

**PRESENT:** Dep. Supervisor W. Conrad; Councilmembers J. Jacoby; R. Morreale & J. Myers; Atty. A. Bax; Eng. R. Lannon; Captain M. Salada; Bldg. Insp. T. Masters; Fin. Dir. J. Agnello; Water Crew Ch. J. Dell; Clerk D. Garfinkel and 20 residents

**ZOOM ATTENDEES:** Sup. S. Broderick; Councilman W. Geiben; WPCO Ch. Op. J. Ritter, Sr. Coordinator M. Olick; Dep. Bldg. Insp. E. Zimmerman and 1 Press

The Dep. Supervisor called the meeting to order, followed by the Pledge of Allegiance and a moment of silent reflection.

*AGENDA:* Myers said the Sanborn Park Bathroom would be discussed under his agenda, not Geiben's.

**Geiben MOVED the agenda, as amended. Seconded by Morreale and carried 4-0.**

*RESIDENT STATEMENTS:*

Andrew Davis, Townline Road, Sanborn addressed the Town Board regarding a recent event whereby a neighbor purchased an old farm and wants to open up a haunted house and hayride business. Davis has lived at his residence for 43+ years. It is zoned residential. If this thing goes thru, neighbors will be subjected to massive traffic jams and excessive noise. People will be coming from all over. They are advertising "15 acres of terror", which means they are going to build a haunted city. They are going to have to have generators to light up special effects. I just want to state that this is not good for a residential area. We moved here to get away from the city. This is going to be like a zoo.

His wife, Hannah, handed out a pamphlet of the proposed haunted house and hayride project which was placed on mailboxes of surrounding properties. Mrs. Davis said her father, William Draper, 94, has lived at his residence for over 50 years. His land is adjacent to this property. There are no barriers between her father's property and the proposed haunted house. Her parent's porch is right where they intend to build a massive parking lot. They are advertising for topsoil and millings to be dumped there. They are advertising for bounce houses and food trucks. I don't understand how they can think of doing this in a residential area. How do I stop this?

Jacoby received a phone call regarding this. They are officially unable to make decisions unless it comes before them for a vote; however, they are taking at it very critically.

*DEPARTMENT HEAD STATEMENTS:*

Town Clerk: The Clerk requested a post-audit payment of \$2,000 payable to Pitney Bowes to set up an account to ensure postage in the new postage machine to be installed on April 17, 2022.

**Jacoby MOVED for approval. Seconded by Myers and carried 5-0.**

Police: Capt. Salada gave an update on the Active Shooter Drill at Niagara-Wheatfield School District. The Sheriff's office, Border Patrol, State Police and local fire departments assisted. They were able to train at two of the schools in the district with positive feedback.

Building: Bldg. Insp. Masters said the roof replacement at the Outfall building is underway. During repair, there was some mis-communication with the general contractor and the asbestos abatement contractor. Because of that, instead of replacing ten window sashes, they cut all the windows out of the building. They can get parts to fix all but three of the windows. Three windows would have to be replaced completely.

When this project originally went forward, Masters said the Town discussed doing the windows as a separate project. Because of how much it was going to cost, we pulled back on the windows and did the roof and doors instead. Now, because of this mistake by the asbestos contractor, it is forcing our hand to either fix the windows, which they will do at no cost to the Town, or have all brand-new windows installed? We can do that with high-performance glass – all brand-new operational windows for a total cost of \$56,000.00. This would be for 12 windows and would require a change-order to the original contract. If we wanted black to match the roof, gutter and downspouts to make the building look better from the river and new pavilion, it would be an additional \$8,000.00. Masters said his recommendation would be to replace the windows in black for a total change-order of \$64,000.00. This would give them a lot of options for future use of the building.

**Broderick MOVED to replace the windows with high-energy efficient windows at a cost not to exceed \$65,000.00. Seconded by Jacoby and carried 5-0.**

The Finance Director said the windows could be funded thru the H-98 account.

**Jacoby MOVED to authorize the Supervisor to sign the change-order. Seconded by Morreale and carried 5-0.**

The Supervisor asked the Building Inspector to speak with regard to the proposed project on Townline Road, as addressed in the resident comments. Masters said they have been actively watching that property, even before they knew about the "Nightmare" scenario. A new person moved in and his truck was parked sideways and debris was all over the property. The building department sent a violation for running a business on residential property, as well as for advertising of this prospective commercial enterprise. Masters does not know how it's going to end. It might end amicably or might end up in court. It is not an allowed use.

Water: Jeff Dell said the Water Department has a used 1990 Ford Dump Truck that they would like placed on Auctions International.

**Jacoby MOVED to declare a 1990 Ford Dump Truck as excess equipment. Seconded by Myers and carried 5-0.**

**Jacoby MOVED to post the 1990 Ford Dump Truck on Auctions International. Seconded by Morreale and carried 5-0.**

Seniors: The Coordinator asked approval to hire David D'Avolio as Seasonal Laborer at the Senior Center at 15.00/hr.

**Geiben MOVED for approval, as presented. Seconded by Morreale and carried 5-0.**

*APPROVAL OF MINUTES:*

**Morreale MOVED to approve the minutes of 3/14/22, Work Session. Seconded by Jacoby and carried 5-0.**

**ABSTRACT: Myers MOVED to approve the Regular Abstract of Claims Numbered 21-03704 thru 21-03708 (2021) and 22-00598 thru 22-00753 (2022) and recommended payment in the amount of \$858,526.96 plus a post-audit of \$10,367.26. Seconded by Jacoby and carried 5-0.**

**BRODERICK**

1. Liaison: Zoning Board Appointments

**Broderick MOVED the appointments of Damon DeCastro Jr. and Dave Warnick as Alternates to the Zoning Board of Appeals, with terms to expire 12/2026. Seconded by Morreale and carried 5-0.**

2) Legal: Stonehaven Contract

Atty. Bax advised the Board that the purchase offer the Town put forth for Stonehaven Boy Scout Camp, 4670 Simmons/Albright Roads has come to terms for a total of \$665,000.00, plus one Coyote Tractor that is used to maintain the property. A fully signed contract was forwarded to the Town. As soon as it is approved by the Board, the realtor will stop all showings from this point forward. It would then go into the Attorney's hands for the closing.

Bax said the Town is eligible for a grant to help fund the purchase. They have extended the closing date until the middle of July so that the Town could take advantage of whatever monies are available in all its various sources. Bax said the contract is here for the Board's approval. If approved today, there would be no further showings. Barring any major issues, it would become a Town park.

**Jacoby MOVED to approve the contract, as executed, for the purchase of Stonehaven Boy Scout Park. Seconded by Morreale.**

The Clerk was directed to pull the Board: Geiben – Aye; Jacoby – Aye; Morreale – Aye; Myers – Aye; and Broderick – Aye. **Motion carried 5-0.**

3) Engineering: Riverfront Park Pavilion

Eng. Lannon said bids were open in the office of the Town Clerk on 3/24 for the Riverfront Park Pavilion Construction Project. Two bids were received: A-1 Landcare, Inc. - \$469,000.00 and Mark Cerrone, Inc. - \$484,000.00.

Lannon recommended awarding the bid to A-1 Landcare, Inc. in the amount of \$469,000.00.

**Morreale MOVED for approval. Seconded by Jacoby and carried 5-0.**

**Morreale MOVED to authorize the Supervisor to sign contract with A-1 Landcare, Inc. Seconded by Myers and carried 5-0.**

4) Finance

The Finance Director asked approval to process 2021 & 2022 Budget revision.

- a) A request to move \$920.00 to Recreation Ice Rink Contractual (A00-7310-0403-4403) from Recreation Contractual (A00-7310-0400-0000) to cover Ice Rink Contractual expenses.
- b) A request to move \$200.00 to Police Contractual (B00-3120-0400-0000) from Police Personnel (B00-3120-0100-0000) to cover Police Contractual expenses.
- c) A request to increase Transfer to Other Funds (B00-9901-0900-0000) and Feder Aid (B00-100004089-0000) by \$674,819 to recognize the unbudgeted ARPA Federal funds received which are assisting in the funding of the Waterline Capital Project.
- d) A requesting to move \$3,500.00 to Parks Out of Dept. Ice Rink Personnel (A00-7110-0100-4403) from Recreation Seasonal Help Personnel (A00-7310-0100-0000) to cover Ice Rink Personnel for removal of the Ice Rink.

e) A request to move \$1,957.00 to Recreation Equipment (A00-7310-0200-0000) from Recreation Seasonal Help Personnel (A00-7310-0100-0000) to cover the purchase of a new desk.

f) A request to move \$2.00 to South Sewer Admin. Contractual (SS3-8110-0400-0000) from South Sewer Sanitation Contractual (SS3-8120-0400-0000) to cover postage expenses.

**Jacoby MOVED to approve, as presented. Seconded by Morreale and carried 5-0.**

2. USI GASB 74/75

Agnello said the two-year service contract with USI is up for renewal. USI is utilized for GASB 74/75 actuarial valuation services. They are well versed in employee postemployment health & welfare benefits. Rates have increased by \$300 (\$5,800) since the last contract in 2020 (\$5,500).

**Jacoby moved to authorize the Supervisor to sign the contract with USI Consulting Group. Seconded by Morreale and carried 5-0.**

Regarding the Stonehaven Contract, Broderick said the Town is required to put down a \$300,000.00 deposit. After consultation with the Finance Director, it was determined to fund this from the A-Fund and B-Fund.

**Morreale MOVED to allocate \$150,000.00 from the A-Fund (Recreation) and \$150,000.00 from the B-Fund (Parks) as deposit on the Stonehaven Contract. Seconded by Jacoby and carried 5-0.**

**Jacoby MOVED to authorize GHD to provide a cost estimate and Scope of Work for Stonehaven Park. Seconded by Myers and carried 5-0.**

GEIBEN: Nothing to report.

JACOBY: Nothing to report.

MORREALE:

1. Saturnpower / Kilmer Solar: Morreale referred to a request from Saturnpower for a 6-month extension of the project's Site Plan Approval, Special Use Permit and Negative Declaration Status regarding the Kilmer Solar Project, located at 4616 Townline Road.

**Morreale MOVED for approval of the 6-month extension, Seconded by Jacoby and carried 5-0.**

2. Niagara University – Solar SEQRA:

**Morreale MOVED that based on the information set forth in the EAF, and for reasons set forth in parts 2 and 3, to issue a negative declaration under SEQRA for Niagara University/Montante Solar, 5759 Lewiston Road. Seconded by Myers and carried 5-0.**

**Morreale MOVED that the Town Board declare itself lead agency for the purposes of SEQRA review of the Project. Seconded by Jacoby and carried 5-0.**

MYERS:

Sanborn Park – Bathroom Plumbing Quotes: Myers said the Dep. Bldg. Insp. obtained quotes for the Sanborn Town Park Bathrooms. Two quotes were received: H.W. Bryk & Sons - \$12,643.00 and JR Swanson – 23,735.00.

**Myers MOVED to approve a contract with H.W. Bryk & Sons in the amount of \$12,643.00 to refurbish the Sanborn Park Bathrooms. Seconded by Morreale and carried 5-0.**

**Jacoby MOVED to authorize the Supervisor to sign said agreement. Seconded by Myers and carried 5-0.**

The Finance Director said costs for the Sanborn Park Bathrooms would be allocated from the H-61 Account.

*PRIVILEGE OF THE FLOOR:* No one spoke.

**Morreale MOVED to adjourn. Seconded by Jacoby and carried 5-0.** Time: 6:41 p.m.

Respectfully submitted by:

Transcribed by:

Donna R. Garfinkel  
Town Clerk

Carole N. Schroeder  
Deputy Town Clerk