

**PRESENT:** Supervisor S. Broderick; Councilmembers W. Geiben (ZOOM), J. Jacoby (ZOOM), Rob Morreale & J. Myers; Dep. Sup W. Conrad; Chief Previte; Finance Director J. Agnello; Bldg. Insp. T. Masters (ZOOM); Atty. A. Bax; Eng. B. Lannon (ZOOM); WPCC Ch. Oper. J. Ritter (ZOOM); Hwy. Supt. D. Trane; Rec. Dir. M. Dashineau (ZOOM); Seniors Coordinator M. Olick (ZOOM); Dep. Bldg. Inspect. E. Zimmerman; Historian M. Maggard; 1 Resident and Dep. Clerk C. Schroeder

The Supervisor called the Work Session to order, followed by the Pledge of Allegiance. He asked for a moment of Silent Reflection asking to keep the family of Renee Hill in their thoughts and prayers. Miss Hill was a victim in a terrible sledding accident.

*AGENDA:* Additions: Geiben: Recreation Greenway Project; Broderick: Lake Ontario Preparedness Group. Legal: 1) Rescind Motion of 1/25/01 – Residency Requirement and 2) Donation of Highway Equipment to Local Cemetery.

**Myers MOVED the agenda, as amended. Seconded by Morreale and carried 5-0.**

**ABSTRACT: Geiben MOVED to approve the Regular Abstract of Claims Numbered 2113 - 2144 (2020) and 17 - 228 (2021) and recommended payment in the amount of \$482,440.88 plus a post audit of \$99,810.79. Seconded by Morreale and carried 5-0.**

**APPROVAL OF MINUTES: Jacoby MOVED to approve the minutes of 01/25/2021 – PH / RTBM. Seconded by Myers and carried 5-0.**

*DEPARTMENT HEAD STATEMENTS:*

Police: Chief Previte said the Police Reform Committee has finalized a survey for the Police Department. It can be found on the Police Department's & Town's Facebook page and Town Website, as well as Lew-Port's & Niagara Wheatfield's website.

Previte said they called for a list from Civil Service for the vacant police position. There will be a physical fitness test for candidates on 3/8. They will get the final list after that.

Highway: Supt. Trane asked for approval to remove and dispose of some telephone poles at the Riverfront Park. There are 5½ of them (one broke in half). They have no value.

**Morreale MOVED to declare 5½ used telephone poles excess with zero value and authorized the Highway Supt. to dispose of them as he sees fit. Seconded by Myers and carried 5-0.**

Trane said he would like to declare a 2003 Chevy Truck (Parks) as excess equipment to be put up for bid on Auctions International and declare 1 2006 Ford Dump Truck (parks) as excess equipment and donate it to Riverdale Cemetery.

**Morreale MOVED to declare a 2003 Chevy Utility Service Truck, VIN# 1GBJC34U03E356986 as excess equipment and authorized the Highway/Parks Dept to place on Auctions International. Seconded by Myers and carried 5-0.**

Regarding the 2006 Ford Dump Truck, Attorney Bax said if it had value, it would be placed on Auctions International to get the best price for it. However, Bax said there is a law that allows the Town to donate equipment, time and money to not-for profit cemeteries. Bax understands the Parks Supt. was approached by Riverdale Cemetery for support. Bax said if a cemetery goes defunct, it becomes a burden to the Town. He said it is mutually beneficial for the Town to provide help where they can i.e., in-kind services or equipment. Under the law, the Town is able to donate to cemeteries as long as they qualify as a public cemetery under the NYS Not-for-Profit Corporation Law. Riverdale Cemetery does qualify as such.

**Myers MOVED to declare a 2006 Ford Dump Truck (Parks), VIN# 1FDWF36536EA65686, as excess equipment. Seconded by Geiben and carried 5-0.**

**Jacoby MOVED to acknowledge Riverdale Cemetery as a cemetery within the scope of the NYS Not-for Profit Corporations Law. Seconded by Geiben and carried 5-0.**

**Morreale MOVED to donate a 2006 Ford Dump Truck, valued at \$3,000, VIN# 1FDWF36536EA65686 to the Riverdale Cemetery. Seconded by Geiben and carried 5-0.**

Buildings: The Building Inspector sent an email of the proposed municipal fee schedule. He asked the Board to review it and get back to him with any comments. He wants to bring this to a vote at the Regular Meeting 2/22.

Engineering:

Lannon gave an update on the Kiwanis Park Basketball Court project. He plans to have draft documents this week. He will get these to the Board and Mike Dashineau for review and comments. His target would be to distribute the draft documents, collect any comments and request authorization to advertise that project at the next meeting.

Next, Lannon presented Change-Order #2 for the 2018 Water-Line Project, Contract 2018-1. This no-cost change-order revises the Contract Completion Date by 35 days to July 14, 2021. The Contractor, Milherst Construction, Inc. took advantage of the nice weather and continued construction activities beyond the suspension of Contract time as established by Change order No. 1, as construction continued an additional 35 days in the period from December 24, 2020 through January 28, 2021.

**Geiben MOVED approval of Change-Order No 2, as presented. Seconded by Myers and carried 5-0.**

Lastly, Lannon reported on the necessity of the adoption of a new local law. In 2010, Chapter 175 of the Town Code was adopted to reflect changes in FEMA Flood Maps. FEMA has updated their maps again. They have changed four of the flood maps. It is necessary for the Town to update its current local law to reflect those changes. The changes have been drafted by GHD. The Town Attorney has reviewed and approved the draft changes. That has been sent to the DEC who also have approved the draft changes. There is a process to adopt a local law. First, is to send out lead-agency coordination letters to begin the SEQR process as part of the local law revision.

**Morreale MOVED to authorize GHD to send out lead-agency coordination letters. Seconded by Myers and carried 5-0.**

WPCC: Ritter, via ZOOM, said the Treatment Plant is continuing with the Main Panel Project.

Broderick referred to a request from Joseph Randazzo for help with his last water bill, dated 2/1/21. During the 2020 Holiday Season, he discovered the valve on his Water Ejection Backup on his sump pump was no longer functioning. The valve stuck in the open position for approx. 3 days, which left an open water line flowing the entire time. This resulted in an unusually high water bill. Mr. Randazzo is asking for consideration in providing some credit to his water bill.

Ritter said this is eligible for a one-time sewer relief. It fits within the Sewer Use Agreement for forgiveness.

**Geiben MOVED to issue a one-time sewer credit in the amount of \$289.39 to Joseph Randazzo, Westwood Circle. Seconded by Myers and carried 5-0.**

Recreation: Dashineau, via ZOOM, said they are starting baseball/softball registrations this week, as well as some other Spring programs they normally set up.

Dashineau said last year they prioritized replacing all 1997/1998 playground units. Pletcher Park has a 1998 unit. Numerous repairs have been done to it and they are getting more

expensive. Purchasing equipment for those repairs is getting harder to come by. Typical playgrounds have a shelf life of 18-25 years. The new playground will have a rubberized surface which will save on maintenance costs. Dashineau said this is going to be one of the nicest playground units for that size in the area. They have put all the bells and whistles on it.

For the record, Broderick said the total project cost is \$550,000.00 and will be presented at the next Greenway Commission meeting for financial assistance.

**Geiben MOVED the following resolution for the Niagara River Greenway for Lewiston Town Park at Pletcher Road Playground Project.**

WHEREAS, the Town Board desires to acquiring the funds to complete Town of Lewiston, Lewiston Town Park Playground Project; and

WHEREAS, the Town Board desires to provide this type of amenity to residents at the lowest possible cost to the Town and Town taxpayers; and

WHEREAS, the Town Board desires to apply for financial assistance from the Niagara River Greenway; and

WHEREAS, the Town Board commits to providing the required local matching funds to insure the timely implantation of the proposed project.

**THEREFORE, BE IT RESOLVED**, that the Town Board authorizes and submits an application for the Niagara River Greenway fund for the Lewiston Town Park at Pletcher Road Playground Project in the amount of \$550,000, and

**BE IT FURTHER RESOLVED**, that the Town Board authorizes the Supervisor to sign all documents and agreements related to the Niagara River Greenway Program application.

**Seconded by Morreale and carried 5-0.**

Jacoby said the new playground unit is going to be a great addition to the community.

Seniors: Coordinator Olick, via ZOOM, said Niagara County Legislator Becky Wydysh, will be at the Senior Center 2/9/21 to talk about the Covid-19 Pandemic and how to access the vaccine. This is just an information presentation and seating is limited.

Olick said AARP is intending to do Tax Preparation. She is taking names and phone numbers and will contact residents when AARP is officially starting to schedule.

Olick said they are moving forward with replacing the doors & windows at the Senior Center.

Finance: The Finance Officer asked for approval of 2020 budget revisions.

1. A request to move \$22,480.00 to Police Personnel Covid-19 (B00-3120-0100-0045) with \$5,000 coming from Police Personnel (B00-3120-0100-0000) and \$17,480 from Police Union Welfare Benefits (B00-9070-0800-0200) to cover Covid-19 coverage at NCCC testing site expenses.
2. A request to move \$5,800.00 to Parks Equipment (B00-7110-0200-0000) from Data Processing (B00-1680-0400-0000) to cover equipment expenses.
3. A request to move \$1,100.00 to Parks Contractual (B00-7110-0400-0000) from Data Processing (B00-1680-0400-0000) to cover contractual expenses.
4. A request to move \$3,720.00 to Union Welfare Benefits (B00-9070-0800-0000) from Hospital & Medical Insurance (B00-9060-0800-0000) to cover benefit expenses.
5. A request to move \$92.00 to Highway Insurance (DB0-1910-0400-0000) from Snow Removal Personnel (DB0-5142-0100-0000) to cover the property insurance on equipment purchased.

6. A request to move \$560.00 to Highway Hospital & Medical Insurance (DB0-9060-0800-0000) from Snow Removal Personnel (DB0-5142-0100-0000) to cover medical insurance expenses.
7. A request to move \$14,351.00 to Highway Union Welfare Benefits Insurance (DB0-9070-0800-0000) from Snow Removal Personnel (DB0-5142-0100-0000) to cover benefit expenses.
8. A requesting to move \$2,000.00 to Treatment & Disposal Contractual (SS1-8130-0400-0000) from Treatment & Disposal Equipment (SS1-8130-0200-0000) to cover contractual expenses

**Geiben MOVED to approve Budget Revisions 1-8, as presented. Seconded by Jacoby and carried 5-0.**

**BRODERICK**

1. Legal: Attorney Bax said the Board, at its last meeting, passed a resolution to modify the Residency Requirement in the Employee Handbook. After the meeting, he had given it some thought. His concern is that a motion was made to amend the handbook without any significant or specific language to point to. He asked the Board to rescind the Motion regarding residency that was made 1/25/21.

**Morreale MOVED to rescind the previous resolution in regards to the residency requirement made 1/25/21. Seconded by Myers.**

Geiben said the correct language for the Handbook has to be done in a timely manner as there a couple of employees who have started to look for a change of residence because of the distinct need of the type of property they want. They have to look outside the Town and we don't want them to get caught between a rock and a hard spot and lose a piece of property they have their eye on.

Broderick did not think that would occur. I think the intention of this Board is to allow those adjoining municipalities. I don't think it will be a problem.

**Motion carried 5-0.**

The Supervisor hoped to have the correct wording in place by May 1, 2021 for the residency requirement.

2. Lake Ontario Preparedness Group: Broderick said this is a work group with Towns and Villages along Lake Ontario in an effort to collaborate on Local Waterfront Revitalization Initiatives and trails.

**Geiben MOVED the resolution, as read by Supervisor Broderick:**

WHEREAS, the Lake Ontario Preparedness group is made up of the neighboring municipalities who share over 36 miles of New York's Niagara River and Lake Ontario shorelines and various environmental, historical and preservation groups; and

WHEREAS, the Niagara River and Lake Ontario shorelines are significant regional assets identified in each communities Local Waterfront Revitalization Plans (LWRP); and

WHEREAS, each member community contains significant multi-use trails which combine to form essential pedestrian and multi-use connections of the Shoreline and Empire State Trail networks; and

WHEREAS, said member communities acknowledge the regional significance of the confluences of these greenways and wish to collaborate to maximize the impact of taxpayer investments in these joint community assets.

**NOW THEREFORE, BE IT RESOLVED**, that the Supervisor of the Town of Lewiston is hereby authorized to formally participate with the Village of Lewiston, Village of Youngstown, Town of Porter, Village of Wilson, Town of Wilson, Town of Newfane, Village of Barker and the Town of Somerset in the work group identified as the Lake Ontario Preparedness group and to work to fulfill its stated vision.

**Seconded by Myers and carried 5-0.**

*GEIBEN* – Agenda item already addressed.

*JACOBY* – Site Plan Review – 4647 L River Rd – Jacoby said this has been tabled until the next meeting.

\ *MORREALE* – Nothing to report

*MYERS* – Nothing to report

*PRIVILEGE OF THE FLOOR* – No statements made

*ANNOUNCEMENTS*

Town Offices closed February 15, in observance of Presidents' Day

Before closing, Broderick introduced NCCC student, Carl Day, who is assisting with streaming of Town Board meetings.

**Morreale MOVED to adjourn. Seconded by Myers and carried 5-0.** Time 6:50 p.m.  
Time: 7:00 p.m.

Transcribed and  
Respectfully submitted by:

Carole N. Schroeder  
Deputy Town Clerk