

PRESENT: Supervisor S. Broderick; Councilmembers W. Geiben, J. Jacoby, R. Morreale & J. Myers; Dep. Sup. W. Conrad; Atty. A. Bax; Eng. B. Lannon; Hwy Supt. D. Trane; Finance Director J. Agnello; Police Chief F. Previte; Water Foreman D. Zahno; 10 Residents and Dep. Clerk C. Schroeder

ZOOM ATTENDEES: WPCC Ch. Op. J. Ritter; Bldg. Insp. T. Masters & Senior Coordinator M. Olick and Steve Lyle, Zoom Guest.

The Supervisor opened the Public Hearing / Work Session followed by the Pledge of Allegiance and a moment of Silent Reflection asking to keep the families and friends of those involved in a horrible accident at the intersection of Rt. 104 and Model City Road in their thoughts and prayers.

The Clerk read the Notice of Public Hearing into the Record.

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Lewiston will hold a public hearing on Monday, February 14, 2022 at the Town Hall, 1375 Ridge Road, Lewiston, New York, at 6:00 P.M., concerning the application of Mark & Debra Perry and Briar Oak Circle, LLC seeking Final Plat approval for a major subdivision of their property at 4639 Vrooman Drive, Lewiston, NY, SBL# 87.00-1-21. At the public hearing all interested parties who wish to be heard will be heard. A full copy of the application is available for review at the Town of Lewiston Building Inspector's office during normal business hours.

The Supervisor invited public comment in regard to the project. There was none.

Geiben MOVED to close the Public Hearing. Seconded by Jacoby and carried 5-0.

AGENDA: Additions: Broderick: Recreation Director Appointment and Executive Session re Consultation with Attorney; Morreale: Extension of Special Use Permit for Ridge Road Solar and WPCC Conference; Jacoby: Police Resignation and New Hire.

Geiben MOVED to approve the Agenda, as amended. Seconded by Morreale and carried 5-0.

MINUTES: **Geiben MOVED to approve the minutes of January 24, 2022 – RTBM. Seconded by Myers and carried 4-0.** Morreale abstained

ABSTRACT: **Morreale MOVED to approve the Regular Abstract of Claims Numbered 21-03637 thru 21-03691 (2021) and 22-00080 thru 22-00289 (2022) and recommended payment in the amount of \$30,831.83 (2021) and \$932,163.51 (2022) for a total of**

\$962,995.34 plus a post-audit of \$6,518.76 (2021) and \$66,064.47 (2022) for a total of \$72,583.23. Seconded by Jacoby and carried 5-0.

OLD BUSINESS: Briar Oaks Estates, Major Subdivision Final Plat. No action taken.

NEW BUSINESS: The Clerk read the following letter: I want to thank the Town Board for having workers clear the fire hydrants. Our family had done them for years. This was too much! Sincerely, Rose Mary Warren, 88 years young.

DEPARTMENT HEAD STATEMENTS:

Seniors: Coordinator Olick asked to hire an additional Van Driver. It would not cost the Town any additional hours.

Geiben MOVED to permit the Sr. Coordinator to hire an additional Van Driver. Seconded by Jacoby and carried 5-0.

Geiben said the Senior Center has an excess of 100 chairs. If anyone know of a Non-Profit agency looking for chairs, they are available.

Geiben reached out to several organization about the pool table at the Senior Center. He has not received a response back. At this time, he would like to put the pool table out to bid on Auctions International at week's end.

Geiben MOVED to declare the pool table at the Senior Center as excess equipment. Seconded by Morreale and carried 5-0.

Geiben MOVED to advertise the pool table on Auctions International for disposal at weeks end. Seconded by Morreale and carried 5-0.

Lastly, Geiben asked that any resident who lives in an area with a senior with snow piled up on their stairs and driveway to be a good citizen and check on them. Also anyone with a fire hydrant in front of their home is asked to clear the snow away.

Water: Foreman Dan Zahno thanked the Board for their phone calls, well wishes, and prayers during his recent illness. He is glad to be back at work.

Highway: The Highway Supt. transferred Jeff Lester from the Parks Dept. to the Highway Dept. He asked the Board to appoint Joseph Kostyrka, Head Grounds person, previously held by Jeff Lester and the hiring of Kayla Townsend as Parks Laborer.

Geiben MOVED to promote Joseph Kostyrka to Head Grounds person, effective 2/15/22. Seconded by Morreale and carried 5-0.

Geiben MOVED the hiring of Kayla Townsend as Parks Laborer, effective 2/15/22. Seconded by Morreale and carried 5-0.

BRODERICK:

1. Legal: None
2. Engineering: None
3. Finance: 2021 Budget Revisions
 - a) A request to move \$800.00 to Town Garage Contractual (A00-5132-0400-0000) from Highway Supt. Equipment (A00-5132-0200-0000) to cover contractual expenses.
 - b) A request to move \$3,000.00 to Recreation Ice Rink Gas & Electric budget (A00-7310-0403-3500) from Recreation Ice Rink Revenue (A00-1000-2025-4403) to cover electric expenses.
 - c) A request to move \$2,500.00 to Recreation Ice Rink Contractual (A00-7310-0403-4403) from Recreational Ice Rink Revenue (A00-1000-2025-4403) to cover contractual expenses.
 - d) A request to move \$850.00 to Police Contractual (B00-3120-0400-0000) from Police Out of Dept Personnel (B00-3120-0100-0100) to cover contractual expenses.
 - e) A request to move \$2,000.00 to General Repairs Contractual (DB0-5110-0400-0000) with \$1,000.00 from Machine Contractual (DB0-5130-0400-0000) and \$1,000.00 from Hospital & Medical Ins (DB0-9060-0800-0000) to cover contractual expenses.
 - f) A request to move \$1,050.00 to General Repairs Gas & Electric (DB0-5110-0400-3500) from General Repairs Gasoline & Diesel Fuels (DB0-5110-0400-3510) to cover increased Gas & Electric Expenses.
 - g) A request to move \$47.00 to South Sewer Gas & Electric (SS3-8120-0400-3500) from South Sewer Contractual (SS3-8120-0400-0000) to cover contractual expenses.
 - h) A request to move \$100.00 to Water Admin Contractual (SW1-8310-0400-0000) from Water Admin Personnel (SW1-8310-0100-0000) to cover contractual expenses.

2022 Budget Revisions:

- i) A request to move \$6,500/00 to Recreation Ice Rink Out of Dept-Parks Personnel (A00-1000-0100-4403) with \$1,541.00 from Recreation Ice Rink Revenue (A00-1000-2025-4403) and \$4,959.00 from Recreation Seasonal Help General Personnel (A00-7210-0100-0000) to cover Ice Rink personnel expenses.

- j) A request to move \$7,230.00 to Recreation Ice Rink Personnel (A00-7310-0100-4403) from Recreation Seasonal Help General Personnel (A00-7310-0100-0000) to cover Ince Rink personnel expenses
- k) A request to move \$5,700.00 to Recreation Ice Rink Contractual (A00-7310-0403-4403) from Recreation Contractual (A00-7310-0400-0000) to cover Ice Rink contractual Expenses.

Geiben MOVED the budget revisions, as submitted. Seconded by Morreale and carried 5-0.

2021- Annual Report (Courts): Finance Dir. Agnello noted that the Courts have submitted their 2021 books and are open for review. Received and filed.

Recreation Director: **Broderick MOVED to appoint Cathleen Cvijetinovic as Recreation Director at a rate of \$46,476.00 per year effective 2/28/22 and allow her two (2) years to move into the Town or any adjoining municipality. This is a conditional appointment on her taking the next Civil Service test for Recreation Director. Seconded by Geiben and carried 5-0.**

Geiben encouraged the new Director to advertise for Seasonal Hires thru Facebook and if necessary, with a Display Ad in the Sentinel/Tribune.

Geiben said they need a discussion about completion of the Sanborn Bathrooms. Broderick said Councilman Myers will be working with Tim Masters and Ed Zimmerman to get that project done. The Water Department ran a new waterline back in October/November. Sanborn Fire Company has put in a hot water tank and glass block windows, as part of their commitment.

GEIBEN: Items already addressed.

JACOBY:

1. Liaison Report: Jacoby said he and the Town Historian attended a meeting in the Village about signage. They will be looking into a grant in 2023 for funding.
2. Sanborn Roster: The Sanborn Fire Company submits for active membership in said Fire Company the name of: Jared Hoover, Saunders Settlement Road, Sanborn.
Jacoby MOVED for approval. Seconded by Geiben and carried 5-0.
3. Lewiston No. 2: The Lewiston Fire Co. No. 2 Company submits for active membership in said Fire Company the name of: Veronica Barney, Kline Road, Niagara Falls.
Jacoby MOVED for approval. Seconded by Geiben and carried 5-0.
4. Police: **Jacoby MOVED to accept the resignation of Jared Volker, with regret, from the Police Dept. effective 2/1/22. Seconded by Myers and carried 5-0.**

Jacoby MOVED to appoint Josh Salada as a new hire P/T Police Officer, effective 2/15/22. Seconded by Geiben and carried 5-0.

MORREALE:

1. Site Plan/Special Use Permit: The Planning Board on January 20, 2022, approved a Site Plan/Special Use Permit for Robert Kuhn, 2371 Ridge Road, SBL# 90.00-1-9, with the condition that the placement for the motorcycles and 4-wheelers are behind the 60' curb parallel to Ridge Road and not in the right-of way.

Morreale MOVED to issue a Negative Declaration on the Kuhn Site Plan/Special Use Permit. Seconded by Jacoby and carried 5-0.

Morreale MOVED to approve the Site Plan/Special Use Permit for Robert Kuhn, 2371 Ridge Road, with the conditions, as stated. Seconded by Geiben and carried 5-0.

2. Special Use Permit: The Planning Bd, on January 20, 2022, approved a Special Use Permit for Our Lady of Fatima Shrine, 1023 Swann Road, SBL# 88.00-1-1.11, for an electronic message sign near the front entrance, as submitted, with landscaping around the base of the sign.

Morreale MOVED to issue a Negative Declaration on said Special Use Permit for Our Lady of Fatima Shrine. Seconded by Jacoby and carried 5-0.

Morreale MOVED to approve said Special Use Permit for Our Lady of Fatima Shrine for an electronic message sign near the front entrance, with landscaping around the base of the sign. Seconded by Myers and carried 5-0.

3. WPCC Conference:

Morreale MOVED to allow eight (8) WPCC Employees to attend the 40th annual Greater Buffalo Environmental Conference on 3/8/22 at a cost of \$145.00 per person. Funds to be taken from SS1-8110-0400-0000 in the amount of \$1,160.00. Seconded by Geiben and carried 5-0.

4. Niagara Solar Permit Extension:

DG New York SC III, LLC submits a Conditional Use Permit Extension Request for the DG New CS III, LLC Niagara Solar Project that is to be located on Tap Map # 76.00-2-12.1. This project is a ground mounted solar facility.

Morreale MOVED a six-month extension request for Building Permit and Completion Time per §360-221-DG New York CS III, LLC Niagara Solar. Seconded by Geiben and carried 5-0.

MYERS: Nothing to Report.

PRIVILEGE OF THE FLOOR

A representative for Solar on Earth said his company does residential subscription agreements for community solar. They are now actively working within the State of New York reaching out to municipalities to subscribe to Community Solar. Solar on Earth would like to start a dialog with the Town to initiate this.

Broderick asked that they email a contract to him. Broderick will forward the information to Atty. Tom Seaman, Special Town Counsel for review.

Steve Lyle, via Zoom, asked that department heads, when they are addressing the Board, to speak up.

Geiben MOVED to enter into Executive Session re Consultation with Attorney. Seconded by Morreale and carried 5-0. Time: 6:40 p.m.

Executive Session:

Town Attorney Bax consulted with the Town Board relative to Commercial Solar PILOT discussions.

No action taken.

Geiben Moved to close the Executive Session and adjourn the Work Session. Seconded by Morreale and carried 5-0. Time: 7:20 p.m.

Transcribed and
Respectfully submitted by:

Carole N. Schroeder
Deputy Town Clerk