

## TOWN BOARD REGULAR MEETING July 25, 2022 - 6:00 pm

PRESENT: Supervisor S. Broderick; Councilmembers W. Geiben, J. Jacoby, R. Morreale and J. Myers; Deputy Sup. W. Conrad, Atty. A. Bax; Police Chief Previte; Water Crew Chief J. Dell; Finance Director J. Agnello (ZOOM); Eng. R. Lannon; Senior Center Director M. Olick; WWTP Chief Opt. J. Ritter; Recreation Director C. Cvijetinovic (ZOOM); 3 residents, 2 press and Clerk D. Garfinkel

Supervisor opened the meeting with the Pledge of Allegiance and a moment of Silent Reflection.

### AGENDA APPROVAL

Additions: Jacoby – Set 2 Public Hearings - Planning Board; Bax – Executive Session – Attorney Consultation – On going litigation, N.U. Pilot, Host Community Agreement – Kilmer Solar

**Geiben MOVED to approve the Agenda as amended, Seconded by Morreale and Carried 5 – 0.**

### BICENTENNIAL COMMITTEE APPRECIATION

Broderick said the spectacular Bicentennial weekend held the 4<sup>th</sup> of July weekend was a huge success. Broderick invited the Bicentennial Committee to the meeting to honor and thank them.

The Committee was formed in 2018. It was four-years of planning, fundraising, selling merchandise and organizing the event. The Committee received donations of over \$46,000 to be used for fireworks, bands and everything involved with the weekend.

Supervisor distributed Certificates of Appreciation to members in attendance. Leandra Collesano, Donna Garfinkel, Marjorie Maggard, Claudia Marasco, Ken Slaughenhoupt, Esther Slaughenhoupt, Pete Coppins, Glenn Wienke, Bill Geiben, John Jacoby and Rob Morreale.

Leandra Collesano thanked the Board for all their help and their time that weekend.

### DRESHER & MALECKI – TOWN AUDIT PRESENTATION

Megan Wnek, Manager and Nick Pitronic, Senior of the Audit from Dresher & Malecki here to present the Town Audit. Dresher came out in January to perform the preliminary audit procedures. Then in May to perform substantial testing.

Wnek said the Town is responsible to maintain its financial records. Town management takes ultimately responsibility for the Town Financial Statements.

The Auditors are not here to look for fraud, the audit procedures are designed to obtain insurance and confidence over the Town's financial statements. If fraud is detected, it would be communicated to the Town Board. Wnek is happy to say no fraud was found.

TOWN BOARD REGULAR MEETING July 25, 2022 - 6:00 pm

Financial Statement Update

Operations Trend – General Fund

In 2020, revenues were above expenditures. They are consistent with prior years coming in at about \$2.9 million. Slight increase in the expenditure. Of the approximate General Fund Fund Balances \$2.5 million, approximately \$929,000 is available/unassigned, or 34% of the upcoming years budget.

Operations Trend – General – Town Outside Village Fund

Revenues and expenses increased. Revenue is at \$4 million, expenses at \$3.8 million. These increases are directly related to the Town's ARPA.

Operations Trend – Highway Fund

Revenues increased to \$3.5 million. There was an increase in expenditures to \$3.2 million. In 2020 the Town held off on some of its projects due to the uncertainty of the pandemic. Fund Balance increased approximately to \$337,000.

Operations Trend – Water District Fund

Operations of the fund were relatively consistent to the prior year. Revenue came in at \$2.9 million with expenditures in at \$2.5 million. Fund Balance Trend over the last 5-years, has the Town currently at \$1.5 million.

Operations Trend – Sewer District Fund

There is a slight increase in both revenues and expenditures.

New York State Comptroller's Auditors looks for cyber security. The Town has made huge improvements with this. Dresher would like to see a formal document outlining a recovery plan.

RESIDENTS STATEMENTS

Clerk Garfinkel received a letter from Rose Mary Warren thanking Town crews for the nice job done on the bathroom building at the Town Park in Sanborn.

DEPARTMENT HEAD STATEMENTS

Chief Previte – The PT test for hiring for Civil Service will be August 3<sup>rd</sup>. Previte hopes to interview and present two names for hire at the August 22<sup>nd</sup> meeting.

Chief Operator Ritter – The WPCC received its annual DEC inspection. The plant is in substantial compliance.

TOWN BOARD REGULAR MEETING July 25, 2022 - 6:00 pm

Recreation Director C. Cvijetinovic – Summer camp is being run with approximately 60 – 65 attending a day at Kiwanis and 30 – 35 attending a day at Sanborn Park.

Baseball season is over. All participants received metals / trophies. Each division had its own pizza celebration at their last game.

Favorite's Pizza was very kind to donate over 55 trays of pizza, and Tops donated approximately 15 cases of water. Board members thanked Favorite's Pizza and Tops for their generous donations.

Fall and Winter programs will be run at the Lewiston Senior Center.

APPROVAL OF MEETING MINUTES

**Geiben MOVED to approve Town Board meeting minutes of June 27, 2022, Seconded by Jacoby and Carried 5 – 0.**

AUDIT PAYMENT

**Myers MOVED to approve the Regular Abstract of claims numbered 21-03712 and 22-01761 thru 22-01870 and recommend payment in the amount of \$414,724.82, plus a Post-Audit of \$702.65, Seconded by Jacoby and Carried 5 – 0.**

**Myers MOVED to approve the Regular Abstract of claims numbered 22-01871 thru 22-02057 and recommend payment in the amount of \$741,889.86 plus a Post-Audit of \$66,645.06, Seconded by Geiben and Carried 5 – 0.**

PENDING / OLD BUSINESS - None

NEW BUSINESS - None

SUPERVISOR BRODERICK

Niagara Parkway Trail Contract - Cooperative Trail Management Agreement – Niagara Parkway Trail, Niagara Scenic Parkway.

Bax reviewed the Agreement. This will give the Town the authorization to maintain the trail that was constructed many years ago and is used by many residents. It will require the Town to consult, in a cooperative way, with the State on any improvements to be made. This allows the Town to be on State property to perform the work.

**Geiben MOVED to approve the Niagara Parkway Trail Contract - Cooperative Trail Management Agreement – Niagara Parkway Trail, Niagara Scenic Parkway, between the Town of Lewiston and the NYS OPRHP, Seconded by Jacoby and Carried 5 – 0.** (Contract #0002C)

TOWN BOARD REGULAR MEETING July 25, 2022 - 6:00 pm

**Geiben MOVED to authorize the Supervisor to sign the Niagara Parkway Trail Contract - Cooperative Trail Management Agreement – Niagara Parkway Trail, Niagara Scenic Parkway, between the Town of Lewiston and the NYS OPRHP, Seconded by Morreale and Carried 5 – 0.** (Contract #0002C)

Court Offices Grant bid award will be pulled for tonight. One of the bids was not specific enough.

Fire Bureau Office – Chairman Myers is requesting approval of the bid received. Broderick said in regards to the Procurement Policy, the bid amount is under to allow the Dept. Head to make the decision. Broderick suggested the Board approve it.

**Broderick MOVED to accept the painting bid from Scott Hefferon in the amount of \$975, and the carpet bid from Mooradian Carpet Co. in the amount \$2,500, Seconded by Morreale and Carried 5 – 0.**

Legal / Engineering - Nothing to report

COUNCILMAN GEIBEN – Nothing to report

COUNCILMAN JACOBY

DG New York CSIII, LLC – Niagara Solar – Ridge Road – Request 6-month Building Permit extension

**Jacoby MOVED to approve a six-month Permit Extension request for Building Permit and Construction Completion for Niagara Solar – 2645 Ridge Road, Seconded by Geiben and Carried 5 – 0.**

Public Hearing – Wilco Auto Care, LLC – Ward Road – Site Plan / Special Use Permit

**Jacoby MOVED to schedule a Public Hearing for Wilco Auto Care, LLC – Ward Road – Site Plan / Special Use Permit for August 22, 2022 at 6:00 pm, Seconded by Myers and Carried 5 – 0.**

Public Hearing – LMK Realty Assoc. – Northridge Drive – Revised Detailed Site Plan

**Jacoby MOVED to schedule a Public Hearing for LMK Realty Assoc. – Northridge Drive – Revised Detailed Site Plan for August 22, 2022 at 6:00 pm, Seconded by Geiben and Carried 5 – 0.**

Finance - Budget Revisions

Transfer \$7,800.00 from A Fund Contingency - A00-1990-0400-0000 to Building Equipment - A00-1620-0200-0000, to cover paving and stripe of Town Hall parking lot.

TOWN BOARD REGULAR MEETING July 25, 2022 - 6:00 pm

Transfer \$2,600.00 from A Fund Contingency - A00-1990-0400-0000 to Senior Center Equipment - A00-7630-0200-0000 to cover stripe of Senior Center parking lot.

Transfer \$3,050.00 from A Fund Other Funds - A00-1000-5031-1189, with \$50.00 to Assessor Gasoline - A00-1355-0400-3510 and \$3,000.00 to Senior Center Gasoline - A00-7630-0400-3510, to cover current and future gasoline/diesel purchases.

Transfer \$24,600 from B Fund Other Funds - B00-1000-5031-1189, with \$20,000.00 to Police Gasoline - B00-3120-0400-3510, \$600.00 to Safety Gasoline - B00-3620-0400-3510 and \$4,000.00 to Parks Gasoline - B00-7110-0400-3510, to cover current and future gasoline/diesel purchases.

Transfer \$70,000.00 from Other Funds - DB0-1000-5031-1189 to Highway Gasoline/Diesel - DB0-5110-0400-3510, to cover current and future gasoline/diesel purchases.

Transfer \$2,700.00 from SS2 Fund Other Funds - SS2-1000-5031-1189 to Sanitary Sewer Gasoline/Diesel - SS2-8120-0400-3510, to cover current and future gasoline/diesel purchases.

Transfer \$5,700.00 from SW1 Fund Other Funds - SW1-1000-5031-1189 to Transmission & Distribution Gasoline/Diesel - SW1-8340-0400-3510, to cover current and future gasoline/diesel purchases.

**Geiben MOVED to approve the forementioned budget transfers, Seconded by Morreale and Carried 5 – 0.**

Looking back at the approval of the Niagara Parkway Trail Contract - Cooperative Trail Management Agreement, there is approximately \$100,000 required repairs to the path.

Broderick requests to transfer \$50,000 from A Fund, for Recreation and \$50,000 from B Fund, for Parks to resurface the path, fill in low areas and park benches.

Agnello needs to create a Capital Fund for this.

**Geiben MOVED to transfer \$50,000 from A Fund and \$50,000 from B Fund, into the Capital Account to be created by Agnello for the repairs, Seconded by Jacoby and Carried 5 – 0.**

Traffic Study – Ridge Rd & Dickersonville Rd

Broderick spoke of the several accidents taking place at this intersection. The County and the Town of Porter have asked the State to perform a traffic study. Broderick wants to solicit the State.

**Broderick MOVED a Resolution for a Traffic Study to be conducted by New York State Dept. of Transportation at the intersection of Ridge Road and Dickersonville Road,**

TOWN BOARD REGULAR MEETING July 25, 2022 - 6:00 pm

**Seconded by Geiben and Carried 5 – 0.** Clerk Garfinkel asked if the Board wants to petition Niagara County. Board said yes.

COUNCILMAN MORREALE

Sewer forgiveness – Scalzo – Buffalo Street

**Morreale MOVED to forgive sewer charges of \$28.73 for Scalzo – 5792 Buffalo Street, Seconded by Jacoby and Carried 5 – 0.**

Sewer forgiveness – Trapasso – Elm Drive

**Morreale MOVED to forgive sewer charges of \$122.70 for Trapasso – 5366 Elm Drive, Seconded by Geiben and Carried 5 – 0.**

Retirement Building Dept. - Building Dept. Clerk Sandra VanUden submitted retirement letter.

**Morreale MOVED to accept, with regret, Sandra VanUden’s retirement, Seconded by Geiben and Carried 5 – 0.**

All Board members said she will be sorely missed.

**Broderick MOVED to fill the position, allowing Building Inspector to start the process, Seconded by Morreale and Carried 5 – 0.**

COUNCILMAN MYERS

Myers thanked the Sanborn Farm Museum for the great Farm Festival this past weekend.

RESIDENTS STATEMENTS - None

**Broderick MOVED to enter into Executive Session, Seconded by Jacoby and Carried 5 – 0.**  
(6:39 pm)

PRESENT: Supervisor S. Broderick; Councilmembers W. Geiben, J. Jacoby, R. Morreale and J. Myers; Deputy Sup. W. Conrad, Atty. A. Bax

Ongoing litigation, N.U. Pilot, Host Community Agreement – Kilmer Solar - No action taken.

**Morreale MOVED to adjourn, Seconded by Myers and Carried 5 – 0.** (7:15 pm)

Transcribed and respectfully submitted by:

Donna R. Garfinkel, Town Clerk