

**PRESENT:** Supervisor Broderick; Councilmembers Geiben, Jacoby and Morreale; Finance Director Agnello; Attorney T. Seaman; Engineer Lannon; Building Inspector Masters, WWTP Chief Opt. Ritter; Water Foreman Zahno; Police Chief Previte; Town Historian M. Maggard; 1 Press; 19 Residents and Clerk Donna Garfinkel

**ABSENT:** Councilman Bax and Deputy Supervisor Conrad

Supervisor opened the meeting with the Pledge to the Flag followed by a moment of silent reflection.

#### AGENDA APPROVAL

Agenda Additions: Geiben - report on Senior Center

**Geiben MOVED approval of Agenda as amended, Seconded by Jacoby and Carried 4 – 0.**

RESIDENTS STATEMENTS – No resident wished to speak

#### DEPARTMENT HEAD STATEMENTS

Maggard is working with a Boy Scout on his Eagle Badge. He is looking into labeling all outfall/catch basins throughout the Town. Masters said labels are placed on the grill to make people aware of what they are dump in the catch basin, will go to the river.

#### APPROVAL OF MEETING MINUTES

**Geiben MOVED to approve Town Board Work Session minutes of May 13, 2019, Seconded by Morreale and Carried 4 – 0.**

#### AUDIT PAYMENT

**Geiben MOVED to approve the Regular Abstract of Claims numbered 1269 to 1436 and recommend payment in the amount of \$408,826.00 plus a Post Audit of \$49,503.86, Seconded by Morreale and Carried 4 – 0.**

#### OLD BUSINESS

Senior Advisory Board – This was discussed at last month’s meeting. Geiben said the Board has not met in approximately two-years and it doesn’t seem to have a function now that there is a full-time Director.

#### **Geiben MOVED:**

**WHEREAS**, it appears that the Town of Lewiston Senior Advisory Board was created by Board motion or resolution in 1978 merely as an ad-hoc Advisory Board with no governmental powers; and

**WHEREAS**, the Senior Advisory Board has not met in over two years and maintains no known bank account or funds, nor does it have any fiscal, personnel, or political responsibilities; now therefore be it

**RESOLVED**, that the Senior Advisory Board is hereby dissolved as it has outlived the purposes and functions for which it was likely originally established.

**Seconded by Jacoby and Carried 4 – 0.**

Geiben encourages Board members that while perusing the Town Code Book, there are about two or three other Boards/Commission/Committees that have not met and don’t seem to have any contemporary purpose and should be dissolved.

Riverfront Park – Lannon distributed the May 30, 2019 Riverfront Park Site Characterization Report, to the Board for review. The Town Clerk received it by e-mail for Town Website. This

can be discussed in further detail on June 24<sup>th</sup>. Lannon requests the Town send a copy to Stan Radon, DEC, like the earlier original report, for his records.

Broderick moved to Bax's Liaison Report - Environmental Commission letter – Riverfront Park. The Commission is requesting they be able to review the new GHD Riverfront Park Site Characterization Report. Broderick will forward to the Commission, and invite them to the June 24<sup>th</sup> Board meeting to discuss with the Board at that time.

#### PENDING

Boards & Commission appointments - Senior Advisory. Geiben removed; Board dissolved.

#### NEW BUSINESS - Residents / Public Correspondence

Lewiston Police Officer Brandon Hall submitted a letter requesting permission for the Special Olympics Foundation to conduct a Law Enforcement Torch Run on June 11th. The route is from Niagara University to Red Brick School.

The Town Board notes this has been received and is aware of the event.

#### SUPERVISOR BRODERICK

Liaison Report - G-Mac's Inn - Outdoor Concert. Broderick was contacted by G-Mac's, located on Ward Road. They will hold two outdoor concerts on June 30<sup>th</sup> and August 18, from 4 – 7 pm. Broderick spoke to Masters regarding this and the noise. There should not be an issue with the ordinance if it is over at 7 pm.

If no one has an objection, Broderick will forward a letter stating the Town has no issue with them hosting these events. This is all the NYS Liquor Authority is requiring from the Town.

Previte requests the Town Attorney review the Noise Ordinance and work on the "unreasonable" wording in the Code. Seaman to review.

Resident at 705 Walker Drive is requesting a sewer refund for the construction of a new pool. Ritter said this fits the requirements of the Sewer Use Agreement.

**Geiben MOVED to waive the sewer amount of \$30.30 for Paonessa – 705 Walker Drive, Seconded by Jacoby and Carried 4 – 0.**

#### Legal

Seaman spoke with Trane and Lannon regarding a culvert purchase relative to the Swann Road project. Trane is requesting the Town Board allow him to go out to bid, subject to the Bid documents being prepared and/or approved by Town Attorney and Town Engineer.

**Geiben MOVED to allow Trane to go out to bid for a culvert purchase, subject to the bid documents being prepared and/or approved by Town Attorney, Seconded by Morreale**

Jacoby asked Agnello if Trane has discussed the funding. Agnello understands it is a grant.

Zahno has a concern with a waterline and how this will go right on top of a water-main. Zahno said the Town does not want that. Zahno to discuss with Trane.

Seaman suggests the Board approve the motion as is, but given the new information, there should be more engineering done relative to the project. Let's make sure the project, as Trane has it envisioned, makes sense with the other infrastructure.

**Geiben MOVED to amend the motion to read, subject to the bid documents being prepared and/or approved by Town Attorney and Town Engineer, Carried 4 – 0.**

## Engineering

Outfall Building - Lannon needs to determine in which direction and to what extent the Town Board wants to re-hab.

Lannon said there are two layers of shingles on the roof, both of which have tested positive for asbestos. Below that is a light-weight reinforced concrete decking, which has deteriorated as well.

Moving forward with a roof repair, Lannon suggests bidding it two ways. One – removal and abatement of the asbestos, and redo with replacement of the original decks. Two – put in additional lumber supports, metal decking and a more traditional roof material.

Morreale asked if the frame of the roof is constructually sound. Lannon said to the best of his knowledge. It won't be known until the shingles are removed.

Broderick said a decision needs to be made soon, especially since there are people using the building. It needs to be determined what to do with the building. Until that is decided and what it will be long term, nothing should be done right now.

Lannon said the estimate last time was in the \$400,000 - \$500,000 range, having since taken a closer look; it is more like \$400,000 and \$450,000.

Ritter said there is sewer piping that runs through the building, but it is way beneath the surface. If the Board decides to take the building down, Ritter does not believe it will affect them.

Jacoby said it could be a couple hundred thousand to take the building down. It needs to be looked at as to what the ultimate use of the building is going to be.

## Finance - Budget Adjustments

Agnello requests the transfer of \$1,792 to A-Fund Contingency - A00-1990-0400-0000, from Assessor Contractual - A00-1355-0400-0000 to pay off Assessor's hybrid car lease.

**Morreale MOVED to transfer \$1,792 to A-Fund Contingency - A00-1990-0400-0000, from Assessors Contractual - A00-1355-0400-0000 to pay off Assessor's hybrid car lease, Seconded by Jacoby and Carried 4 – 0.**

Agnello requests the transfer of \$1,792 to B-Fund Contingency - B00-1990-0400-0000, from Safety Contractual - B00-3620-0400-0000 to pay off Code Enforcement hybrid car lease.

**Morreale MOVED to transfer \$1,792 to B-Fund Contingency - B00-1990-0400-0000, from Safety Contractual - B00-3620-0400-0000 to pay off Code Enforcement hybrid car lease, Seconded by Jacoby and Carried 4 – 0.**

Agnello requests the transfer of \$5,760 to Zoning Contractual - B00-8010-0400-0000, from Zoning Personal - B00-8010-0100-0000, to cover Contractual expenses through the remainder of the year.

**Jacoby MOVED to transfer \$5,760 to Zoning Contractual - B00-8010-0400-0000, from Zoning Personal - B00-8010-0100-0000, to cover Contractual expenses through the remainder of the year, Seconded by Morreale and Carried 4 - 0.**

Agnello requests the transfer of \$5,760 to Planning Contractual - B00-8020-0400-0000, from Planning Personal - B00-8020-0100-0000, to cover Contractual expenses through the remainder of the year.

**Morreale MOVED to transfer \$5,760 to Planning Contractual - B00-8020-0400-0000, from Planning Personal - B00-8020-0100-0000, to cover Contractual expenses through the remainder of the year, Seconded by Jacoby and Carried 4 – 0.**

Agnello requests Board approval to process the two following annual transfers.

Special Events – For fiscal year 2018, Recreation Special Events and Concessions revenue of \$177,530.99 exceeded the expenses of \$127,941.41. Agnello requests to transfer \$49,589.58 of net revenue to the H61 account. The H61 account was created to carry forward Special Event and Concession profit/loss to cover future capital improvements. The actual transfer will be: H61-0000-0200-0000 (Cash) - \$49,589.58; H61-1000-5031-0000 (Transfer In) - \$49,589.58; A00-9950-0905-0000 (Transfer to Capital Project) - \$49,589.58; A00-0000-0200-0000 (Cash) - \$49,589.58; The current balance in H61 is \$168,873.70, after the transfer of \$49,589.58; the remaining balance will be \$218,463.28.

Ice Rink – For fiscal year 2018, Ice Rink expenses of \$69,757.58 exceed the revenue of \$44,486.47 for a net deficit of (-\$25,271.11) which was expected per the budget. Agnello requests to transfer \$25,271.11 from H49 to cover the deficit, so there would be no cost to taxpayers. The deficit was due to loss in revenue from sponsors and costly repairs. H49 was created to maintain the Ice Rink and cover improvements. The actual transfer will be: H49-9901-0900-4403 (Transfer to Other Funds-Ice Rink) - \$25,271.11; H49-0000-0200-0000 (Cash) - \$25,271.11; A00-0000-0200-0000 (Cash) - \$25,271.11; A00-1000-5031-4403 (Transfer from H49-Ice Rink) - \$25,271.11. The current balance in H49 is \$62,027.01, after the transfer of (\$25,271.11); the remaining balance will be \$36,755.90.

**Morreale MOVED the above annual transfers to Special Events and Ice Rink accounts, as outlined above, Seconded by Jacoby and Carried 4 – 0.**

COUNCILMAN BAX – Items already addressed

COUNCILMAN GEIBEN

Liaison Report – Senior Center to host a Father's Day Luncheon of June 12<sup>th</sup>. There is a AARP Driver Safety Course offered on June 19<sup>th</sup> & 20<sup>th</sup>, from 5 pm – 8:30 pm

COUNCILMAN JACOBY

Liaison Report - OYA – Moore Road Solar Project submitted a letter dated May 21, 2019 outlining a future possibility of placing energy storage on the site. Jacoby said the Solar Law does allow for energy storage, so it is not outside the law. If they choose to do this, it will be considered a new project.

Seaman said whether it is called a new project or an amendment to the existing one, either way it would require a new application process. They are talking about putting 15,000 feet of storage capability for batteries; it would constitute a significant change.

COUNCILMAN MORREALE

Liaison Report - Accept Auction International – 2 trucks Parks Dept. Final bid - 1998 Ford F150 Pickup Truck - \$115. Final bid - 2001 Chevy Silverado 1500 Pickup Truck - \$220. The Board accepts these bid amounts. It is not worth the effort to scrap.

**Morreale MOVED to accept the bid of \$115 for the 1998 Ford F150 Pickup Truck and \$220 for the 2001 Chevy Silverado 1500 Pickup Truck, Seconded by Geiben and Carried 4 – 0.**

Greenspace trees request – Residents are requesting trees be planted in the Greenspace area where the emerald ash borers were removed. Broderick said this project has financially strapped the Town. There are no plans for future development of this property; whether planting trees or a park etc...., it will take its natural course.

RESIDENTS STATEMENTS - No one wished to speak

**Geiben MOVED to adjourn, Seconded by Jacoby and Carried 4 – 0.** (6:35 pm)

Transcribed and respectfully submitted by:

Donna R. Garfinkel, Town Clerk