

September 9, 2024

Work Session

6:00 PM

PRESENT: Supervisor S. Broderick; Councilmembers J. Jacoby, R. Morreale, J. Myers & Councilwoman S. Waechter; Bldg. Insp. T. Masters; Police Ch. F. Previte; Dep. Sup. W. Conrad; Finance Director J. Agnello; Highway Sup. M. Zahno; Rec. Director T. Smith; Atty. A. Bax; 1 Press & Deputy Clerk T. Burns

ZOOM: Sr. Coordinator M. Olick; 1 Press

EXCUSED: Eng. B. Lannon; Water Foreman D. Zahno; WPCC Ch. Op. J. Ritter

Supervisor called the Work Session to order, followed by the Pledge of Allegiance and a moment of silent reflection asking to keep the victims of 9/11 both Military and Civilian in your thoughts & prayers.

AGENDA Additions: Morreale – Sewer forgiveness; Jacoby – Police resignation

Weachter MOVED to approve the agenda, as amended, Seconded by Morreale and Carried 5-0.

APPROVAL OF MINUTES

Amendment from the 8/26/2024 RTBM Minutes, “Waechter MOVED to exit Executive Session, Seconded by Morreale and Carried 5-0(6:58pm)” & “Waechter MOVED to adjourn the meeting, Seconded by Morreale and Carried 5-0. (6:58pm)”.

Morreale MOVED to approve the minutes of 8/26/2024 RTBM, Seconded by Waechter and Carried 5-0.

ABSTRACT

Morreale MOVED to approve the Regular Abstract of Claims Numbered 24-02266 thru 24-02429 and recommends payment in the amount of \$337,670.51, plus a Post-Audit of \$8,028.67, Seconded by Jacoby and Carried 5-0.

DEPARTMENT HEAD STATEMENTS

Highway Superintendent Zahno

Zahno presented four quotes for a chipper: Vermeer - \$52,586.78; Morbark - \$54,156.02; Niagara Frontier - \$48,715.20 and Niagara Frontier - \$52,710.40. Zahno would like to move forward with the purchase of the Bandit Diesel Chipper from Niagara Frontier in the amount of \$48,715.20.

Morreale MOVED to approve the purchase of the Bandit Diesel Chipper from Niagara Frontier Equipment, in the amount of \$48,715.20 with monies coming from the Highway Fund Balance, Seconded by Jacoby and Carried 5-0.

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OLD PENDING BUSINESS – Oakhill Subdivision & Hillside Drive.

Broderick submitted a proposal from GHD. GHD will take the old engineering that was part of the subdivision back in the 80's and they're going to re-configure it.

Morreale MOVED to approve GHD to engineer the new drainage for Oakhill and Hillside Drive in the amount of \$32,000, Seconded by Waechter and Carried 5-0.

Morreale MOVED for the project to be paid out of the Fund Balance, Seconded by Myers and Carried 5-0.

Senior Coordinator Olick

Friday the Senior Center held their Buffalo Bills kick off party with chicken wing dip and “beer” (Root Beer). There will be a virtual tour of the Sanborn Historical Museum. Floors will be cleaned at the Senior Center on Friday, there will be no afternoon activities.

Recreation Director Smith

Fall activities are coming up.

SUPERVISOR BRODERICK

The Town has been working on a Backflow Preventer Valve Grant Program. Ritter explained at the last Board Meeting, this is not a Grant the Town is seeking; this is a Grant the Town is going to provide its residents if they qualify. Bax, Masters and Ritter have been working on this for a while. Moving forward, this will approve a maximum reimbursement of \$2,000 for a backflow preventor in the areas we have known flooding.

Myers MOVED to approve the Backflow Preventer Valve Grant Application as presented. Seconded by Jacoby.

Waechter asked what the Town expects the total expenditure to be as far as the number of houses that would be eligible. Broderick said there was not a set number but around \$100,000 (50 homes). There is no set number. We know the neighborhoods that are flooding, if you want one, you have to be in a known flooding area. If it's more than that, the Town will revisit.

Morreale asked to elaborate eligible costs, the cost of trenching and concrete floor repairs. Broderick said this is just for the Backflow Preventor. It has to be installed by a licensed contractor, registered with the Building Department and the money will not be paid out until the job is inspected.

Carried 5-0.

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Bax said this is a policy the Town Board can change at any time. The Board is just implementing the program that's before them right now. If there are changes to be made, the Town Board is free to make them at any time.

Broderick read a letter received on August 15, 2024.

Dear Mr. Broderick,

I am writing today as the Board President of the Sanborn-Pekin free Library to ask if the Town of Lewiston would provide some additional financial assistance to the library at this time. We have been faced with an unexpected major roof replacement expense this summer due to several leaks.

We have applied for a NYS library construction grant that covers 75% of the total cost of \$57,032 for the roof and \$1,290 for the new venting system. These reimbursements will not be available for 9-12 months, so we have stretched our existing library funds to cover the entire expense. We are asking for some assistance in covering the \$14,578 that will not be reimbursed through the NYS library construction grant program. It would be most helpful if Town of Lewiston would consider providing \$5,000 or some amount at this time toward this unexpected expense to maintain our building.

We sincerely appreciate that the Town of Lewiston has been a strong and steadfast supporter of the Sanborn-Pekin Library. Your continued yearly support has enabled our innovative and dynamic staff to have a significant impact on the community. I briefly would like to highlight that our small library supported more than 600 people who joined the Eclipse events, we had 216 children and teens participate in the dynamic summer reading program this past summer and we are a host site for Computer and Technology training by NIOGA specialists, along with a myriad of other activities that occur daily and weekly at the site on West Street in Sanborn – all of these activities require a well-maintained building, thus the need to repair our roof.

We hope that you will consider this unusual request for some additional financial support. We are asking the same of the Town of Cambria, as our library serves a wide and diverse region here in central Niagara County.

Sincerely,
Ann D. Rensel
Board President
Sanborn-Pekin Free Library Associate

Jacoby MOVED to provide \$5,000 in additional funding from A-Fund balance to the Sanborn-Pekin Library to repair their roof, Seconded by Jacoby.

Jacoby said this does not seem to be enough to cover the library's share and asked if we can revisit if they need additional assistance. Broderick said we can always revisit, they asked for \$5,000 and

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we are fulfilling their request. The library is also asking the Town of Cambria for financial support. This is an emergency situation.

Carried 5-0.

Broderick read a letter submitted by Town Clerk Donna Garfinkel.

After 34 ½ years of serving the Town of Lewiston residents, with the last 11 years as their Town Clerk, Registrar and Tax Collector, I announce my retirement effective October 4, 2024.

At this time, I would like to recommend and encourage the Town Board to appoint Deputy Town Clerk Tamara Burns as Acting Town Clerk, Tamara has been with the Town for ten years with the last 7 as Deputy Town Clerk.

Thank you,
Donna Garfinkel

Jacoby MOVED to accept the retirement of Donna Garfinkel, with regret, Seconded by Morreale and Carried 5-0.

Broderick introduced Local Law No. 4 of 2024, A Local law Terminating the Environmental Commission and Creating the Planning and Environmental Review Board.

Morreale MOVED to introduce Local Law No. 4 of 2024, Seconded by Myers and Carried 5-0.

Waechter MOVED to schedule a Public Hearing for September 23, 2024 for Local Law No. 4 of 2024, Seconded by Morreale and Carried 5-0.

Finance Director asked for approval to process the following 2024 budget revisions:

1. A request to move \$2,120 to Professional Report Fees - A00-1220-0401-0000 from Jr. Accountant Personnel – A00-1310-0100-0001, to cover financial reporting.
2. A request to move \$2,000 to Supervisor Contractual – A00-1220-0400-0000 from Auditor Contractual – A00-1320-0400-0000, to cover Inova EAP expenses.
3. A request to move \$20,980 to Clerk Personnel - A00-1410-0100-0000 from A Fund Balance – A00-1000-0599-0000, to fund unbudgeted Clerk position.
4. A request to move \$2,070 to Highway Admin. Equipment – A00-5010-0200-0000 from Highway Admin. Contractual – A00-5010-0400-0000, to cover the purchase of a lap top and iPad.

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5. A request to move \$10,425 to Recreation Seasonal Personnel – A00-7310-0100-0000 from Recreation Revenue – A00-1000-2001-0000, to cover personnel expenses.
6. A request to move \$1,080 to Recreation Special Events Personnel– A00-7310-0100-4401 from Recreation Contractual – A00-7310-0400-0000, to cover personnel expenses from special baseball tournament.
7. A request to move \$160 to Recreation Concession Gasoline/Fuel – A00-7310-0402-3510 from other funds – H98 Hydro – A00-1000-5031-1189, to cover concession propane.
8. A request to move \$4,500 to Police Equipment – B00-3120-0200-0000 from Police Contractual – B00-3120-0400-0000, to cover computer equipment.
9. A request to move \$7,210 to Registrar Personnel – B00-4020-0100-0000 from B Fund Balance – B00-1000-0599-0000, to fund unbudgeted Clerk position.
10. A request to move \$25,810 to Safety Inspection Equipment – B00-3620-0200-0000 from B Fund Balance – B00-1000-0599-0000, to cover new 2025 Ford Escape 4WD for the department approved at the 8/26 TBM.
11. A request to move \$3,800 to Union Welfare Benefits Insurance – SS1-9070-0800-0000 from Treatment & Disposal Personnel – SS1-8130-0100-0000, to cover additional insurance.

Myers MOVED for approval as presented, Seconded by Jacoby and Carried 5-0.

Agnello said some investments in Treasury Bills matured on September 5th. On that day, the Town earned \$58,319.62. The market is still favorable so the Town re-invested in more Treasury Bills and those will mature on October 1st. This is a one-month investment. Broderick said the Town did this because we switched banks and are in the process of switching investments with that bank. That has not been set up yet, but we are hoping this will all be done in a month.

COUNCILMAN JACOBY

Jacoby presented a letter of resignation from Steven Skutnik of the Lewiston Police Department effective 9/22/2024.

Jacoby MOVED to approve the resignation of Steven Skutnik, with regret, Seconded by Myers and Carried 5-0.

COUNCILMAN MORREALE

Morreale presented a request for sewer forgiveness for Sarah & Justin Palumbo of Escarpment Drive in the amount of \$62.09. This fits within the Town Sewer Use Agreement and was approved by Ritter.

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Morreale MOVED to approve the sewer forgiveness request in the amount of \$62.09, Seconded by Waechter and Carried 5-0.

COUNCILMAN MYERS

The Sanborn Historical Society has their regular meeting on Tuesday, September 24th at 7pm. The speaker series will be Weapons of 1812 which will be presented by Town of Cambria Supervisor Jon MacSwan. The public is always invited. The Sanborn Historical Society will have their country breakfast September 15th 8am-12pm. \$11 for adults and kids 12 and under \$5.

COUNCILWOMAN WAECHTER

Waechter said she visited the Waste Water Treatment Plant and it was fascinating. It's amazing how we forget about it and how vital it is to our community.

Waechter thanked Clerk Donna Garfinkel. "I appreciate all that you have done for the Town and I wish you nothing but the best in your future endeavors".

RESIDENT STATEMENTS –

Deputy Clerk Tamara Burns –

My name is Tamara Burns. I want to make it known that I am very interested and vested in the job of Town Clerk. I am a lifelong resident of Lewiston; I love this Town and I care about what happens in this community.

I have been working for the Town of Lewiston for 10 years, 7 of them being in the Clerk's Office as a Deputy Clerk. In this time, I have been working side by side with Donna Garfinkel who has taken great strides to train me for the position of Town Clerk. I feel there is nobody more qualified for this job than me.

This is a goal I have been working towards since I started as a Deputy Clerk. I am young enough where I understand new technology and have already implemented some of those things to modernize the Clerk's Office and I am also old enough to know the responsibility of this position and would make the Clerk's Office run smoothly as well as lead the other Deputy Clerks to their success. I would really appreciate your consideration for this position and will work hard for our community as well as everyone here. Thank you.

Broderick said he had answers for the Morgan Drive residents to the questions submitted.

Walmsley-Strombeck, Margi – Morgan Drive

1. Have you discharged raw sewage, either or both into the storm drains or directly into the Lower Niagara River? If so, when?
 - The Town has 3 DEC permitted Outfalls on our State Pollution Discharge Elimination System permit. In times of wet weather events the Treatment plant will bypass flow to

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our ORF or Overflow Retention Facility. This year we have had 2 wet weather events. January 26th June 18th so far this year.

2. Have you been in contact with the Town Engineer? Have he/they looked into the problem? If so, have they come up with a solution? Where can we find the report?
 - Town engineers are always involved with the treatment plant as with all treatment plants across the country.
3. Do you have a schedule for maintenance of both drainage and sewer pipes? If so, is the public able to view?
 - Each year the Towns Water Pollution Control Center is mandated by the NYDEC to produce a Capacity Monitoring Operation and Maintenance (CMOM) report showing the work in the collection system. (2023 report attached) and how many times we have bypassed flow, how many feet of sewer piping cleaned, and camera inspected. The report is prepared by Town Engineers.
4. Do you have any plans in writing to replace or repair sewer lines at this time?
 - No, we have located some piping that may be lined but nothing to be replaced.
5. You received money for the I&I plan for each new development, and we have had a lot. Much has been received in the past 5 years and what has it been used for? Is there a record available for the public to view?
 - We do not have a lot of money from new developments to perform miracles in the collection system. What we have from those particular funds are able to be spent on private property because they don't come from tax or user fees. Most inflow and infiltration problems in the sewer system are from private property. The Town forces do not work on private property. This money will be for A-Clamp installation on private property.

Elias, Mark – Morgan Drive

1. You've said you have made improvements to the WWTP in the past 15-years. What exactly have you done other than upgrade the electrical to help the plant? Are there documents available for view?
 - The 1.3-million-dollar electrical work to the plant upgraded our failing and antique electrical distribution system within the plant and added generators to the main pump station and remote pump stations. We put in a new sludge handling process, new Air blower for the Activated Sludge Process. Brought our Main Panel Supervisory Control and Data Acquisition (SCADA) system into existence including Bar Screen Monitoring, New ORF Diversion valve, controls and totalizer, Sludge handling alarms, Wet Well indicator, Mix Tank totalizer, Wasting Rate Totalizers, Dissolved Oxygen sensors, Air Blower monitors, Explosive gas alarms, Digester compressor and level indicator alarms, Force main Totalizer, ORF Totalizer, Chlorine Contact Tank Effluent totalizers (2), Grit building tank alarms, Grit Valve controls, Sodium Hypochlorite level controls and alarms, Ferric Chloride level controls and alarms, Clarifier alarms for Primary and Secondary tanks, Digester sludge pump alarms as well as 3 Rotary Lobe sludge pumps, New tank catwalks and weirs. Main plant and pump station pump replacements. That is to repair or replace the aging plant fundamentals. For the collection system we have concentrated on sealing the most egregious infiltration points. Manhole lining, which we

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try to do 100k per year throughout the collection system and flow inverters under the lids. We purchased a long overdue Vacuum truck (that for 25 years has been tried to be purchased by a 4-Community grant.) This aids us considerably. We purchased a \$120K Pipe Crawling camera to inspect sewer lines.

2. Where are the pumping stations located throughout the Town?
 - The Village of Lewiston on Water St across from the SILO restaurant. Joe Davis Pump Station located on River Road across from Joe Davis State Park, Creek Road Pump Station located across from the school, Old Lewiston Road located across from Riverdale cemetery just North of the Power authority, College Heights Pump Station located on Hyde Park and University Drive across from Niagara University. Swann Road Pump Station in front of the National Grid Property. Porter has Swain Road Pump Station located at the end of Swain Rd. AND Lakeshore #1 and #2.
3. Is there a plan for temporary storage during high flow events?
 - Excess water is diverted to the Overflow Retention Facilities (ORF) 2- one million-gallon tanks hooked in series that act as Primary Clarifiers and get chlorinated before mixing with plant flows (SPDES Permit attached, has not been renewed since 2017. DEC prerogative)
4. What operational and or equipment changes will be made to the Lewiston sewer and storm water systems?
 - None, this plant is held as an example by the DEC as to what a properly run plant should be. (Wet weather Operating Plan attached)
5. Will you implement a program for residents to be reimbursed, that have been financially impacted by this issue.
 - No, after a certain amount of water falls it is up to the homeowner to protect themselves. Especially if it is a chronically happening event,

Morreale MOVED to adjourn, Seconded by Myers and Carried 5-0. 6:30 P.M.

Transcribed and
Respectfully submitted by:

Tamara L. Burns
Deputy Town Clerk