Smith; Police Chief Previte; Eng. R. Lannon (ZOOM); Sr. Center Coordinator M. Olick (ZOOM); 14 Residents, 2 Press (1-ZOOM) and Clerk D. Garfinkel

EXCUSED: Councilman J. Myers and Deputy Supervisor Conrad

Supervisor opened the meeting with the Pledge of Allegiance and a moment of Silent Reflection.

AGENDA APPROVAL

Agenda Additions: Broderick – Presentation to William O’Connor; Jacoby – three (3) Police personnel hires; Atty. Bax – Executive Session

Broderick welcomed Bill O’Connor and his family and friends. William O’Connor – Lab Director at the Waste Water Treatment Plant has retired after 45-years of service. Chief Opt. J. Ritter said O’Connor served the Town with distinction and will be missed.

O’Connor thanked Ritter, the Town Board, his family and mostly the residents.

APPROVAL OF MINUTES 01/22/2024 - RTBM

Morreale MOVED to approve meeting minutes of January 22, 2024, Seconded by Waechter and Carried 4 – 0.

ABSTRACT OF CLAIMS

Jacoby MOVED to approve the Regular Abstract of Claims – 23-03739 thru 23-03774 and 24-00114 thru 24-00307 and recommends payment in the amount of \$1,097,547.00, Plus a Post Audit of \$42,870.83, Seconded by Morreale and Carried 4 – 0.

DEPARTMENT HEAD STATEMENTS

Highway Superintendent Zahno - Mini Excavator

Zahno submitted four (4) quotes for the purchase of a used Mini Excavator. 2015 – KX080-4R3 - \$74,900; 2022 – KX080-4 - \$93,500; 2013 – KUBOTA KX080-4 - \$58,000 and 2009 – KX080-4 - \$60,000. When looking at such items, the hours on a machine are more important than age.

The 2009 has 2,952 hours and is in great condition. Zahno is requesting the Board approve the 2009.

Morreale MOVED to purchase the 2009 – KX080-4 Mini Excavator at \$60,000, with funds from Highway Fund Balance, Seconded by Jacoby and Carried 4 – 0.

Town-Wide Drainage Issues

Many areas in the Town experienced flooding over the last couple of weeks. This purchase of the excavator will help in cleaning out ditches and culvert pipes.

A Drainage Study needs to be done to see where the bad areas are, then they need to be addressed.

WPC Chief Operator Ritter - Sewer Issues

Ritter read the following statement:

“On January 26, 2024, Western New York was hit with another perfect storm. The Town of Lewiston received 1.5 inches of rain with a snowpack already on the frozen ground.

The Town WPC received dozens of calls pertaining to flooded properties and basements. This episode was not confined to the Town but every town in Western New York. Although these episodes seem to be more frequent the Town is doing its best to mitigate these problems within the sewer system and drainage concerns.

Many issues come up on private property that cause basements to backup with water after the collection system is fully charged and, in some cases, directly leading to flooding of basements. Such as broken or disconnected vent stacks, improper sump pump discharge, floor drains, downspout gutter discharge and improper basement bathroom construction. All of these pipes are eventually joined together so efforts made by a homeowner can affect an entire neighborhood.

The Town wants to be proactive in protecting homeowner’s personal property and we would like to offer home evaluations and code compliance inspections to educate homeowners on what measures can be taken to protect their homes from sewer backups in the future.”

Ritter welcomes any homeowner to get a hold of him, set up an appointment and questions can be answered.

Recreation Director Tim Smith

Ice Skating at NU is complete for the year. It was a great success and looking forward to even a bigger and better year next year. Beach Party at the Senior Center coming this weekend. Baseball reservations have started and are moving along.

Smith would like to move ahead and advertise for Summer Recreation Staff.

Senior Center Coordinator Melisa Olick

All is good at the Center. Happy to say all AARP tax preparation spots are booked.

Town Assessor Linda Johnson

The Town of Lewiston will begin a reassessment project. Johnson would like to meet with Town employees to explain what it is all about, what's entailed and how it works. This will help with when they are asked by fellow residents.

Broderick said the Town in conjunction with the Town of Porter is engaging in a joint reassessment project. It has been over 23-years since both communities conducted a townwide reassessment project. The projects will save both communities' money by utilizing the same vendor and the ability to share various data and processes. The project will begin the winter of 2024 and be completed by July 1, 2026.

Broderick MOVED the following Resolution

WHEREAS, the Town of Lewiston Town Board supports the efforts of its Town Assessor in updating the Town's 2016 Assessment Roll and maintenance of such Assessment Roll at full market value; and **WHEREAS**, the Town Board supports the allocation of sufficient resources for Town staff and services to complete the project,

NOW, THEREFORE BE IT RESOLVED, the Town of Lewiston Town Board hereby expresses its support of its Town Assessor in updating the Town's 2016 Assessment Roll and maintenance of such Assessment Roll at full-market value, and annually maintains assessment equity and 100% full value assessment after 2026, and authorizes the allocation of sufficient resource for Town staff and services to complete such project and the annual maintenance of assessment equity, and

BE IT FURTHER RESOLVED, the Town Board further requests that the New York State Office of Real Property Tax Services and the Niagara County Office of Real Property Services provides assistance that is typically afforded during such projects to the Town of Lewiston Assessor.

Seconded by Jacoby and Carried 4 – 0.

OLD/PENDING BUSINESS - None

NEW BUSINESS - None

SUPERVISOR BRODERICK

Legal / Engineering - None

Finance – Finance Director requests the following Budget Revisions

Transfer \$500 from Sanborn Seniors Contractual - A00-7635-0400-0000 to Lewiston Seniors Contractual - A00-7630-0400-0000, to cover contractual expenses.

Transfer \$1,000 from Police Personnel - B00-3120-0100-0000 to Police Equipment - B00-3120-0200-0000, to cover equipment expenses.

Morreale MOVED to approve the 2023 Budget Revisions as presented, Seconded by Waechter and Carried 4 – 0.

GAR Appraisals Presentation - Addressed

Fire Prevention Bureau Resignation/New Appointment

Board received notification that Les Myers has stepped down as Chairman of the Fire Prevention Bureau. The Board thanks Myers for his many years of dedicated service to the Town. The Bureau has elected Jim Bos of Lewiston Fire Co. No. 2 to replace Myers.

Backwater Valve Reimbursement Grant

Broderick read the following statement:

During the Summer of 2021, the Winter of 2024 and several past years, the Town of Lewiston experienced several extreme rain events that caused flooding and sewer backups in several areas throughout the Town. The Board is committed to system wide infrastructure improvements to address these decades-long problems and improve the quality of life for Lewiston residents.

As a result, the Town is looking into a Backflow Preventer Grant Program, whereby the Town reimburses homeowners up to a certain dollar amount, yet to be determined, to install backflow preventers. Town Atty. Al Bax, WPCC Chief Operator Jeff Ritter and myself are looking in to several other programs offered by municipalities across the country and Canada trying to solve the exact same problems some of our residents are experiencing here.

Lewiston is not alone in experiencing severe flooding, and based on current weather patterns that have brought milder winter to our area the Town is prepared to move forward in an attempt to find solutions to several areas of concern. This Board will be supporting Highway Superintendent Zahno to increase cleaning of Town ditches and other necessary steps to alleviate Town wide drainage issues.

COUNCILMAN JACOBY

Introduce Local Law – Short-Term Rentals

Jacoby introduced Local Law No. 1 of 2024 – A Local Law Regulating the Use of Transient or Short-Term Rentals within the Town of Lewiston. A copy of the Law will be posted on the Town Website in the morning. Copies can be obtained through the Clerk's Office.

Discussion on date to hold Public Hearing. Morreale said he will not be at the Work Session held on March 11th.

Jacoby MOVED to hold a Public Hearing on said Local Law on March 25, 2024 at 6:00 pm, Seconded by Morreale

Further discussion. Morreale said he can ZOOM, if held at the March 11th Work Session.

Jacoby MOVED to amend his motion to hold the Public Hearing on said Local Law No. 1 of 2024 on March 11, 2024, Seconded by Morreale and Carried 4 – 0.

Jacoby announced the resignation of Officer Khai Bui from the Department.

Jacoby MOVED to hire Schmitt, Kayla and Wisto, Joshua as Part-Time Police officers, with the salary as stated in the Contract, starting February 15, 2024, Seconded by Morreale and Carried 4 – 0.

COUNCILMAN MORREALE

Introduce Local Law – Solar Law Extension

Morreale has been working with Waechter and Masters reviewing the Solar Law.

Morreale introduced Local Law No. 2 of 2024 – A Local Law Establishing a Six-Month Moratorium on New Applications, Approvals, and/or construction or Installation on Solar Energy Systems and/or Solar Farms.

Morreale MOVED to hold the Public Hearing on said Local Law No. 2 of 2024 on March 11, 2024, Seconded by Waechter and Carried 4 – 0.

COUNCILMAN MYERS – Excused

COUNCILWOMAN WAECHTER

Part Time Recreation Leader Hire

Wachter MOVED to hire Short, Nicole – Recreation Leader P/T at \$16.22 /hour, Seconded by Morreale and Carried 4 – 0.

Broderick met with Senior Center Coordinator Olick to discuss some issues she has regarding the Center.

Olick said with the Recreation Dept. utilizing the Center on evenings several items have been brought to her attention that need to be addressed. The lights in the parking lot, the walkway is cracked with stones and concrete mixed, and the concrete of the stairs needs to be looked at.

Broderick asked M. Zahno to take a look and see what can be addressed by the Highway Dept.

RESIDENTS COMMENTS

Witryol, Amy – Lower River Road – Witryol asked Atty. Bax if the Local Law for Short-Term Rentals will be forwarded to the Niagara County Planning Board. Bax said yes.

Witryol played a tape of the car alarm sounding off at the Short-Term Rental next to her house. Guests are shining their high beams into her front door. Witryol urges the Board to move on this Local Law.

Jacoby MOVED to enter into Executive Session to discuss Legal Representation regarding potential liability, Seconded by Waechter and Carried 4 – 0.

PRESENT: Supervisor S. Broderick; Councilmembers J. Jacoby, R. Morreale, and S. Waechter; Atty. A. Bax

No Action taken.

Morreale MOVED to exit Executive Session, Seconded by Waechter and Carried 4 – 0. (6:37 pm)

Morreale MOVED to close the Work Session, Seconded by Waechter and Carried 4 – 0. (6:54 pm)

Transcribed and respectfully submitted by:

Donna R. Garfinkel, Town Clerk