

Work Session

December 12, 2022

6:00 PM

**PRESENT:** Supervisor S. Broderick; Councilmembers W. Geiben, J. Jacoby, R. Morreale & J. Myers; Atty. A. Bax (Zoom); Eng. Lannon; Hwy Supt. M. Zahno; Bldg. Insp. T. Masters; Dep. Bldg. Insp. E. Zimmerman; Finance Dir. J. Agnello (Zoom); WPCC Ch. Op. J. Ritter; Water Foreman D. Zahno, Sr. Coordinator M. Olick (Zoom); Rec. Dir. C. Cvijetinovic (Zoom); Historian M. Maggard; 1 Press; 1 Resident and Dep. Clerk C. Schroeder

**EXCUSED:** Dep. Sup. W. Conrad

The Supervisor opened the Work Session followed by the Pledge of Allegiance and a moment of silent reflection.

**AGENDA:** Broderick: Add – Kiwanis Day at Dwyer Arena. **Geiben MOVED to approve the Agenda, as amended. Seconded by Morreale and carried 5-0.**

At this time, former Town Councilman and Assemblyman John Ceretto presented a check in the amount of \$400.00 to the Town of Lewiston on behalf of the Kiwanis Club to sponsor free skating at Dwyer Arena on December 30, 2022 from Noon to 2 PM. This event is open to the public. Representatives from the Kiwanis Club and the Town will be present.

**ABSTRACT:** **Geiben MOVED to approve the Regular Abstract of Claims Numbered 22-03322 thru 22-03466 and recommended payment in the amount of \$135,704.47 plus a post-audit of \$12,780.98. Seconded by Jacoby and carried 5-0.**

**MINUTES:** **Geiben MOVED to approve the minutes of Nov. 28, 2022 – RTBM, as printed. Seconded by Morreale and carried 5-0.**

**Myers MOVED to approve the minutes of the Public Hearing, Nov. 28, 2022. Seconded by Jacoby and carried 5-0.**

*PENDING / OLD BUSINESS:*

Special Use Permit – Wilco Auto and Transfer of Right-of-Way (Ianucci): These two items were tabled.

Broderick said there is a small sliver of land in front of Mrs. Ianucci's house on Ridge Road owned by the Town. It is where she put her mailbox and part of her driveway. The Town has no interest in this property and is in the process of transferring R.O.W. to Mrs. Ianucci.

Masters said that if there is any Town infrastructure there, i.e. water or sewer, etc., an easement needs to be obtained.

David Giusiana AIA Planned Unit Development, Washington Drive, SBL #88.13-1-29 – PUD Concept Plan:

**Jacoby MOVED the following resolution pertaining to the State Environmental Quality Review Act Negative Declaration and Notice of Determination of Non-Significance.**

**WHEREAS**, a proposed Planned Unit Development located at Washington Drive, SBL # 88.13-1-29, along with a Local Law changing the zoning of said parcel to accommodate the PUD, is being considered for approval by the Town Board, and

**WHEREAS**, the Town has previously circulated notices of its intent to act as lead agency with respect to the Project for purposes of conducting a review under the State Environmental Quality Review Act and the implementing regulations of the New York State Department of Environmental Conservation adopted thereunder (6 NYCRR Part 617) (hereinafter collectively referred to as “SEQRA”) to all involved and interested agencies, and has received no objection to its serving as lead agency; and

**WHEREAS**, a Full Environmental Assessment Form was prepared by GHD, the Town’s Engineers, and was submitted to the Town Board (the “EAF”), and which EAF was also circulated to involved agencies for input pursuant to SEQRA, and

**WHEREAS**, the Town Board has considered the Project and reviewed the EAF and all comments received from involved or interested agencies, in light of the criteria set forth in SEQRA in order to determine whether the Project will have a significant effect on the environment, now therefore be it

**RESOLVED**, that the Town Board of the Town of Lewiston hereby declares itself lead agency for the purposes of SEQRA review of the Project, and be it further

**RESOLVED**, that based upon the information set forth in the EAF, and for reasons more fully set forth in parts 2 and 3 of the EAF, the Town Board hereby determines that there will be no significant environmental impacts with regard to the Project, and hereby adopts and issues the attached Negative Declaration under SEQRA with respect thereto, and be it further

**RESOLVED**, that following the Town Supervisor be, and hereby is, authorized to execute any necessary documents in conjunction hereto.

**Motion on the resolution seconded by Geiben and carried 5-0.**

**Jacoby MOVED the following resolution regarding Planned Unit Development Concept Plan Approval.**

**WHEREAS**, David Giusiana (“Applicant”) has proposed a Planned Unit Development located at Washington Drive, SBL # 88.13-1-29, and

**WHEREAS**, the Town of Lewiston Town Board is considering the approval of such PUD, along with a Local Law changing the zoning of said parcel to accommodate the PUD, and

**WHEREAS**, the Town Board of the Town of Lewiston has declared itself lead agency for the purposes of SEQRA review of the Project, and issued a “Negative Declaration” pursuant to SEQRA, and

**WHEREAS**, the Town has reviewed Applicant’s Concept Plan, and has duly called for, noticed, and conducted a Public Hearing regarding said Plan, and

**WHEREAS**, the Town’s Planning Board has considered the Concept Plan and recommends approval, contingent on final engineering approval, which has now been received

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Lewiston hereby approves the applicant’s Concept Plan.

**Geiben seconded the motion. Carried 5-0.**

*NEW BUSINESS:* None

*DEPARTMENT HEAD STATEMENTS:*

Building: Masters reported that the Riverfront Park pavilion structure is 99% completed.

Seniors: Coordinator Olick said Jeff Lewis from BC/BS will be at the Senior Center monthly to answer insurance questions anyone might have. On Dec. 14<sup>th</sup> there will be a Larks Concert, a Christmas Lunch on Dec. 21<sup>st</sup> at Noon and a New Year’s Eve party on Dec. 30<sup>th</sup>., in addition to all the regular programs they hold.

Recreation: Director Cvijetinovic said the department is handing out crafts during the month of December for kids to take home. Santa Claus will be at Dwyer Arena on Dec. 23<sup>rd</sup>. Cvijetinovic thanked Lewiston #2 F.D. for allowing the Recreation Dept. to hold their Gingerbread House decorating program there.

BRODERICK: Broderick said Dep. Sup. Conrad is under the weather and not attending the meeting but wished him a Happy Birthday.

Finance: The Finance Director requested to process the following (11) 2022 Budget Revisions:

1. A request to move a total of \$7,400.00 to Buildings Equipment (A00-1620-0200-0000) with \$2,316.00 from Town Clerk Contractual (A00-1410-0400-0000), \$2,731.00 from Contingency (A00-1990-0400-0000), \$1,353.00 from Bingo Inspector personnel (A00-7989-0100-0000) and \$1,000.00 from Unemployment (A00-9050-0800-000) to cover new flooring for the Deputy’s space and Town Clerk Office approved at the 11.14.22 RTBM.
2. A request to move \$1,000.00 to Medicare (A00-9020-0800-0000) from Unemployment (A00-9050-0800-0000) to cover Medicare payroll taxes expense.

3. A request to move a total of \$3,693.00 to Social Security (A00-9030-0800-0000) with \$2,433.00 from Auditor Contractual (A00-1320-0400-0000), \$600.00 from Property Insurance (A00-1910-0400-0000) and \$660.00 from Municipal Taxes (A00-1950-0400-0000) to cover Social Security payroll taxes.
4. A request to move \$800.00 to Parks Out of Dept. Personnel (B00-7110-0100-0100) from Parks Contractual (B00-7110-0400-0000) to cover out of department personnel expenses.
5. A request to move \$25,000.00 to Police SRO Wheatfield Personnel (B00-3120-0100-0025) from SRO Revenue (B00-1000-1520-0220) to cover Wheatfield SRO personnel expenses. These expenses are reimbursed in full.
6. A request to move \$740.00 to Police Out of Dept. Personnel (B00-3120-0100-0100) from Vehicle Insurance Contractual (B00-1910-0400-0000) to cover out of department personnel expenses.
7. A request to move \$1,300.00 to Medicare Police (B00-9020-0800-0100) from Police Retirement (B00-9015-0800-0000) to cover Medicare payroll taxes expense.
8. A request to move \$3,000.00 to Social Security Police (B00-9030-0800-0100) from Police Retirement (B00-9015-0800-0000) to cover Social Security payroll taxes expense.
9. A request to move \$1,000.00 to Disability Insurance (B00-9055-0800-0000) from Unemployment Insurance (B00-9050-0800-0000) to cover Disability Insurance expense.
10. A request to move a total of \$50,000.00 to General Repairs Personnel (DB0-5110-0100-0000) with \$1,080.00 from Property Insurance (DB0-1910-0400-0000), \$18,100.00 from Seasonal Help Personnel (DB0-5110-0100-0200), \$25,000.00 from General Repairs Contractual (DB0-5110-0400-0000), \$4,820.00 from Machinery Contractual (DB0-5130-0400-000) and \$1,000 from Unemployment (DB0-9050-0800-0000) to cover personnel expenses.
11. A request to move \$11,632.00 to Machinery Equipment (DB0-5130-0200-0000) from Sales Tax (DB0-1000-1120-0000) to cover the purchase of a Bobcat Compact Track Loader approved at the 8.22.22 RTBM.

**Geiben MOVED the budget revisions, as submitted. Seconded by Morreale and carried 5-0.**

Set Re-organization Mtg / Work Session: **Broderick MOVED to schedule the Re-Organization Mtg. /Jan. Work Session for Monday Jan. 9, 2023 at 6:00 PM. Seconded by Geiben and carried 5-0.**

Assessment Review Board Appointment: The term of Domonic Ballasone expired Sept. 30, 2022. He is a State Certified member of the Board and has been a competent member.

**Broderick MOVED to re-appoint Mr. Ballasone for another term, Oct. 1, 2022 – Sept. 30, 2027. Seconded by Jacoby and carried 5-0.**

Broderick noted that as part of the DEC Grant for Camp Stonehaven the Town has to do a Forest Management Plan. Broderick reached out to a couple accredited forest management companies and hired Corey Figueiredo from Future Forest, Inc. at a cost of \$2,000.00 to do the Plan.

GEIBEN: Nothing to Report

JACOBY:

Library Bd of Trustees Appointment: Jacoby read a letter from MaryJo Farrell, Vice-President, Board of Trustees: At its monthly meeting on Monday, Nov. 7 the Board of Trustees of the Lewiston Public Library voted to name Frederick Caso to fill a vacancy on the board created by the unfortunate resignation of Margaret Salada. Caso would serve the remainder of Salada's term, which expires December 2023. On behalf of the library board, I respectfully request that the Town Board confirm Frederick Caso's appointment as a library trustee.

**Jacoby MOVED to confirm the appointment of Frederick Caso to the Library Board of Trustees with a term to expire 12/2023. Seconded by Morreale and carried 5-0.**

MORREALE:

WPCC: Notice of Retirement: **Morreale MOVED to accept the retirement of David Alexander, with regret, from the Town of Lewiston WPCC. His last day of employment is Jan. 5, 2023. Seconded by Jacoby and carried 5-0.**

Ritter said Dave is a great employee. He did the house sewer inspections for the Town. He had a level of professionalism that is not really seen. It will be a big loss for the Town.

MYERS:

Myers said there will be Caroling at the Sanborn Farm Museum with the First Ladies Quartet on Saturday Dec. 17<sup>th</sup> at 6:30 PM with refreshments.

*PRIVILEGE OF THE FLOOR* – No one spoke

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**Myers MOVED to adjourn. Seconded by Jacoby and carried 5-0.**

Transcribed and  
Respectfully submitted by:

Carole N. Schroeder  
Deputy Town Clerk