

PRESENT: Supervisor S. Broderick; Councilmembers W. Geiben; J. Jacoby; R. Morreale & J. Myers (Zoom); Atty. A. Bax; Eng. R. Lannon; Captain Salada; Act. Hwy Supt. M. Zahno; Bldg. Insp. T. Masters; Fin. Dir. J. Agnello; WPCC Ch. Op. J. Ritter; Water Foreman D. Zahno; Sr. Coordinator M. Olick; Historian M. Maggard; 1 Press; 8 Residents and Clerk C. Schroeder

EXCUSED: Dep. Sup. B. Conrad

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

AGENDA: Additions: Geiben – Halloween; Jacoby – Marble Orchard.

Geiben MOVED the agenda, as amended. Seconded by Jacoby and carried 5-0.

RESIDENTS STATEMENTS:

John Murnyack, Ridge Road said at the September Regular Meeting, the Board decided to postpone the vote on the controversial zoning change for LMK Realty. It was put off until the Work Session in October where the Board unanimously approved the zoning change to partition off a residential lot on Northridge Drive in order to allow a developer to build a 10-unit apartment building incorporating it in with his other development. As I said at the end of that meeting, residents' concerns don't seem to matter when it comes to a vote regarding real estate and investment.

We have, in this Town, numerous small businesses some of which are run illegally, such as my sons on a residential lot. I have asked this Board before to look into and address these small businesses. You have the ability to make adjustments to the changes made in 2012 restricting certain things in residential areas. I think you need to open that up with appropriate wording to allow some of these things, especially in cases where that business isn't really at that location. It's not hurting anyone, residentially.

Broderick asked where one draws the line. For example someone who cuts grass. He loads equipment on a truck and goes and cuts grass. We've never had a complaint about that guy. What happens when this business starts booming and it goes to two, four, eight trailers? Employees are going to that residence, parking on the road, returning at the end of the day to wash the equipment. Where do you draw the line?

Murnyack said everything his son does for his business is done elsewhere. If he had a number of employees, I would agree that residential is not the place for that. Where does he go to establish his business? All I ask is that you look at how small businesses can operate in the Town.

Broderick has looked into this but at this point, they are not looking to move forward.

DEPARTMENT HEAD STATEMENTS:

Seniors: Olick said they are getting carpeting installed in the offices at the Senior Center. Their Halloween Party was a success.

Recreation: The Director, via Zoom, said they are hosting their first annual Trunk or Treat event on Friday 10/28 at Town Hall from 6-8 p.m.

ABSTRACT: Morreale MOVED to approve the Regular Abstract of Claims Numbered 22-02837 thru 22-02955 and recommended payment in the amount of \$128,962.53 plus a post-audit of \$7,484.86. Seconded by Geiben and carried 5-0.

APPROVAL OF MINUTES:

Geiben MOVED to approve the minutes of 10/13/2022, Work Session, as submitted. Seconded by Jacoby and carried 5-0.

PENDING / OLD BUSINESS: Wilco Auto Special Use Permit / Site Plan – Ward Road – No Action was taken.

BRODERICK

1) Legal: Transfer of Right-of Way to Ianucci – Tabled for additional documents

2) Engineering: None

3) Finance:

a) The Finance Director asked approval to process (4) budget revisions, as follows:

A request to move \$3,710.00 to Court Equipment (A00-1110-0200-0000) from Contingency (A00-1990-0400-0000) to cover painting and new carpeting of the office in conjunction with the JCAP Grant.

A request to move \$28,000.00 to Police Personnel Lew-Port SRO (B00-3120-0100-0015) from SRO revenue (B00-1000-1520-0220) to cover SRO services through the end of the year. These expenses are totally reimbursed.

A request to move \$3,475.00 to Fire Inspection Equipment (B00-3410-0200-0000) from Contingency (B00-1990-0400-0000) to cover painting and new carpeting of the office.

A request to move \$6,000.00 to Lighting-Gas & Electric (SL0-5182-0400-3500) from Lighting District Appropriated Fund Balance (SL0-1000-0599-0000) to cover natural gas expenses. Current prices for these commodities have surpassed original budgeted estimates.

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

b) The Finance Director distributed copies of the 2023 Preliminary Budget to the Town Board and Clerk. Agnello requests a Public Hearing on said Preliminary Budget.

Geiben MOVED to schedule a Public Hearing on the 2023 Preliminary Budget for Thursday, November 3, 2022 at 6:00 p.m. Seconded by Jacoby and carried 5-0.

At this time, Agnello said the 2023 Tax Cap will not be over-ridden.

4) Mighty Niagara: Broderick read a letter from Colleen Daddario, Events Specialist: Thank you for your continued support of the Mighty Niagara Half Marathon and Hospice Dash 5K.

We would like to request **Saturday, September 30th, 2023** for next year's race. We plan to keep the same route with our starting line at Artpark and post-race party at Porter on the Lake Park.

Our event continues to raise thousands of dollars for Niagara Hospice and is becoming a "must run" race in the area.

5) Roster Addition – UMFC: The Upper Mountain Fire Company submits for active membership in said fire company the name of Stephen Kovach, Crescent Drive, Niagara Falls.

Broderick MOVED for approval. Seconded by Geiben and carried 5-0.

6) Court Office Renovations: The Town Court was awarded a grant under the Justice Court Assistance Program (JCAP) for new carpeting in the Court Offices. At the last meeting, the Board approve awarding a contract to Mooradian Rug. The Court requests that offices be painted before the carpet is installed.

Three (3) estimates were received: Braendel Painting - \$4,950.00; Porter Drywall & Painting - \$5,875.00 and Hefferan Painting -- \$3,150.00.

Broderick MOVED to award the bid to Hefferan Painting in the amount of \$3,150.00. Seconded by Jacoby and carried 5-0.

GEIBEN: Geiben reminded everyone that Halloween will be celebrated Monday, October 31st from 4-7 p.m. Businesses on Center Street will be handing out candy on Saturday, 10/29.

JACOBY: Jacoby said the Council on the Arts has been running the Marble Orchard Ghost Walk for some time. On Friday night there were 215 participants, a vast majority who paid an admission fee. It's a large fundraiser for the Council and has grown over the years. It might, quite possibly, be the final year for it in its present form, Jacoby said.

Friends of the Lewiston Library held a fundraiser that was very well attended. The Library staff are very encouraged.

MORREALE: WPCC:

The WPCC would like to raise the price for waste haulers from \$.042 to \$.05 a gallon, an increase of .008 cents (from 4.2 cents to 5 cents per gallon).

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

The WPCC would like to increase the Modern Disposal leachate fee from \$.03 to \$.035 per gallon an increase of half a cent (from 3 cents to 3.5 cents per gallon).

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

This will be included in the 2023 Sewer Use Agreement and Modern Leachate Agreement.

MYERS:

Myers, via Zoom, reminded everyone of the Regular Meeting of the Sanborn Area Historical Society on October 25th at 7:00 p.m. at the Farm Museum with a Special Program "Taking a Peak at Pekin", with refreshments.

RESIDENTS STATEMENTS: No one spoke.

Geiben MOVED to adjourn. Seconded by Morreale and carried 5-0. Time: 6:28 p.m.

Transcribed and
Respectfully submitted by:

Carole N. Schroeder
Deputy Town Clerk