

Present: Supervisor D. Brochey; Councilmen A. Bax, W. Conrad, M. Marra, and R. Winkley; Dep. Sup. S. Edwards; Attorneys M. Davis & B. Seaman; Eng. Lannon; Hwy. Supt. D. Janese; Rec. Director M. Dashineau; Water Supt. R. Nablo; Chief Salada; Finance Director P. Kloosterman; M. Johnson, Internal Claims Auditor; 3 Press, 20 Residents and Dep. Clerk C. Schroeder

Also Present: Grant Writer Bernie Rotella

The Supervisor opened the Worksession at 6:35 p.m., followed by the Pledge of Allegiance and a moment of silent reflection.

AGENDA:

Brochey: Add Environmental Attorney and Pletcher Road Complaint

Bax MOVED to approve the agenda, as amended. Seconded by Marra and carried 5-0.

ABSTRACT:

Marra MOVED to approve the Regular Abstract of Claims Numbered 1554 to 1905 and recommended payment in the amount of \$216,248.31, plus a post-audit of \$105,408.85. Seconded by Bax and carried 5-0.

REMOVAL OF PLANNING BOARD MEMBER:

Conrad MOVED to remove Jeffrey Williams from the Planning Board for failure to attend three-quarters of scheduled meetings as per the newly adopted Town Code. Seconded by Winkley and carried 5-0. No replacement named at this time.

Atty. Seaman said the motion should also include the lack of training as part of the record.

Conrad MOVED to amend the motion to note that Mr. Williams has failed to obtain training required pursuant to NYS Town Law 271. Winkley seconded the amendment. Motion carried 5-0.

ENVIRONMENTAL ATTORNEY:

Sup. Brochey said he has been in contact with the Supervisor of the Town of Marilla, who has been in contact with other towns about hiring an environmental attorney to help in the fight against Quasar and the spreading of equate on area farmlands.

Bax MOVED to authorize the Supervisor to begin discussions with various municipalities about sharing the expense associated with an environmental attorney to fight the Quasar expansion. Seconded by Conrad and carried 5-0.

Brochey said he has been in contact with a resident from 841 Pletcher Road complaining about mosquitos. Bax said they coordinated an air drop spraying with several towns years ago. He wondered if they should look into this again. The Highway Supt. said he may have some mosquito dunks at the garage to hand out. The Clerk said dunks are available in the Town Clerk's office as well.

JOSEPH DAVIS STATE PARK:

The Parks Director submitted correspondence including pictures of property in various states of disrepair. At the current time, the Town is at risk of losing Greenway funding as the plan put forth in 2011, and progress towards the goals has halted. Dashineau is asking the Board to modify and resubmit a plan to Greenway that is feasible and sound. He asked the Board to be aware of the buildings that were targeted for removal. Removal stopped in 2012 with the discovery of asbestos. As it stands, this park does not meet the standards of a Lewiston Park. Dashineau submitted pictures of the current state of the west driveway and parking lot. This damage has come as a result of these areas being used as a staging ground for equipment used for road construction on Lower River Road.

The Highway Supt. said Niagara County was given permission to use the parking lot. Niagara County has agreed to the repairs. He believes they will take care of it soon. Janese said he will see to it that they return it to the condition that it was in. He will help them upgrade some of the entrance roads thru shared services.

Kloosterman said he wanted to put another issue out there about Joe Davis Park; how to move forward. What is going on with the Greenway and are we going to change up our plan with them? Right now, it is sitting stagnate. They probably want to see some movement. There is an asbestos issue out there that we have to take care of with those buildings as part of the remediation.

Bax: Those buildings with the asbestos were in disrepair before we took possession of the park. I would make a motion to authorize the Supervisor to reach out to State Parks to see if there is something they can do. I don't think we should be responsible for remediating the State's asbestos problems. We need to reach out to State Parks to find out how they want us to help them in their remediation of their property.

Bax MOVED to authorize the Supervisor to make that contact in conjunction with consultation with the Town Attorneys. Seconded by Conrad and carried 5-0.

LEWISTON FAMILY ICE RINK:

The Recreation Director said the Ice Rink has approximately \$65,000 remaining in its budget. These funds are awarded through Greenway, and reflect savings in the budget over the last two years. This money mainly comes from:

- * Energy savings after the installation of electric and the removal of diesel powered generators.
- * A more efficient tent and rink design.
- * More efficient and experienced staffing and operations.
- * Solid planning to eliminate rented features of the rink.
- * Savings from planned events that were then partnered with sponsors.

Money is also available in H-49 - Ice Rink Revenue (\$70,000). This money comes from

- * the daily operation of the rink (skate rentals, concessions)
- * Rink Rentals (i.e. Birthday Parties)
- * Rink Advertisements

As originally planned, the Town decided to lease this rink for five years at \$89,500 per year, with an additional buyout or renewal at the end of the fifth year. As it stands, we have met our financial goals two years earlier than expected.

At this time, the Director is asking for a motion to release all remaining funds in H44 to buy out the remaining two years of the Lease Agreement with Ice Rinks 2 Go. With this approval, the Town will have to modify and resubmit a new plan to the Greenway for operation and continued upgrades to the rink. They do not expect these costs to come near the previous operating budget of \$156,000 per year.

Kloosterman said there is funding available in the two accounts for the Ice Rink to do what the Director wants to do. However, he did not have the exact figures in front of him that moment. He asked if this is something that can wait until the next meeting so he can provide the exact numbers. Dashineau said that was okay.

CREDIT CARD PROGRAM:

The Finance Director said the Town has credit cards issued thru Key Bank. Currently there are four cards; one each issued to the Finance Department, Clerk's office, Police Dept., and Senior Center.

Kloosterman said he is seeking authorization from the Town Board to continue with the Key Bank Credit Card program. He is asking for a resolution to continue the program and authorize the Supervisor to sign the Officer's Certification. Kloosterman said he would like to cancel the Finance Director's card and increase the Clerk's Office to

\$10,000. Also a card would be issued to the Senior Director (\$2,000 limit), Police (\$2,000) and Highway Supt. (\$2,000).

Kloosterman said this would provide for better checks and balances. He would review the statements and purchases on a monthly basis before they are paid.

Atty. Davis said he would put together a credit card policy and have the Finance Director review for any additions before presenting to the Town Board for approval.

Kloosterman asked for a resolution for a \$16,000 credit card limit thru Key Bank.

Winkley MOVED to approve. Seconded by Bax and carried 5-0.

HYDRO POWER – NYPA: Brochey said he would like to table this.

This was in a form of a motion, Seconded by Bax and carried 5-0.

WATER DEPARTMENT PERSONNEL:

The Supervisor read a letter from Robert Nablo, Water Department:

Darryl May is retiring on July 11 after 23 ½ years of dedication to the Town of Lewiston, as Water Dept. mechanic and has always been “the go to guy” for every manager and superintendent that he has worked for. His knowledge and ingenuity has been a blessing and he will truly be missed.

The past several years I had included a letter with my Budget proposal to hire an individual to train that would eventually take the place of older employees as they begin retiring. It takes many years to accumulate the knowledge of an older employee. That wish has never been granted and now with Darryl retiring, I must ask the Board to think of the future and hire two new employees.

Jeff Dell and Brett Hurtgam have been working for in the Water Department the last several seasons and they would be my suggestion to fulfill my request. They both possess an excellent work ethic, are fast learners, ambitious, always on time and they are also not just my recommendation but are the choice of the present employees.

Nablo said he would like to hire somebody to train for the future. Right now he is looking to hire someone to replace Mr. May.

Bax said he does not have any objection to hiring someone to fill the position. Mr. Nablo’s recommendation goes a long way. This is something as we have been trying to address; having the young blood there gaining the institutional knowledge from the individuals who are already here. It’s a very important thing that we haven’t had the luxury of doing. It’s very unfortunate but your plea for help is well thought out and we acknowledge it. Do these gentlemen have resumes? Do you have a recommendation out of these two gentlemen?

Nablo: Jeff Dell.

Winkley MOVED to hire Jeff Dell to replace Darryl May at the time of his retirement, July 11, 2014, at the starting salary in accordance with the Water/Highway CBA schedule. Seconded by Conrad and carried 5-0.

Brochey said he has been getting a lot of feedback from the public that the Town has three people doing finances. Brochey said he talked to Kloosterman about it. “Paul is very comfortable handling the whole scope himself with keeping Katelyn Allan part-time. We have kept Mike Johnson on for as long as we could. After a lengthy discussion, we thought we could do without Mike for now, unless something drastic comes up. We’re looking at other ways to try and save money. This is just another small way to save several thousand dollars, roughly \$43,000/year.

Bax said this is something he has been hearing for the first time and should be addressed in executive session.

Bax MOVED to discuss Personnel (Finance Officer) in Executive Session. Seconded by Conrad and carried 5-0.

284 AGREEMENT:

The Highway Supt. submitted a 284 Agreement for permanent improvement of Town of Lewiston Highways to spend the sum of \$338,000 for the following highways: Garlow Road, Northridge Drive, Bronson Drive and Marywood Drive. All additional funds to be used on any and all Town of Lewiston roads at the discretion of the Superintendent of Highways.

Bax said they can discuss this in executive session for consultation with Attorneys and then formalize it in regular session.

Also, Janese said he had spoken before about the large line that drains the upper side of the hill for Dickersonville Road. The pipe for the project will carry a 50-70 year lifespan. Typically, they only spend about \$5,000 - \$6,000 a year on pipe for the entire Town. Because of the scope of the project and the longevity involved he does not view it as a maintenance item but rather as a capital improvement. He asked the Board to entertain the idea of taking money from H-97 to pay for the pipe. It would be about \$14,000. Janese said it is a project that absolutely has to get done.

When asked, Kloosterman said there is money there but he doesn't have a handle on that account yet. This issue was tabled until the RTBM pending the Finance Director's report.

The Supervisor asked the Engineer to explain to the residents of Riverwalk where they are at as it pertains to the drainage.

Lannon said he is meeting with the Contractor the next morning at Joe Davis Park, on site, to review the Scope of work. He hopes to have a firm schedule from the contractor at that time. Lannon said he pressed the sense of urgency to him last week. They want to make sure the lawn area where they have to drive their big trucks is not real soft and wet from the spring. When the ground firms up, there will be minimized damage to the area. That is what we will find out tomorrow when we are there. That is the very first step to have it done. We will then bring the results of that videotape to State Parks for their review and approval and concurrence. After that, the final piece will be to install the drain line which is about 850-ft or so from the existing ponds north to the storm sewer.

GRANT RESOLUTION:

The Grant Writer said he presented a resolution at the last meeting for funding in the amount of \$32,000 for water quality improvement projects to address SPDES Permit compliance items for the LWPCC. After we got into the application there was a second category that we qualified for which increased the grant amount. Rotella said they are now eligible for \$50,000 in grant money. The Town's contribution towards the cost of the project would be \$34,700, totaling \$84,700.

Bax MOVED the following Resolution, Seconded by Conrad:

WHEREAS, the Town of Lewiston, after thorough consideration of the various aspects of the problem and review of available data, has hereby determined that certain work as described in its Wastewater Infrastructure Engineering Planning Grant Program application and attachments to address SPDES Permit compliance items for the Lewiston Water Pollution Control Center, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project and address said compliance requirements; and

WHEREAS, the current estimate of cost for the Project is \$84,700, of which the Town of Lewiston will provide a required match not to exceed \$34,700; and

WHEREAS, the NYS Environmental Conservation Law (ECL) authorizes State assistance to municipalities for water quality improvement projects by means of a contract, and the Town of Lewiston deems it to be in the public interest and benefit under this law to enter into a contract therewith.

NOW, THEREFORE, BE IT RESOLVED BY the Lewiston Town Board, that:

1. Supervisor Dennis Brochey, or his representative of successor in office, is the representative authorized to act on behalf of the Lewiston town Board in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions.

2. The Supervisor, or his representative, is also authorized to make application for funding in the amount of \$50,000, execute the State Assistance Contract, submit Project documentation, and otherwise act on behalf of the Lewiston town Board in all matters related to the Project and to State assistance;
3. The Town of Lewiston Town Board agrees to fund its portion of the cost of the Project and that funds will be made available to initiate project efforts within 12 months of written approval of its application by the NYS Department of Environmental Conservation;
4. That one certified copy of this Resolution be prepared and sent to the Albany office of the NYS Department of Conservation; and
5. This Resolution takes effect immediately.

The foregoing Resolution was approved 5-0.

PROPOSED CODE ADOPTION LOCAL LAW: The Supervisor said he would like to table this as he has not had time to review it.

Bax MOVED to table, Seconded by Winkley and carried 5-0.

Lastly, Janese said he had a call from a resident from Country Club Trail regarding the failing country curbs. He said he promised the resident he would bring it before the Town Board once again.

Carl Hoffman, Riverwalk Homeowners Association, asked for some information on the sidewalk repair.

Brochey said he met with some residents the other day. The Town is obtaining 3 estimates from contractors to repair the sidewalks. Hopefully we can get something done real soon.

Bax MOVED to adjourn into Executive Session for Personnel and Consultation with Attorneys on the 284-Agreement, Seconded by Winkley and carried 5-0. Time 7:10 p.m.

Winkley MOVED to re-convene into regular session, Seconded by Bax and carried 5-0. Time: 7:25 p.m.

Winkley MOVED to accept the 284-Agreement for permanent improvement of Town of Lewiston highways to spend the sum of \$338,000, Seconded by Bax and carried 5-0.

Winkley MOVED to re-enter into Executive Session to discuss Personnel. Seconded by Bax and carried 5-0. Time 7:25 p.m.

Executive Session:

Items Discussed: Personnel (Finance Office).

No Action Taken.

Meeting adjourned by mutual consent.

Transcribed and
Respectfully submitted by:

Carole N. Schroeder
Deputy Town Clerk