

TOWN BOARD WORK SESSION February 13, 2023 6:00 pm

PRESENT: Supervisor S. Broderick; Councilmembers W. Geiben, J. Jacoby, R. Morreale and J. Myers, Atty. A. Bax; Finance Director J. Agnello; Building Inspector T. Masters; Highway Supt. M. Zahno; Police Chief F. Previte; Eng. R. Lannon; Town Historian M. Maggard; Recreation Director C. Cvijetinovic (ZOOM), Senior Center Director M. Olick (ZOOM); 1 Press and Clerk D. Garfinkel

EXCUSED: Deputy Sup. W. Conrad, Water Foreman D. Zahno and WWTP Chief Opt. J. Ritter

Supervisor opened the meeting with the Pledge of Allegiance and a moment of Silent Reflection. Supervisor asked all to keep Jeannette Collesano, past Senior Center Director and Jerald Wolfgang, Chairman of the Environmental Commission in their thoughts.

AGENDA APPROVAL

Agenda Additions: Broderick – Executive Session for Personnel issue

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

ABSTRACT APPROVAL – Geiben

Geiben MOVED to approve the Regular Abstract of Claims numbered 22-03767 to 22-03807 and 23-000108 to 23-00319 and recommend payment in the amount of \$562,647.25 and a Post Audit of \$69,068.85, Seconded by Morreale and Carried 5 – 0.

APPROVAL OF MINUTES

Geiben MOVED to approve the minutes of 12/29/2022 – Final Audit / Regular Town Board Meeting, Seconded by Morreale and Carried 5 – 0.

Geiben MOVED to approve the minutes of 1/23/2023 – Regular Town Board Meeting, Seconded by Morreale and Carried 5 – 0.

DEPARTMENT HEAD STATEMENTS

Town Clerk Garfinkel – SPCA Contract approval

The Town has a yearly contract with the Niagara County SPCA. They have reached out to the Town to renew for a 6-month period at this time. This has been forwarded to Attorney Bax and the Supervisor for their review.

Garfinkel is asking for Town Board approval and authorization for the Supervisor to sign.

Jacoby MOVED to approve the SPCA Contract and authorize the Supervisor to sign, Seconded by Geiben and Carried 5 – 0.

TOWN BOARD WORK SESSION February 13, 2023 6:00 pm

Building Inspector Masters

Masters distributed a list of Cell Tower locations with an outline of unpaid annual renewal fees. Attorney Bax will draft a letter to each Tower owner, working with Masters and send it out.

There are two (2) new housing developments underway that have Escrow Agreements for the sidewalks that have expired. This needs to be addressed.

Highway Superintendent Zahno

Excavator Bid – Purchase. Zahno received the following three (3) bids: Five Star Equipment, Inc. - John Deere 210 P Excavator at \$305,900; Milton Cat - Cat 320 at \$307,800; George & Swede Sales and Service - Hyundai Link Belt 300x4 at \$371,500.

Zahno would like to award Five Star Equipment, Inc.

Broderick and Zahno went to look at the John Deer. The head of the excavator can cut down a tree that's 30 – 35 feet high. This can be used for cleaning ditches also. This will allow Zahno to move forward with a Ditch Crew and start cleaning the ditches to address the water issues in the Town.

Broderick said 33% of the cost will come from B Fund – Parks with the remaining out of H-97.

Geiben MOVED to approve the bid from Five Star Equipment, Inc. – John Deer 210 P Excavator at a cost of \$305,900, Seconded by Morreale for discussion

Morreale asked Zahno about a warranty. Zahno said there is a 5-Year/5,000-mile warranty.

Carried 5 – 0.

Lewiston Bike Path Tree Removal

There are about 30 very large dead ash trees that are larger than what the crew can take down. Highway crews have been working on the Path every day. It is a lot safer to have a contractor do this.

Zahno received the following bids: BL Tree Care - \$7,500; Links Tree Service LLC - \$9,000; Parkhill Tree - \$23,040. Zahno recommends BL Tree Care.

Morreale MOVED to approve BL Tree Care bid of \$7,500, for tree removal along the Bike Path, Seconded by Jacoby and Carried 5 – 0.

Broderick said Town crews are doing a great job cleaning this up.

TOWN BOARD WORK SESSION February 13, 2023 6:00 pm

On a yearly basis the Town completes a Snow & Ice Agreement with the State and the County. This is an extensive paperwork Agreement. Brian Christman had prepared this report for years and received a stipend.

Zahno requests the Board approve a stipend of \$2,600 to the individual, as selected by the Highway Superintendent, responsible for the administrative part of the State and County Snow & Ice Agreement.

Geiben MOVED to approve a stipend of \$2,600/annually, to the individual, as selected by the Highway Superintendent, responsible for the administrative part of the State and County Snow & Ice Agreement, Seconded by Morreale and Carried 5 – 0.

Senior Coordinator Olick – Center is offering in person tax return services.

Recreation Director C. Cvijetinovic

Baseball registration is on going and moving ahead. Coaches are still needed. Game Board Night at the Sanborn Fire Hall. February 25th there is a winter craft at the Senior Center.

Summer Recreation Hire

The Board received a letter from C. Cvijetinovic requesting to start Nicole Short as Recreation Leader.

Geiben MOVED to hire Nicole Short – Recreation Leader P/T at \$15.50/hour starting February 14th, Seconded by Jacoby and Carried 5 – 0.

SUPERVISOR BRODERICK

Resolution Adoption - Niagara County 2022 Hazardous Mitigation Plan – Supervisor Broderick read into the record:

Broderick MOVED the following

WHEREAS, the Town of Lewiston, with the assistance from Niagara County Department of Emergency Services, has gathered information and prepared the 2022 Niagara County Hazard Mitigation Plan; and

WHEREAS, the 2022 Niagara County Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town of Lewiston is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Town of Lewiston have reviewed the Plan and affirms that the Plan will be

TOWN BOARD WORK SESSION February 13, 2023 6:00 pm

updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by the Town of Lewiston that the Town of Lewiston, NY adopts the 2022 Niagara County Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

ADOPTED this 13th day of February at the meeting of the Town of Lewiston.

Seconded by Jacoby and Carried 5 – 0.

COUNCILMAN GEIBEN – Agenda Item addressed

COUNCILMAN JACOBY

Historical Preservation Commission Appointment

Jacoby MOVED to appoint Cindy Marcoaldi as an Alternate to the Historic Preservation Commission, Seconded by Myers, 1 abstention, Carried 4 – 0. Morreale abstained.

Police Dept. Hire

With Katelyn Allen's resignation the position needs to be filled.

Jacoby MOVED to hire Chelsey Baer, start date of February 20, 2023, at salary according to Union contract, Seconded by Myers and Carried 5 – 0.

Jacoby MOVED to hire a Part-Time officer, Juan Ramos, start date of February 20, 2023, Seconded by Morreale and Carried 5 – 0.

COUNCILMAN MORREALE

Briar Oaks – Perry Subdivision – 90-day extension request – Mylars

They are asking for an extension starting February 23rd, as that is when the previous extension expires.

Morreale MOVED to approve a 90-day extension for the filing of the mylars for Briar Oaks Subdivision, beginning February 23, 2023, Seconded by Geiben and Carried 5 – 0.

Charging Station – New purchase / replacement of existing charger at Town Hall.

Morreale received the following bids: JuiceBar - \$6,767.50; EV Connect, Inc. - \$6,680.92; EV Passport - \$3,497.

TOWN BOARD WORK SESSION February 13, 2023 6:00 pm

Morreale MOVED to accept EV Passport bid of \$3,497, Seconded by Jacoby and Carried 5 – 0. Funds to come from H-98.

Annual Greater Buffalo Environmental Conference Attendance Approval

Ritter requests Board approval to send 6 people to the 2023 Greater Buffalo Environmental Conference. Total cost of \$870. The Town of Lewiston has participated in or attended G.B.E.C. every year for 22 years. This conference is about Wastewater Treatment and supplies credit hours for operators to maintain their Wastewater Treatment licenses.

Morreale MOVED to approve the 6-members to attend the Conference, Seconded by Jacoby and Carried 5 – 0.

COUNCILMAN MYERS

The Sanborn Historical Society will host their monthly meeting February 28, 2023. Antique show and sale on March 18th & 19th.

FINANCE DIRECTOR AGNELLO

Budget Revisions

2022/2023 Budget Transfers:

Transfer \$176 from Town Clerk Out of Dept. Personnel - A00-1410-0100-0100, to Buildings Contractual - A00-1620-0400-0000, to cover contractual expenses.

Transfer \$2,000 from Sanborn Seniors Contractual - A00-7635-0400-0000, to Seniors Contractual - A00-7630-0400-0000, to cover contractual expenses.

Transfer \$120 from Zoning Contractual - B00-8010-0400-0000, to Data Processing - B00-1680-0400-0000, to cover data processing expenses.

Transfer \$95 from Parks Gas & Electric - B00-7110-0400-3500, to Street Lighting Gas & Electric - B00-5182-0400-3500, to cover electric expenses.

Transfer \$120 from Union Welfare Benefits - B00-9070-0800-0000, to Hospital & Medical Insurance - B00-9060-0800-0000, to cover hospital & medical insurance expenses.

Transfer \$160 from Police Union Welfare Benefits - B00-9070-0800-0200, to Police Hospital & Medical Insurance - B00-9060-0800-0200, to cover hospital & medical insurance expenses.

Transfer \$108,833 from Sales Tax Revenue - DB0-1000-1120-0000, to Permanent Improvement Contractual - DB0-5112-0400-0000, to cover road maintenance expenses.

TOWN BOARD WORK SESSION February 13, 2023 6:00 pm

Transfer \$1,000 from the Snow Removal Out of Dept. Personnel - DB0-5142-0100-0100, to Hospital & Medical Insurance - DB0-9060-0800-0000, to cover hospital & medical expenses.

Transfer \$12,142 from the Sales Tax Revenue - DB0-1000-1120-0000, to Snow Removal Contractual - DB0-5142-0400-0000, to cover road salt expenses.

Transfer \$80 from Other Funds - SS3-1000-5031-1189, to South Sanitary Gas & Electric - SS3-8120-0400-3500, to cover gas and electric expenses.

Transfer \$25,000 from Source of Supply Contractual - SW1-8320-0400-0000, to Transmission & Dist. Contractual - SW1-8340-0400-0000, to cover water main break repairs expenses.

2023 Budget Transfers:

Transfer \$5,100 from Fund Balance - A00-1000-0599-0000, to Engineer Personnel A00-1440-0100-0000, to cover personnel expenses.

Transfer \$5,100 from Contingency - B00-1990-0400-0000, to Safety Personnel - B00-3620-0100-0000, to cover personnel expenses.

Geiben MOVED to approve the 2022 and 2023 Budget Transfers, as presented, Seconded by Morreale and Carried 5 – 0.

Broderick said no action will be taken in the Executive Session.

Geiben MOVED to enter into Executive Session to discuss a Personnel issue, Seconded by Morreale and Carried 5 – 0. (6:20 pm)

Executive Session – Personnel Issue

PRESENT: Supervisor S. Broderick; Councilmembers W. Geiben, J. Jacoby, R. Morreale and J. Myers, Atty. A. Bax and T. Masters

Discussion on Personnel issue.

Geiben MOVED to exit executive session and adjourn meeting, Seconded by Myers and Carried 5 – 0. (6:50 pm)

No Action Taken

Transcribed and respectfully submitted by:

Donna R. Garfinkel, Town Clerk