

Present: Sup. S. Reiter; Council Members A. Bax, M. Marra & R. Winkley; Deputy Sup. G. Catlin; Atty. M. Dowd; Atty. M. Davis; Eng. R. Smith; Adm./Op. J. Ritter; Budget Officer M. Johnson; Bldg. Insp. T. Masters; Police Chief C. Salada and Town Clerk C. Brandon. 3 press & 9 residents.

Excused: Councilman E. Palmer.

Supervisor Reiter opened the meeting at 6:00 p.m. followed by the Pledge of Allegiance and a moment of silent reflection.

RESIDENTS:

Liz Wilson of 534 Riverwalk Drive. For a number of years we have been concerned about the ongoing noise at night from the sewer plant. We spoke to the former operator and the best that they could do was to create a barrier basically carpeting and plastic around the turbines .But it really didn't muffle the sound much less eliminating it. Many of the residents that live on Riverwalk Drive and Riverwalk South, the sound is very, very clear....a high pitch. It is very disturbing. It is quality of life issue. Also, once the drainage issue is addressed it will add to that sound problem because there will be no barrier. What I propose is a cheap solution....I am not asking for concrete barriers but something as simple as a tall fence along the line of the chain fence with a sound proofing quality material. Another idea would be to put in the roof of the micro turbine enclosure, the egg crate foam. These are relatively inexpensive solutions and we are hoping that the Town will consider this problem. Many of our residents are concerned about this. We met with Mr. Ritter on Saturday who took us thru the facility and he is willing to help. I want to thank him publicly.

J. Ritter: I am looking into some sound blankets now. It is not how loud the sound is...it is the frequency of the sound. Right next to the machine is about 79 decibels. OSHA doesn't even require hearing protection until 89 decibels. The problem is the frequency. We are looking into it .

Joanne LaRosa from St. Jude's Shrine of 975 Ridge Road. We presently have a permit for a karate program. I would this permit changed to a nursery school. At the present time the building has been upgraded to hold 4-7 students. There is a group of teachers that would like to take possession of it and use it as a school.

T. Masters: It would have to go to the Town Board to be processed because it is not zoned for that. There is quite a process and I will walk you through it but it is not a simple matter of them saying we are going to get a permit to run a nursery school because we have the State laws that the Health Dept. has regarding kids, code change from what it is presently to child care.

S. Reiter asked that they meet with Mr. Masters who will help you through the process.

Paulette Glasgow of 836 the Circle. They (the Shrine) have a special use permit and I know it doesn't matter...it goes with the land. At the May 23rd meeting I handed each of you a written Freedom of Information request for access to information relating to the an entity known as the Joseph Davis State Park Development Corp. Under Freedom of Information Law an entity on receiving such a request has within 5 business day of the receipt of that written request to either make that information available, deny in writing that request or furnish a written acknowledgement of receipt of said request stating the approximate date when information will be accessible or denying access. As of June 27th, some 24 days after I handed each of you that FOIL request I have yet to receive any written response informing me that the information is available, denying me access or acknowledging receipt of my request and the approximate date when this record will be either granted or denied.

On May 25th, I submitted another Freedom of Information request for some additional information relating to the above mentioned local development corporation. As of June 27th today, some 22 days later that request, I have not received any written response with regard to accessibility or deny of that information.

The whole premise of Freedom of Information is to enable the public to access information so that they may redress the actions of public officials. In a word FOIL makes public officials accountable for their actions.

I must commend the Town Clerk and her Deputies for following the intent of the law whenever I made a FOIL request. In fact, I recently received a written response within the contents of the law.

To date these two FOIL requests along with one that I made to the Local Development Corp. are delinquent by some 22 to 30 days which is not within the intent of the law. Tonight, I am once again requesting access to this information that you all have copies of and will expect under the law, a written response with regard to either access or the written reasons for its denial by the end of business July 5, 2011. Thank you.

ABSTRACT:

Marra: Add a Parks & Recreation Dept. item.

Reiter: Add budget transfers and a request from Robert Nablo regarding water meters.

Bax MOVED to approve the Amended Agenda as presented. Seconded by Marra and carried 4-0.

MINUTES:

Marra MOVED for approval of the minutes of 5/23/11 Public Hearing; 5/23/11 Regular Town Bd. Mtg.; 6/13/11 Public Hearing; 6/13/11 Work Session and 6/17/11 Work Session. Seconded by Winkley and carried 4-0.

POST AUDITS:

Marra MOVED to approve for Post Audit payment to Home Depot \$393.16 and Sam's Club \$405.02. Seconded by Bax and carried 4-0.

OLD BUSINESS:

1. Generator Bids:

Reiter asked that this item be *tabled*.

2. Transfers:

Marra MOVED to transfer from A1620.400 to A1620.200, \$250.00. Seconded by Bax and carried 4-0.

Winkley MOVED to transfer from B1990.0400 \$10,500 to B9050.0800 Unemployment Line. Seconded Marra and carried 4-0.

Winkley MOVED to transfer \$1000.00 from A5132.040 Town Garage to A5010.0400 Highway Administration. Seconded by Marra and carried 4-0.

Winkley MOVED to transfer \$34,000 from B1980.0401-0200 to H21-7140.0400 (Sanborn Streetscape). Seconded by Marra and carried 4-0.

3. NYS Electronic Equipment Recycling:

M. Dowd: I looked at the info. There is a registration that they are planning to submit on behalf of the Town for an approved site. Also, that our staff would be trained to identify and handle any emergencies. I would suggest that you approve under the concept pending the review of a more formal contact and I will work with the Clerk.

Bax MOVED for approval subject to Attorney and Town Clerk's approval. Also with assistance of Highway Supt. Janese. Seconded by Winkley and carried 4-0.

NEW BUSINESS:

1. A letter from Chairman Les Myers of the Bureau of Fire Prevention regarding the upgrade of the water main at Creek Road & Pletcher Road where there is a possibility of a new subdivision. They have found that there is inadequate water in the area, especially in the event of a fire.

Reiter: We can respond by saying as a part of the planning for the senior housing of People Inc. that was part of the understanding that they would approve that water line. Originally that 8" service for Lew-Port and now houses have been added along with school buildings, but the Planning Board and the Town Board recognize the fact that there was a problem as result of some comments from the Fire Prevention Bureau. This is being addressed as part of the approval process for People Inc. to build their senior citizen housing. That has been addressed.

REITER:

Legal: Documents were forwarded to Bond Counsel the Water Improvement material on June 8th. Next step will be to draft notes to be presented to the Board at the next board meeting and authorization to sign the notes at that time. Everything else is done.

Engineering: Nothing.

Finance: Transfers were taken care of.

Water Meters: Mr. Nablo submitted a letter regarding our water meters. The Homeland Security has gone to a narrow band which conflicts with our water meters. We are now in the midst of replacing some of those meters and the badger meter company has offered a replacement package. The water meters are income for the Water Dept. and the Sewer Dept. We have to deal with Homeland Security whether they are going to pay for these meter changes because they have taken over our frequency that we already had. I feel that is an undue hardship and this should be addressed. We are working on this but there is no action at this time.

MARRA:

Recreation Dept.

Marra MOVED to the hiring of Derek Tracy at \$10.00 per hour and Tiffany Chandler at \$8.50 per hour as Recreation Aides P/T. Seconded by Winkley and carried 4-0.

Town/Village Joint Meeting:

We will be holding meetings quarterly and the next meeting will be 9/19/11 at 5:00 p.m. in the Village. The Chief of Police will be invited.

Albany Meeting/OPR:

The Supervisor and I attended a meeting on June 15th and met with the OPR Commissioner Rose Harvey, Deputy Commissioner Andy Beers and Operation Director Dan Keane. The Supervisor was able to begin dialogue regarding making Joseph Davis State Park one of the best parks in the State. We are looking for their consent and approval and a beginning to a relationship. It was an important meeting and very productive.

Reiter: I sent a letter to Comm. Harvey thanking her for the opportunity to meet with her. I invited her to come to Lewiston and see what Joseph Davis Park looks like. She responded by saying she is looking forward to working with us. I think we are finally moving in a direction with State Parks to get some things done at Joe Davis Park. People who have been there are pleased with the maintenance that has been done and I want to thank the Parks, Water, Highway & Sewer Departments for performing various tasks. The sewer treatment plant provided us with a backhoe operator who cleaned out along the river a large amount of noxious plantings. I think we may have gotten off on the wrong foot with State Parks in some degree, but I don't think they understood our frustration and passion for the park and how we want to see the park for Lewiston residents as well as the rest of the region. I think that the progress that we will make and State Parks will look at us as partners, friends with a cooperative agreement. I appreciate all the efforts that the department heads have done along with the work of this Town Board who are willing to put forth to make sure that this will happen.

WINKLEY:

Winkley MOVED to add Anthony Falina II to the roster of the Sanborn Fire Co. Seconded Bax and carried 4-0.

Winkley MOVED to add Matthew Argona to the roster of the Upper Mt. Fire Co. Seconded by Bax and carried 4-0.

BAX: Nothing at this time.

Marra MOVED for adjournment. Seconded by Winkley and carried 4-0.

Time: 6:35 p.m.

Respectfully Submitted and Transcribed by:

Carol J. Brandon
Town Clerk