

**PRESENT:** Supervisor Newlin; Councilmembers Bax, Edwards, Johnson and Palmer; Attorney Leone; Deputy Attorney Boniello; Finance Officer DiRamio; Building Inspector Masters; Deputy Supervisor Elgin; Asst. Town Engineer Britton; Highway Superintendent Reiter; 3 Press; 3 residents and Clerk Donna Garfinkel

Supervisor called meeting to order – 5:45 p.m.

Supervisor asked if any Board member had additions to the agenda.

Supervisor requested to allow residents to address the Board in regards to grass cutting and un-kept properties. Also the addition of Executive Session items.

Edwards requests the addition of Town Hall building matters.

**Bax MOVED for approval of the Agenda as amended, Seconded by Johnson and Carried 5 – 0.**

Turner, Lucille – 5106 Country Club Tail. Turner requests the Board put an extension on an open-ended law that will permit the Town to clean-up un-kept or abandoned property and apply the cost to the homeowner's taxes. Three years ago construction started on a home next store and it has never been completed. This past summer there was no activity on the home, the summer prior, there was very little activity. What remains is an unfinished home and un-kept property. The grass is so over-grown; it is a detriment to the neighborhood.

Turner requests the Board extend the current law, not only to notify the property owner, but to allow the Town to go and cut and clean-up the property and apply the cost to the property owner's taxes.

Smith, Kenneth – 1293 Swann Road. Smith notified the Board of the many un-kept homes in the 1200 block of Swann Road. There are abandoned homes and the grass is not being kept up. Smith keeps up his home, as do several neighbors, but these eye-sores exist. Smith requests something be done.

Newlin said the Board has discussing a local law in regards to grass cutting. The Attorneys are reviewing the proposed law. Hopefully within 60 days the Town will have a new law with sharper teeth and effect. Newlin suggested Masters and Leone look into the City of Niagara Falls law.

Newlin asked to have the language submitted for the Town Board meeting of the 22<sup>nd</sup> so a Public Hearing can be set.

*Agenda Item One – Meeting with Highway Superintendent Reiter*

*Highway Fuel Costs*

Reiter is requesting \$50,000 to cover the cost of gas for the remained of the year. Each department reimburses the highway budget for their gas usage.

Johnson suggested the overage, at the end of the year, in each department be used to reimburse the \$50,000.

**Edwards MOVED to allow \$50,000 to be used from the Highway Fund Balance for the cost of fuel, Seconded by Bax and Carried 5 – 0.**

DiRamio stated the Parks Dept. is also over on their gas usage. Newlin said Dashineau will need to address this with the Board.

Reiter proposes to narrow the island by one-foot all the way around. This will widen the road. The cost of the drive-thru, that was previously discussed, is about \$3,700, but doesn't solve the problem.

The median is owned by the Town but is maintained by the homeowners.

**Edwards MOVED to authorize the narrowing, by one-foot all the way around, of the median at the entrance of Thornwood, Seconded by Bax and Carried 5 – 0.**

**Edwards MOVED to have funds from the Infrastructure Account cover the cost, Seconded by Bax and Carried 5 – 0.**

Reiter hopes to complete the work by the end of October.

*Roadway salt costs*

Reiter said the price of salt has increased 30%. A cost of \$41/ ton, plus a fuel surcharge has been quoted for the coming season. At this time the Town has a full barn of salt, which should last till late December. At which time salt should be ordered. The Town goes through 500,000 ton a year.

The Town can purchase sand from a quarry in Freedom, New York at \$3.50/ton. No delivery price has been given. The Town could pick it up. It would be a 150-mile round trip, at \$4.00/mile for fuel, costing approximately \$600.

Residents would need to be notified of the use of sand. They may be upset because the sand may go in their homes. There is also a concern with catch-basins and the drainage structure taking in the sand.

The Town has many hills, curves and country roads and sand works well in these situations. Sand is not the best in a subdivision. In some situations, sand is more effective.

“Used” sand is available from the Buffalo International Airport. It has been certified “clean”. The FAA will not allow the airport to use the sand from the runways twice. They sweep it off, and pile it up. This sand would be put through a screen one more time at the highway garage before it is used. Sand can be stored outside.

Board members feel this is a good idea to try in different parts of the town.

**Bax MOVED to grant Highway Superintendent Reiter permission to look into receiving sand from the Buffalo International Airport, Seconded by Johnson and Carried 5 – 0.**

*Drainage concern - 752 Ridge Road*

It is still a question as to who owns the pipes. Edwards said Mr. Winters did not have the authority to allow the Town to tie-in an 8-inch pipe into the catch-basin. He does not own the property nor the house, his daughter does. The questions is, is there an active easement, or is this the Town's property? If there is no easement, or if it is not owned by the town, Mr. Winters request it be disconnect and drain the subdivision somewhere else.

Reiter said the town tapped in last fall to deal with a drainage problem. The water is moving very well there now. It is benefiting all the residents including Mr. Winters. Not one drainage call was received this year from this area.

Boniello to contact Mr. Winters to discuss an easement, and have the town take responsibility.

*2009 Highway Budget – 2009 Drainage Budget*

Reiter distributed 2009 budget requests. Reiter requests to meet with the Board to discuss his budget.

Board members would like to review all department head requests in October.

Edwards updated the Board on the old parking lot lights. Edwards requested Reiter give a quote to dig the 80' trench to allow repair of the wires on the lights.

*Tree removal (2) – Michelle Court*

A dead tree is located in the median on Michelle Court. Reiter to inspect the situation and report back at the September 22<sup>nd</sup> meeting.

At 768 Michelle Court there is a white ash located in the green-area. Reiter to inspect the situation and report back at the September 22<sup>nd</sup> meeting.

Town Engineer requests to address the Board in regards to Riverwalk Phase 3B.

Britton said the developer has submitted all necessary information. The Health Dept. approval, bonds, insurance and engineering plans have been received. Everything is in order. Britton requests authorization from the Board to proceed with the PIP's.

**Johnson MOVED to authorize Britton to proceed with the PIP's for Riverwalk Phase 3B, Seconded by Palmer and Carried 5 – 0.**

*Seconded Agenda Item – Approval of Abstract*

**Johnson MOVED to approve the Regular Abstract, Claim numbers 2734 - 3043 and recommends payment in the amount of \$371,359.74 with a Post Audit in the amount of \$40,911.27, Seconded by Bax and Carried 5 – 0.**

*Addition to Sanborn Fire Company roster*

**Johnson MOVED to confirm the addition of Michael Herlan to the Sanborn Fire Company roster, Seconded by Bax and Carried 5 – 0.**

*Addition to Upper Mountain Road Company roster*

**Johnson MOVED to confirm the addition of Amy Hanna; Francis Feely; Matthew Dombrowski & Eric Gearing to the Upper Mountain Fire Company roster, Seconded by Bax and Carried 5 – 0.**

Newlin announced an Elected Leaders meeting to be held Thursday, September 25<sup>th</sup>, 3:00 p.m. at The Water Street Landing.

*Polling Places*

Newlin has heard from the Board of Elections that while the new version of polling places will be in effect for the Primary, the General Election will revert to more polling places. They are considering the Town Boards request to increase the sites. Newlin will report back at the September 22<sup>nd</sup> meeting.

Board members have received several calls in regards to this.

*Signage Request – Ridgeview at Lewiston*

A request for a stop sign to be placed at the bottom of the hill on Northridge Drive has been received. Request to be forwarded to the Signage Committee asking for a recommendation at the September 22<sup>nd</sup> meeting.

### *Emergency Management Planning Committee Appointment*

Two members of the Town Board need to be members of the Committee. Newlin, as Chief Executive Officer, will be one. Members need to complete the National Incident Management System (NIMS) requirements. Courses can be taken on-line.

### *Increase in Building Permit Fees*

Building Inspector Tim Masters updated the Board.

In the Town of Lewiston, if a resident builds a 400-square foot addition, with one bath, on their home, the fee for inspections is \$20.00. Masters could make up to six trips to the home for inspection, plus plan review, the \$20 doesn't even cover the fuel costs.

Masters proposes to charge by square foot. A .25¢/square foot charge for the same addition would be a \$100 fee. The surrounding towns charge from \$90 - \$156 for this type of construction. The town receives \$400 for a new build, for the same amount of inspections.

**Palmer MOVED to change the Building Permit Fee for additions to single-family residents in the Town, to .25¢/square foot, Seconded by Johnson and Carried 5 – 0.**

### *Town Hall repairs*

Edwards update the Board on the many repairs needed in the past week. The hot water tank and air-conditioner went on the court side. The sewer collapsed on the east side of the building.

The old parking lot lights, closest to the building are broken. There is a break between two of the light standards in the conduit and it is creating a short. O'Connell Electric, the company which completed the work on the new lights, submitted two options.

Option one – \$3,000.00 to repair the existing feed from site pole to site. Trenching is needed, but if the town highway dept. performs the trenching, \$1,700 can be subtracted.

Option two - \$17,800.00 - Remove the existing 3 light bases, poles, heads, conduit and wire and replace with all new lights.

Edwards supports option one.

**Edwards MOVED to approve \$1,900 for O'Connell Electric, to repair parking lot lights, Seconded by Bax and Carried 5 – 0.**

Edwards feels the building is solid, but it has been neglected for years. With the 2009 budget season coming, the Board really needs to take a look at this building. Should the building be updated, should the offices be moved or should a new building be built? The Board needs to make some tough decisions.

Newlin said the Board will need to prioritize once all departments have submitted their budgets.

### *Street light request – Northridge Drive*

A letters been received from Duaine Ivey, President – Board of Managers @ The Coach Houses @ Ridgeview. She thanks the Board for the streetlights that have been installed, but is requesting two more. One at the intersection of the apartment access and Northridge Drive and the other between that area and Eddy Drive.

Request to be forwarded to the Lighting Advisory Board for review.

*Fireman Incentive Service Award Program*

Firefighters over 65 are eligible, but have not been paid in the past. Board needs to approve the payment. The dollars will be billed to the Town in the 2009 budget.

**Johnson MOVED to authorize the Town to pay retroactive service award benefits to eligible fireman, over 65, Seconded by Palmer and Carried 5 – 0.**

**Johnson MOVED to enter into Executive Session to discuss litigation, town hall employees, a contract and a contractual issue, Seconded by Bax and Carried 5 – 0.**  
(7:15 p.m.)

Executive Session (7:30 p.m.)

**PRESENT:** Supervisor Newlin; Councilmembers Bax, Edwards, Johnson & Palmer, Atty. Leone, Atty. Boniello and Deputy Supervisor Elgin

**Johnson MOVED to exit Executive Session, Seconded by Bax and Carried 5 – 0**  
(8:35 p.m.)

**Edwards MOVED to rescind the landscaping contract with Clean Cut Lawn and Landscaping for the Town Hall, Seconded by Palmer and Carried 5 – 0.**

Executive session minutes taken by David Boniello.

Meeting Adjourned

Respectfully Transcribed and Submitted by,

Donna Garfinkel  
Deputy Town Clerk