

Present: Supervisor D. Brochey; Councilmembers A. Bax, B. Ceretto, Wm. Conrad & R. Winkley; Eng. R. Lannon; Attorneys M. Davis & B. Seaman; Hwy. Supt. D. Janese; WPCC Ch. Op. J. Ritter; Police Chief C. Salada; Building Inspector T. Masters; Finance Director M. Blazick; Rec. Dir. M. Dashineau; 3 Press; 9 Residents and Dep. Clerk C. Schroeder

The Supervisor called the Work Session to order at 6:05 PM, followed by the Pledge of Allegiance and a moment of silent reflection.

AGENDA

Conrad MOVED to approve the agenda. Seconded by Bax and carried 5-0.

ABSTRACT

Bax MOVED to approve the Regular Abstract of Claims Numbered 5045 to 5370 and recommended payment in the amount of \$1,034,145.51, plus a post audit of \$745,576.31. Seconded by Winkley and carried 5-0.

DEPARTMENT HEAD CONCERNS

Highway: Supt. Janese said there is another issue with the Muck Pumps. They talked about spending money on maintenance on the second pump. For some reason, that never happened. It has now seized under load. He does not know if the shaft is broken or bent. Since Thursday, they have been able to lower the water by 18-inches. There is still about 12-ft of water before he can get to the pump. The pump is on 24-hours a day. Beyond that, I don't know what I can do with it. A single pump will usually maintain the level but will not lower the level. That is where we are now. I will take the Board's pleasure. I want you to be aware that the pump failed.

Bax: There is no way to tell what took place with it until the water recedes and you're able to pull it out?

Janese: We can look at it then but I have a feeling the same thing happened that happened with the other pump. They are the same pieces of equipment, same age, same design with the same number of hours. I don't know what the Board wants to do. Do you want to take the pump out? Do you want to wait a couple of months until the water goes down?

Bax: Is it feasible to pull it out now?

Janese: We would have to take the building apart again. Somebody would have to come up with a crane and lift it out but it's possible. The pump has seized but I don't know specifically what the damage is. You're going to wind up taking it out and inspecting it. But, again it's going to be impossible to do in place. We could wait until July or August but I don't know what we will do in the interim. Farmers are going to want to plant their fields. I don't know what we are going to do if those fields are flooded.

Bax: What is the cost of pulling it?

Janese: If we use a crane service locally, it is \$4,500.

Janese said he would try and obtain 3 written quotations to have the pump inspected. He would have to pull the pump for them to do so.

Bax MOVED to authorize the Highway Supt. to pull the pump. Seconded by Winkley and carried 5-0.

For the second year in a row, the Highway Supt. said they received more in CHIP Funds than what was budgeted. He budgeted \$109,000. They received \$137,000. Janese said

the additional \$28,000 could be used for road repair in 2015. Janese said there was another \$19,700 that the Governor allowed in the way of emergency funds from the extreme winter. Janese said there is an extensive project with the cost of repairing the country curbs on Lauren Court. He thought they could designate come of that money towards that, as well as road repair on Meyers Hill Road.

As seen on the agenda, Janese said Security Cameras at the Highway Garage have been installed.

SPECIAL OLYMPICS TORCH RUN:

Kevin Radke, Border Patrol Agent, spoke on behalf of the Law Enforcement Torch Run benefiting the Special Olympics. He requested permission to hold the Torch Run on June 1, 2015. The run will depart from Niagara University, North on to Rt. 104, following Cayuga Drive to Rt. 104, left on Rt. 104 continuing down Center Street arriving at the Red Brick School House. Throughout the duration of the event runners will be escorted by marked police vehicles. The event will be coordinated with the following agencies: Lewiston Police Department, NYS Park Police, NYS Patrol, NYPD, NU Campus Security, NC Sheriff's Office, and Customs and Border Protection.

CELL TOWER COLLOCATION FEES:

Master said the Tower Committee was to review this. He did not know if the Chairman was contacted or not.

Winkley MOVED to direct the Tower Committee to meet and discuss the cell tower collocation fees. Seconded by Bax and carried 5-0.

Conrad, as liaison to this committee, said he would communicate with the Chairman or Vice-Chairman to set up a meeting.

HIGHWAY:

a) 284 Agreement: Janese said he would finalize this at the next meeting.

b) Mulch Delivery: Janese said they haven't processed any mulch yet but they will be shortly. Right now, he is waiting for prices from vendors to start grinding the mulch. The Clerk asked if they should start taking pre-orders, as they have received calls from residents. Janese said they could but to make the residents aware it wouldn't be available for 30 days. The fee is \$25.00 for 3 cu. yards.

c) Dollars for Electronic Recycling: Janese announced the Highway Department will hold its second electronics-recycling program on April 25, from 9 a.m. to 2:30 p.m. at the Highway Garage on Swann Road. The program is open to residents of the Town and Village of Lewiston. Proof of residency will be required. Acceptable items include: televisions; stereo equipment; computers, laptops, monitors; cameras; cell phones; and small appliances. Unacceptable items include Freon-containing appliances, batteries or any hazardous materials, paints, chemicals, etc.

Attorney Seaman said the Highway Supt. provided a copy of a contact with Sun King. Their business is to collect electronic recyclables. Some things they charge the Town a fee to collect and others they pay the Town a fee to dispose of. The contract is standard as compared to other municipalities and so are the costs as to what the going rate is. As to form, Seaman said he is okay with the contract.

Winkley MOVED to approve the contract with Sun King. Seconded by Conrad and carried 5-0.

Seaman said highway monies should not be allocated for this expense. The Finance Director to determine where the funding should come from.

d) Lauren Court Curbs: Janese said he would help with this project as much as he can but he wants the Board to be aware that this is a job that will be difficult to do because of the fact they will have to take the road out and replace the curbs which are done by a machine. Our problem is, it's not something that is secluded where there is only one

driveway. There is an entire group of residences in that cul-de-sac. You're going to want to get in and out of there as quickly as you can and have the ability, equipment and materials. It's probably not for us. It would be better to give to a construction company. If we can help we certainly will.

Winkley asked if there are other areas where a contractor should look at. Janese said there are quite a few. A large volume of these curbs are starting to fail – entire subdivisions.

Lannon said it depends on to what extent you're going to replace them. If you're going to replace a whole subdivision put in a regular stand up curb. It's cheaper.

Again, Janese said this is something they should bid out to a construction company. The road is failing also. Other cul-de-sacs in the subdivision are beginning to show problems. I think it is just problematic with that design. The best thing to do is to go to a single stand up curb design. It's easier for the developer but in the long run, it's easier for us.

Bax said the Town's priority is to get something reliable.

Lannon said if they are going to bid out the project they should do the whole cul-de-sac. Mill the road, re-construct the road base and put in stand-up curbs.

Winkley MOVED to authorize the Town Engineer to undertake the design and bid specification for Lauren Court reconstruction. Seconded by Bax and carried 5-0.

WPCC:

The Board received the following correspondence from Steven Venne', 4600 Model City Road: *I had an expensive septic system installed in 1988. In 1992, the Town put in public sewer with a connection fee of \$200. I was exempt from connecting at that time as my septic system was only a few years old. I am in the process of selling my home and in order to complete the sale, I was required to connect to the public sewer. I went to pay the hook-in fee and had to pay \$1,600. I couldn't believe the cost was so high and didn't have a choice. I hired Robert McVie to install the pipeline for sewer and he also completed the hook-up work. I don't understand why I paid the Town of Lewiston \$1,600 to connect when the town did none of the work. I think to be fair and just, all I should have to pay is the permit fee. I am asking the Town to waive the hook-up fee and reimburse me as I have already paid the \$1,600.*

Jeff Ritter said he sympathizes with the homeowner but those are the costs. When sewer was run down Model City Road, everybody was offered the opportunity to connect but nobody wanted to do it. The fee hasn't been raised since 1989. In 2012 the Town raised the cost. It would have been more cost effective to tie-in before the fees were raised. If we were to give this resident an exception, you will set a precedent. Mr. Ritter said he would contact Mr. Venne' and explain this to him.

DOT ISSUES:

Councilwoman Ceretto said she had Assemblyman Ceretto's Office send a letter to the DOT asking for a traffic study at the intersection of Garlow and Saunders Settlement Road (Rt. 31) in contemplation of placement of a traffic signal to help alleviate this dangerous intersection.

A second letter was sent from the Assemblyman's Office following complaints regarding truck traffic traveling on Townline Road requesting a comprehensive traffic study for all of Townline Road and the posting of a 45 mph speed limit for all of Townline Road.

RECREATION:

On behalf of the Director of the Parks & Recreation Department, Ceretto made the following motions:

1. **Ceretto MOVED to allow the Niagara Wheatfield Amateur Athletic Association use of Colonial Village Park for the NW Youth Lacrosse program from May 4 to August 3, contingent on proper insurance begin presented, with Lewiston #2 FC being named additional insured on the policy; as well as an agreement with Parks for garbage pickup and traffic concerns of Colonial Village residents. Seconded by Winkley and carried 5-0.**
2. **Ceretto MOVED to approve a request from the *It Happened to Alexa Foundation* for use of the Town Tent for the “after celebration” of this year’s Great Contraption Race on Saturday, August 1, 2015. This entails Parks constructing the tent and providing some level of support outside Town lines at Fort Niagara State Park. Seconded by Winkley and carried 5-0.**
3. **Ceretto MOVED to continue basic services at Sanborn Park while the Parks Department negotiates in good faith on a lease extension with the Sanborn Fire Company, subject to additional approval of the Sanborn Fire Company. Seconded by Winkley and carried 5-0.**

DICKERSONVILLE CEMETERY:

The Clerk noted that each year, members of the American Legion Post #830 display American Flags on the Veterans’ graves at the cemetery the week before Memorial Day. The Town Clerk is asking approval for payment to the Legion in the amount of \$250 to purchase the flags. Monies have been budgeted in account H-27.

Bax MOVED for approval. Seconded by Conrad and carried 5-0.

RESOLUTION RE BALLOT CLERK

The Clerk read the following resolution:

WHEREAS, a special election will be held on Tuesday, April 14, 2015 at Town Hall to consider whether Local Law No. 6 of 2014 should be approved; and

WHEREAS, pursuant to Town Law Section 83, the Town Board must designate election inspectors and ballot clerks for said election from the list of election inspectors and ballot clerks previously designated for general election purposes; and

WHEREAS, only one polling place will be utilized for the special election rather than multiple districts throughout the Town, now therefore be it

RESOLVED, that Elaine Pfohl be designated a ballot clerk; and

RESOLVED, that Nancy Deering be removed as ballot clerk as designated in the Resolution 2015 – 12, dated March 23, 2015.

Conrad MOVED the foregoing Resolution. Seconded by Bax and carried 5-0.

HAZ-MAT CONTROL COMMISSION:

The Board is in receipt of correspondence from John C. Malinchock notifying the Commission that he would be retiring as President from his position with the Town of Lewiston Hazardous Material Department.

Winkley MOVED to accept the resignation of John C. Malinchock, with regret. Seconded by Bax and carried 5-0.

FINANCE:

- a) *Change in Collateral Agent for Public Funds:* The Finance Director said the Town was notified in December 2014 that JPMorgan Chase Bank was resigning as the Collateral Agent for the public funds collateral managed through First Niagara Bank. Blazick said they have selected Federal Home Loan Bank - NY to be the successor third party custodian. Blazick asked for Board approval to sign the new Third Party Custodian Agreement between the Town, First Niagara and FHLB-NY.

Bax MOVED to authorize the Supervisor to sign the new Custodian Agreement, substituting JPMorgan Chase Bank with FHLB - NY as Collateral Agent through First Niagara. Seconded by Winkley and carried 5-0.

- b) *Refunding of 2006 and 2008 Serial Bonds:* The Finance Director said the Town was contacted by Municipal Solutions about the possibility of refinancing the 2006 and 2008 Serial Bonds. After an updated analysis, the estimated budgetary savings are \$490,172 over the remaining life of the issues. Annual savings are estimated at \$24,281 - \$37,556. Blazick said she is seeking permission to pursue this. The Board directed the Finance Officer to pursue this refinancing.
- c) *Postage:* The Finance Director said one of the things that was done last year for the current year's budget was the intention of taking postage out of Town Hall Contractual and allocating it to the budgets of different departments. Funds were never allocated to the departments. Blazick did an analysis of what was allocated in 2014 and 2015. Somewhere we have to come up with money for the postage. She recommended an increase in the respective budgets: Supervisor - \$1,800; Justice - \$6,000; and Assessor - \$3,000, totaling \$10,800.
Bax MOVED to transfer \$1,800 to the Supervisor's budget; \$6,000 to the Justice Dept. and \$3,000 to the Assessor's budget from the Contingency budget for postage. Seconded by Winkley and carried 5-0.
- d) *Sanborn Area Historical Society:* Blazick referred to a request from the SASH for \$1,500 to help defray expenses for this year's Sanborn-Lewiston Farm Festival, scheduled July 25 & 26. Funding has been allocated in this year's Celebrations budget, she said. No motion required.
- e) *Tractor Supply – Application for Business Credit:* The Finance Officer said she is seeking authorization to proceed with the application for a Business Credit Account with Tractor Supply Co. on behalf of the Highway Dept.
Winkley MOVED to authorize the Supervisor to sign the credit application for Tractor Supply Co. Seconded by Bax and carried 5-0.
- f) *Insurance Renewal:* Blazick said the Town's current policy is due to renew on April 15th. The Town's agent recommended changing companies to Allied World. They are rated equally with the Town's current company, HHC Public Risk. The coverage offered by Allied World is equal to or exceeds that of HHC. The renewal premium offered by Allied World is \$167,596.38 as opposed to HHC's \$175,336.90, a savings of \$7,740.52 per year.
Winkley MOVED to renew the insurance policy, as recommended by the Finance Director. Seconded by Bax and carried 5-0.
- g) *Key Bank Fee Schedule:* For the Board's information, Blazick said she had a visit with Key Bank. Key Bank has decided that because interest rates have remained low, and a lot of investments they have that would count as collateralized don't anymore, Key Bank has made a decision to change their fee structure. Blazick said the Town's fees for Key Bank would increase \$43,364.50 a year. Because of this, she is looking at alternate Financial Institutions to bank with.

SANBORN FIRE COMPANY:

The Fire Company submits for active membership in said Fire Company the following names: Savannah Harris, 2482 S.S. Road; Robert (Robie) Hoover, 6030 Hoover Road (T/Wheatfield); and David Slusser Jr., 5980 Mayflower Road.

Winkley MOVED for approval. Seconded by Bax and carried 5-0.

NRRCC GALA:

Brochey said that the Chamber is holding their annual gala on May 15, 2015.

DEPUTY SUPERVISOR:

The Supervisor announced his appointment of Mark Briglio as Deputy Supervisor, who graciously accepted the appointment.

CAMERA SECURITY:

Brochey said he would like to see security cameras at the Police Station and at Town Hall, similar to what was installed at the Highway Garage.

Winkley MOVED for approval. Seconded by Bax and carried 5-0.

CABLE FRANCHISE AGREEMENT:

Brochey said he had been talking with Councilwoman Ceretto. They would like to know why Lewiston Fire Co. #2 isn't included in the list of entities receiving basic cable. Councilman Conrad, as liaison to the Cable Commission said they are back on the list. Conrad said there a couple entities "on the bubble". He would talk with the Chairman of the Cable Commission (James Abbondanza) tomorrow.

The Supervisor said he would like to schedule a Town Board photo shoot for the next meeting. The Clerk to set this up.

ROOF REPAIRS:

Brochey said it has been brought to his attention from the Building Inspector that some of the Town's municipal buildings – Senior Center, Library, WPC and Highway Garage are in need of roof repair.

Winkley said the Library Director is looking into obtaining a grant for roof repair.

The Building Inspector said he already has had an analysis done for the Treatment Plant roof and the Senior Center roof in April 2014. Engineer Lannon said they use a firm called Weatherproofing Technologies. They go out at their own cost and do a condition assessment and evaluation. They take samples and analyze the roofing structure. They give an analysis of the current condition and recommend a course of action.

Masters said the Town could save money if they combined both of the roofs under one single bid. The Engineer said they should start the project sooner than later, otherwise you're going to pay thru the nose if you wait until the end of the year when the snow flies. Time is of the essence. You're not going to be able to put roofing material on in November or December. There is a certain timeframe to design it and advertise. You're looking at two months once you start the clock until you have a contract. You have a six-month window, maybe.

Winkley MOVED to authorize the Engineer to prepare plans, specifications and bid documents for roof repair at the Senior Center, WPC and Highway Garage, with the understanding that no engineering work be done for the Hwy. Garage until it is determined what the assessment is. Seconded by Conrad and carried 5-0.

Winkley said they need to meet in executive session for consultation with Attorneys regarding labor issue.

Winkley MOVED for approval. Seconded by Bax and carried 5-0.

Bax MOVED to enter into Executive Session for consultation with Attorneys. Seconded by Winkley and carried 5-0. Time: 7:35 PM.

Present: Brochey, Bax, Ceretto, Conrad, Winkley, Davis, Seaman, and Brian Doyle.

Issue Discussed: Collective Bargaining Negotiations.

Winkley MOVED to exit Executive Session. Seconded by Bax and carried 5-0.

Action Taken: None

Brochey MOVED to adjourn. Seconded by Bax and carried 5-0. Time: 9:27 PM.

Transcribed and
Respectfully and submitted by:

Carole N. Schroeder
Deputy Town Clerk