

PRESENT: Supervisor S. Broderick; Councilmembers J. Jacoby & J. Myers; Atty. B. Seaman; 1 Press; and Clerk D. Garfinkel

EXCUSED: Councilmembers A. Bax, W. Geiben; Dep. Sup. W. Conrad; Police Chief F. Previte; Bldg. Insp. T. Masters; Finance Director J. Agnello; Eng. B. Lannon; WPCC Ch. Op. J. Ritter; Water Foreman D. Zahno; Highway Supt. Trane

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

AGENDA APPROVAL

Jacoby MOVED to approve the agenda, Seconded by Myers and Carried 3 – 0.

RESIDENTS STATEMENTS - No one in attendance

DEPARTMENT HEAD STATEMENTS

Recreation Director Dashineau submitted a letter updating the Board on the Parks Dept.

As with most of the Country all recreation programs are currently paused. All teams have been advised to discontinue practices and workouts. The deadlines for registration for the baseball season have been pushed back.

Parks Dept. employees are performing maintenance tasks as normal. Hiring of seasonal positions is being addressed on-line.

Dashineau implemented a 50% workforce rotation. The Dept. is running low on cleaning supplies for cleaning the parks. Broderick spoke with Dashineau and was advised to close all recreational playground equipment, not the playground itself, just the equipment. There is no way to stay up with the cleaning. It will be roped off to stop the use of the equipment.

Jacoby asked if this could be put in the Sentinel.

30 Day Notice – Liquor – Como Restaurant, Inc. – Town Board noted receipt of the Como Deli on Center 30-day Notice.

APPROVAL OF MEETING MINUTES Town Board Work Session – 3/9/2020

Myers MOVED to approve the Town Board Work Session – 3/9/2020 minutes, Seconded by Jacoby and Carried 3 – 0.

AUDIT PAYMENT

Myers MOVED to approve the Regular Abstract of Claims number 3938 (2019) and numbered 550 – 674 (2020) and recommend payment in the amount of \$449,754.17, plus a Post Audit of \$11,954.67, Seconded by Jacoby and Carried 3 – 0.

OLD BUSINESS

2018 Water System Improvement Project - Seaman updated Board. The Town went out to bid; the bids came back substantially higher than the estimates. Lannon, Broderick, Agnello and Seaman meet and revised the plan.

GHD filed an amended Map, Plan and Report dated March 16, 2020. The estimate has been revised to the maximum cost. The new Report indicates a maximum amount of \$14 million, with a plan on how the money will be raised. The same \$10,200,000 that was to be raised through a bond, and then paid through an adborum tax, will be the same. The additional money will be found by 1) spending money in the H-97 account, and 2) taking out short-term financing i.e. a bond anticipation note. The note would be paid within 3 to 5 years using incoming H-97 NYPA community funds.

Because this was a Special District Establishment proceeding, certain steps need to be taken to implement this.

First – Board needs to call for a Public Hearing. An Order calling for a Public Hearing was forwarded to the Board and the Clerk. This outlines the dollars and the process. The Board needs to adopt the order holding the Public Hearing on April 13, 2020.

Jacoby MOVED the following for discussion, Seconded by Myers

WHEREAS, the capital improvements hereinafter described have been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has heretofore determined will not result in any significant adverse environmental impact, which determination remains in effect in connection herewith; and

WHEREAS, the improvements to be made as heretofore provided are the establishment of the Town of Lewiston Water District, and construction of improvements therein, consisting of the construction and installation of approximately 43,800 linear feet of new waterline to replace existing deteriorated piping that will be abandoned in place, including interconnections, hydrants, valves, watermains, borings, road crossings, stream crossings, a railroad crossing and other ancillary or related work in connection therewith, which remain the improvements proposed for said Town of Lewiston Water District; and

WHEREAS, after all necessary proceedings were duly had and taken in accordance with the provisions of the Town Law, the Town Board of the Town of Lewiston, Niagara County, New York, has heretofore duly established the Town of Lewiston Water District (the “Water District”) at a maximum estimated cost of \$10,200,000; and

WHEREAS, it now appears that such maximum estimated cost for the establishment and improvement thereof must be increased by an additional \$3,800,000 to a new maximum estimated cost of \$14,000,000 pursuant to Section 209-h of the Town Law; and

WHEREAS, the estimated cost of hook-up fees to the typical property in the Water District remains \$-0- and the estimated cost of the Water District to the typical property therein, being a one or two family home, has heretofore been described to be \$285.00 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid and it is now anticipated that such estimated cost shall remain \$285.00; and

WHEREAS, a detailed explanation of the manner by which said costs for the typical property were computed, the amendments to the plan and report for the cost of the improvements for the establishment of the Water District, as well as all materials completed in compliance with the State Environmental Quality Review Act, have been filed in the office of the Town Clerk where the same are available for inspection during regular office hours; and

WHEREAS, the method of financing the cost of said improvements shall be by the issuance of serial bonds of said Town maturing in annual installments over a period not exceeding forty (40) years, such bonds to be payable from assessments levied upon and collected from the several lots and parcels of land deemed benefitted by said improvements, in the manner provided by law, and in an amount sufficient to pay the principal of and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due; and

WHEREAS, the properties within the boundaries of said Water District remains unchanged and are within the boundary description as follows:

ALL THAT TRACT OR PARCEL OF LAND known as the Town of Lewiston, County of Niagara, State of New York, being all of Lots 10 through 29 of the New York State Reservation, plus Lot 1, Lots 4 through 8, Lots 11 through 15, lots 18 through 45 plus part of Lots 16 and 17 in Township 14, Range 9, plus Lots 33 through 49, Lots 53 through 57, Lots 62 through 64 in Township 14, Range 8 of the Holland Land Company's Survey and more particularly described as follows:

BEGINNING at the intersection of the northerly line of the Town of Wheatfield with the westerly line of the Town of Cambria; thence westerly along the northerly line of the Town of Wheatfield and the Town of Niagara and the City of Niagara Falls to a point located at the easterly edge of the Niagara River; thence northerly along the easterly edge of the Niagara River as it winds and bends to a point located in the southerly line of the Village of Lewiston; thence easterly, northerly and

westerly along the southerly, easterly and northerly lines of the Village of Lewiston to a point located on the easterly edge of the Niagara River; thence northerly along the easterly edge of the Niagara River as it winds and bends to appoint located the southerly line of the Town of Porter; thence easterly along the southerly lines of the Town of Porter and the Town of Wilson to appoint located on the westerly line of the Town of Cambria; thence southerly along the westerly line of the Town of Cambria to the place or point of beginning. Excepting the area known as the Tuscarora Indian Reservation, and

WHEREAS, it is now desired to call a public hearing upon the question of the aforesaid proposed increase in cost for the establishment and improvement of said Water District;

NOW, THEREFORE, BE IT ORDERED, by the Town Board of the Town of Lewiston, Niagara County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Lewiston, Niagara County, New York, shall be held at the Town Hall, 1375 Ridge Road, in Lewiston, New York, in said Town, on the 13th day of April, 2020, at 6:00 o'clock P.M., Prevailing Time, to consider the question of determining whether the increase in maximum estimated cost described in the preambles hereof is in the public interest, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of said Town Board in relation thereto as may be required by law or as may be proper in the premises.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this Order, or summary thereof, to be published once in the official newspaper of said Town, and a copy thereof to be posted on the signboard of said Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, both publication and posting to be made not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing as aforesaid.

Section 3. This Order shall take effect immediately.

Jacoby is concerned about holding a Public Hearing with the Coronavirus 19 restrictions in place. Seaman said the Board has options. The Board can hold the Public Hearing open to the public like normal. Another option would be, the State created a special "rule", giving the option of a teleconference of sorts. The Town would put out a notice that the Public Hearing will be held by a "Conference Call".

Roll Call: Councilman J. Jacoby – Yea
Councilman J. Myers – Yea
Supervisor S. Broderick – Yea

Motion Carried 3 – 0.

PENDING - None

NEW BUSINESS - Residents / Public Correspondence - None

SUPERVISOR BRODERICK

Liaison Report

Lewiston Fire Co. No. 2 addition to roster.

Jacoby MOVED to approve the addition of Hermanson, Lillie – Buffalo Street and Dodge, Sarah – Saunders Settlement Road, to the Lewiston Fire Co. No. 2 roster, Seconded by Myers and Carried 3 – 0.

5K Peach Festival Run Approval

Kiwanis Club of Lewiston will sponsor the Run on September 12, 2020 beginning at 9:00 am. Broderick requested to sign permission to allow the run.

Myers MOVED to authorize the Supervisor to sign the permission sheet for the 5K Peach Festival Run, Seconded by Jacoby and Carried 3 – 0.

Finance - Budget Revisions

Agnello requests a transfer of \$188 from Highway Unemployment Insurance - DB0-9050-0800-0000, to Highway Hospital & Medical Insurance - DB0-9060-0800-0000 to cover health insurance expenses.

Jacoby MOVED to transfer \$188 from Highway Unemployment Insurance - DB0-9050-0800-0000, to Highway Hospital & Medical Insurance - DB0-9060-0800-0000, Seconded by Myers and Carried 3 – 0.

GASB 74/75 Contract Renewal

The Town's current two-year contract with USI is up for renewal. USI is utilized for the Town's GASB 74/75 actuarial valuation services. USI is well versed in Lewiston's employee post employment health & welfare benefits and we have been extremely satisfied with their service. Agnello requests the contract be renewed. This is a service contract so it is not subject to the procurement policy. The rate increased by \$405.

Myers MOVED to approve the two-year contract with USI for the Town's GASB 74/75 actuarial valuation service, Seconded by Jacoby and Carried 3 – 0.

COUNCILMAN BAX – Excused

National Grid Easement – Police/Recreation Bldg. This is an easement to allow National Grid to install an electrical facility for the Police / Recreation building located behind the Highway garage.

Jacoby MOVED to authorize the Supervisor to sign the easement to Niagara Mohawk Power Corporation (National Grid), Seconded by Myers and Carried 3 – 0.

COUNCILMAN GEIBEN Excused

COUNCILMAN JACOBY

Attended the Library Board of Trustees meeting. Nothing to report.

COUNCILMAN MYERS

The Sanborn Business Group canceled their last meeting.

Broderick said all Board, Commission, and Committee meetings have been canceled for the month of April.

Jacoby MOVED to adjourn, Seconded by Myers and Carried 3 – 0. (6:22 pm)

Transcribed and respectfully submitted by:

Donna R. Garfinkel, Town Clerk