

PRESENT: Supervisor S. Broderick; Councilmembers W. Geiben & R. Morreale; Dep. Sup. W. Conrad; Police Chief F. Previte; Bldg. Insp. T. Masters; Hwy Supt D. Trane; Water Maint. J. Dell; Historian M. Maggard; Clerk D. Garfinkel & 1 Resident

ZOOM ATTENDEES: Councilman J. Jacoby & J. Myers; Atty. A. Bax; Eng. B. Lannon; Finance Director J. Agnello; WPCC Ch. Op. J. Ritter; Sr. Cit. Coordinator M. Olick; Dep. Bldg. Insp. E. Zimmerman & 4 Zoom Guests

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

2022 REGULAR MEETING/WORK SESSION/AUDIT SCHEDULE:

Geiben MOVED to approve the following 2022 Regular Meeting & Work Session schedule: RTBM: 1/24; 2/28; 3/28; 4/25; 5/23; 6/27; 7/25; 8/22; 9/26; 10/24; 11/28; and RTBM/Final Audit 12/29: Work Sessions: 1/10; 2/14; 3/14; 4/11; 5/9; (no mtgs June, July or August), 9/12; 10/13; 11/14; and 12/12. Seconded by Morreale and carried 5-0. Meetings to begin at 6:00 p.m.

Morreale MOVED to approve the 2022 Boards & Commission Meeting Schedule as follows. Seconded by Geiben and carried 5-0. The Zoning Board will meet the 2nd Thursday of the month at 6:30 p.m; Planning Board-3rd Thursday at 6:30 p.m; Historic Preservation-2nd Tuesday at 5:45 p.m. and Environmental Commission-2nd Tuesday at 7 p.m.

2022 VOUCHER SUBMISSION DEADLINE

Geiben MOVED the following 2022 Voucher due dates – W/S: 2/9, 3/9, 4/6, 5/4, 6/8, 7/9, 8/3, 9/7, 10/5, 11/9 & 12/7; RTBM: 1/19, 2/23, 3/23, 4/20, 5/18, 6/22, 7/20, 8/17, 9/21, 10/19, 11/23, 12/21. Seconded by Jacoby and carried 5-0.

2022 HOLIDAY SCHEDULE:

Geiben MOVED to approve the following 2022 Holiday Schedule: 12/31/21 – New Year’s Day; 1/17 – Martin Luther King, Jr. Day; 2/21 – Presidents’ Day; 4/15 – Good Friday; 5/30 – Memorial Day; July 4 – Independence Day; 9/5 – Labor Day; 10/10 – Indigenous Peoples’ Day (Columbus Day); 11/11 – Veterans’ Day; 11/24 & 25 – Thanksgiving Holiday; and 12/23 & 26 – Christmas Holiday. Seconded by Morreale and carried 5-0.

2022 IRS MILEAGE RATE:

Geiben MOVED the mileage rate of 58.5¢ per mile for 2022. Seconded by Morreale and carried 5-0.

2022 FEE SCHEDULE:

Geiben MOVED to approve the 2022 fees for non-certified copies at 25¢/page and Assessor fees for copies of deeds at 65¢/page, minimum \$1.30; Town Map - \$5.00; Disk/Thumb Drive (Minutes) - \$25.00; Maps: 24'x36' Sheet B/W - \$12.00, 36'x48' Sheet B/W - \$24.00, 24'x36' Sheet Color - \$18.00 & 36'x48' Sheet Color - \$30.00; Police: Accident Reconstruction Report - \$250.00, Background Checks - \$10.00, Fingerprints - \$25.00, Photos - \$100.00 & Police Reports - \$10.00. Seconded by Morreale and carried 5-0.

2022 FEE RATES (Resolution 2020-010)

Geiben MOVED to approve the 2022 Fee Rates, as presented. Seconded by Morreale and carried 5-0.

2022 CELLPHONE STIPEND

Geiben MOVED a \$25 monthly cell phone stipend for the Code Enforcement Officer, Deputy Building Inspector, Fire Inspectors (2) and Fire Prevention Chairman; \$30 monthly stipend for the Assessor and Town Clerk; and an \$80 monthly stipend for the Building Inspector and Supervisor. Seconded by Morreale and carried 5-0.

2022 CREDIT CARD PAYMENTS

Geiben MOVED approval for the following departments to accept credit card payments: Building Dept., Town Court, Recreation Dept., Tax Collector, Town Clerk & Water Dept. Seconded by Morreale and carried 5-0.

RETURN CHECK FEE

Geiben MOVED to impose a Service Charge of \$20.00 for any Dishonored Check presented to any department in the Town. Seconded by Morreale and carried 5-0.

OFFICIAL TOWN NEWSPAPER

Geiben MOVED to designate the *Niagara Gazette* as the official Town newspaper and the *Sentinel* as secondary Town newspaper for informational display ads and notifications. Seconded by Morreale and carried 5-0.

OFFICIAL TOWN DEPOSITORY

Geiben MOVED to designate Key Bank as official Town depository. Seconded by Morreale and carried 5-0.

PROCUREMENT POLICY

Geiben MOVED to adopt the Procurement Policy, as presented. Seconded by Jacoby and carried 5-0.

INVESTMENT POLICY

Geiben MOVED to adopt the Investment Policy, as written. Seconded by Morreale and carried 5-0.

ROBERTS RULES OF ORDER

Geiben MOVED to follow the Roberts Rules of Order for all business conducted in the Town of Lewiston. Seconded by Morreale and carried 5-0.

2022 ASSOCIATION OF TOWNS – Delegate/Alternate

Broderick noted that the Annual Meeting of the Association of Towns will be held virtually during Presidents' Week, February 2022.

Geiben MOVED to designate Steve Broderick as Delegate to cast the vote of the Town of Lewiston and designate William Geiben as Alternate. Seconded by Morreale and carried 5-0.

2022 SALARY SCHEDULE

Broderick MOVED to adopt the 2022 Salary Schedule, as presented. Seconded by Geiben and carried 5-0.

APPOINTMENTS/CONFIRMATIONS:

Assessor's Dept:

Broderick MOVED to confirm the re-appointment of Linda Johnson as Town Assessor. Seconded by Jacoby and carried 5-0.

Broderick MOVED to appoint Jamie O'Shea as Assessor Info Clerk. Seconded by Morreale and carried 5-0.

Town Attorney: **Broderick MOVED to re-appoint Al Bax as Town Attorney. Seconded by Morreale and carried 5-0.**

Attorney for the Town: **Broderick MOVED to re-appoint Seaman Norris as Attorney for the Town. Seconded by Jacoby and carried 5-0.**

Geiben MOVED to authorize the Supervisor to enter into contract with the Town Attorney and Attorney for the Town. Seconded by Morreale and carried 5-0.

Building Dept:

Broderick MOVED to re-appoint Tim Masters as Building Inspector/SEQR Compliance Officer. Seconded by Jacoby and carried 5-0.

Broderick MOVED to re-appoint Ed Zimmerman as Deputy Building Inspector. Seconded by Morreale and carried 5-0.

Broderick MOVED to re-appoint Sandy VanUden, Clerk/Typist. Seconded by Morreale and carried 5-0.

Broderick MOVED to re-appoint Chris McAuliffe as Code Enforcement Officer/Stormwater Manager. Seconded by Morreale and carried 5-0.

Engineering Services: **Geiben MOVED to retain GHD Consulting Services, and authorized the Supervisor to execute said contract with GHD. Seconded by Morreale and carried 5-0.**

Fire Inspectors:

Broderick MOVED to re-appoint Pat Martin and Don Cosentino as P/T Fire Inspectors. Seconded by Jacoby and carried 5-0.

Broderick MOVED to re-appoint Cheryl Horne as Typist, P/T and to serve as Secretary to the Environmental Commission. Seconded by Geiben and carried 5-0

Broderick MOVED to re-appoint Les Myers as Fire Prevention Chairman. Seconded by Jacoby and carried 5-0.

Highway Department:

Broderick MOVED to confirm the re-appointment of Brian Christman, Deputy Highway Supt. Seconded by Jacoby and carried 5-0.

Historian: **Jacoby MOVED to re-appoint Marjorie Maggard, Town Historian. Seconded by Geiben and carried 5-0.**

Justice Confirmations: Geiben acknowledge and confirmed the re-appointment of Maria Sicurella and Mary Gee as Justice Clerks.

Broderick MOVED to re-appoint George Adamson, Town Prosecutor. Seconded by Geiben and carried 5-0.

Broderick MOVED to re-appoint Patricia Yacus, Typist. Seconded by Geiben and carried 5-0.

Parks Superintendent: Broderick MOVED to retain Dave Trane as Parks Superintendent. Seconded by Geiben and carried 5-0.

Police: Broderick MOVED to confirm Frank Previte as Chief of Police. Seconded by Jacoby and carried 5-0.

Acct Clerk: Broderick MOVED to re-appoint Katelyn Allan, Acct Clerk. Seconded by Morreale and carried 5-0.

Recreation Director: Broderick said they are in the process of interviewing candidates for Recreation Director.

Broderick MOVED to appoint Nichole Short as Clerk for the Recreation Department. Seconded by Geiben and carried 5-0.

Registrar: Broderick MOVED confirmation/re-appointment of Donna Garfinkel as Registrar, Records Access Officer (FOIL) & Records Management Officer. Seconded by Geiben and carried 5-0.

Senior Services: Broderick MOVED to re-appoint Melinda Olick, Senior Citizens Coordinator. Seconded by Geiben and carried 5-0.

Broderick MOVED to re-appoint Susan Letourneau, Sr. Cit. Leader, P/T. Seconded by Geiben and carried 5-0.

Supervisor's Confirmations: Broderick confirmed his re-appointment of William Conrad, as Deputy Supervisor, Amy Smith as Confidential Secretary, Jacqueline Agnello as Finance Director and John Walker, Jr. Accountant, P/T.

Broderick MOVED to retain Connie Miner as Grants Consultant. Seconded by Morreale and carried 5-0.

Broderick MOVED to retain Dresher & Malecki, as Town Auditors. Seconded by Myers and carried 5-0.

Town Clerk's Confirmations: Broderick acknowledged and confirmed the re-appointment of Carole Schroeder, First Deputy Town Clerk/Dep. Registrar; Linda Kreps, Dep. Town Clerk/Sub Registrar, Tamara Burns, Dep. Town Clerk and John Aquino, Laborer.

Water Personnel:

Broderick MOVED to re-appoint Dan Zahno, Water Foreman, Seconded by Jacoby and carried 5-0.

WPCC: **Broderick MOVED to re-appoint Jeff Ritter, Chief Operator. Seconded by Morreale and carried 5-0.**

Broderick MOVED to re-appoint Cheryl Milicia, Clerk/Clerical 2. Seconded by Morreale and carried 5-0.

APPOINTMENTS:

Broderick read the 2022 Appointed Liaisons as follows:

Board of Ethics Ex-Officio – Al Bax; Building Inspector – Morreale; Cable Commission – Myers; CWM Siting Advisory Committee – Bax; Engineer – Geiben; Environmental Commission – Geiben/Morreale; Fire Bureau – Broderick/Jacoby; Highway/Drainage – Morreale; Historic Preservation – Jacoby; Justice Court Office – Broderick; Lewiston Council on the Arts – Jacoby; Library – Jacoby; Lighting Advisory Board – Myers; Lower Niagara River Region Chamber – Broderick/Geiben; Parks & Recreation Advisory Committee – Geiben; Personnel Committee – Geiben; Police – Jacoby; Town/Village Police Liaisons – Broderick/Morreale; Planning Board – Morreale/Jacoby; Recreation – Geiben; Risk Manager – Broderick; Sanborn Business and Professional Assoc. – Broderick/Geiben; Senior Citizens – Geiben; Signage Committee – Myers; Water – Broderick; WPCC – Morreale; Zoning Board of Appeals – Jacoby/Morreale.

Broderick MOVED the Liaison Appointments, as presented. Seconded by Geiben and carried 5-0.

Minority Business Officer: **Broderick MOVED to re-appoint Donna Garfinkel, Minor Business Officer. Seconded by Geiben and Carried 5-0.**

Women’s Business Officer: **Broderick MOVED to re-appoint Donna Garfinkel, Women’s Business Officer. Seconded by Geiben and carried 5-0.**

Electrical Inspectors: **Geiben MOVED to accept the agreement with New York Atlantic-Inland, Inc. for electrical inspection services as a private subcontractor. and authorized the Supervisor to sign said agreement with New York Atlantic Inland, Inc. Seconded by Morreale and carried 5-0.**

T/V Police Liaison: Broderick said this consist of himself, the Mayor and John Jacoby. **Geiben to re-appoint Broderick as liaison to the T/V Police Dept. Seconded by Jacoby and carried 5-0.**

Bingo Inspector: No appointment made.

Records Appeals Officer: **Geiben MOVED to re-appoint Steve Broderick as Records Appeals Officer. Seconded by Morreale and carried 5-0.**

BOARDS, COMMISSIONS & COMMITTEES:

Cable Commission: **Geiben MOVED the following individuals to the Cable Commission for 2022: James Abbondanza (Chairman), Anthony DiPasquale, Karl Frankovitch, Carl Hoffman and John Sharpe. Seconded by Morreale and carried 5-0.**

Environmental Commission:

Geiben MOVED the re-appointment of James Allen, Brock Davy and Victoria Polka. Seconded by Morreale and carried 5-0. Term to expire December 31, 2024

Broderick MOVED to re-appoint Jerauld Wolfgang as Chairman and James Allen as Vice Chairman. Seconded by Morreale and carried 5-0.

Board of Ethics: **Broderick MOVED to retain Robert DiFrancesco, Linda Johnson, Suzanne Pardee (Chair), James Roscetti and Ronald Winkley with the appointment of Al Bax as Ex-Officio. Seconded by Geiben and carried 5-0.**

Historic Preservation: **Broderick MOVED to re-appoint Harry Wright (Chairman). Seconded by Jacoby and carried 5-0.** Term to expire December 31, 2028.

Library Board of Trustees: **Broderick MOVED to re-appoint Matthew Feldman. Seconded by Jacoby and carried 5-0.** Term to expire December 31, 2025.

Lighting Advisory Board: **Broderick MOVED to retain John Barber (Chairman), Suzanne Pardee, Bruce Gonka, Mary Price and Daniel Vitch. Seconded by Geiben and carried 5-0.** Brian Christman named Ex-Officio

Modern CAC: No appointments made in 2018 - 2021. Committee not de-activated at this time.

Parks and Recreation Advisory Committee: **Geiben MOVED to re-appoint Karl Frankovitch. Seconded by Jacoby and carried 5-0.** Term to expire 12/31/2028.

Personnel Committee: **Broderick MOVED to retain Donna Garfinkel, Amy Smith and Attorney Al Bax. Seconded by Geiben and carried 5-0.**

Planning Board: **Geiben MOVED to re-appoint William Taczak. Seconded by Jacoby and carried 5-0.** Term to expire 12/31/2028.

Broderick MOVED to appoint William Conrad to fill a vacancy on the Planning Board. Seconded by Morreale and carried 5-0. Term to expire December 31, 2022.

Signage Committee: **Broderick MOVED to retain Frank Previte, David Trane, Gary Wasko and Christopher Winstel. Seconded by Myers and carried 5-0.**

Town Hall Renovations Board: **Broderick MOVED to retain Bill Conrad, Donna Garfinkel, Bill Geiben, Bob Lannon, Pat Martin and Tim Masters. Seconded by Geiben and carried 5-0.**

Zoning Board of Appeals: The Supervisor asked for those interested in being appointed to the Zoning Board to submit an application.

WORK SESSION January 10, 2022

AGENDA: Additions: Geiben: Recreation & Senior Center. Morreale: Water Dept. Concerns.

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

ABSTRACT: Geiben MOVED to approve the Regular Abstract of Claims Numbered 21-03499 to 21-03564 (2021) & 22-00001 to 22-00018 (2022) and recommended payment in the amount of \$186,947.03 (2021) & \$169,920.13 (2022) for a total of \$356,867.16. Seconded by Morreale and carried 5-0.

OLD BUSINESS: None

NEW BUSINESS: The Board received notification from Skene Law Firm, P.C., representing Metz Catering NY, LLC, of its intent to file an On-Premises Liquor License Application with the NYS Liquor Authority for the Gallagher Center, 2nd Floor. Notice received and filed.

DEPARTMENT HEAD STATEMENTS:

Highway: Trane notified the Board of his hiring of Randi Nicole Jones as Highway Clerk, effective January 21, 2022. She will replace current clerk, Darlene Norwich, who is retiring effective January 29, 2022.

Building: Bldg. Insp. Tim Master is asking for approval to hire Kelly Miano to replace Sandra VanUden who will retire in August. Funds are in the 2022 budget to provide training, as the Building/Zoning/Planning Clerk is not a position a person could do without a lot of training. They have interviewed the top 3 on the Niagara County Civil Service list. Masters would like to hire Ms. Miano effective January 26, 2022 at a rate of \$20.04 as per the contract. This will be a 40-hour position plus overtime.

Broderick MOVED the hiring of Kelly Miano at an hourly rate of \$20.04, effective January 26, 2022. Seconded by Geiben and carried 5-0.

WPCC: Ritter presented the 2022 Modern Landfill Leachate Agreement to allow Modern to discharge landfill leachate at the Lewiston Master Sewer District. There are no changes from the previous year.

Geiben MOVED for approval as presented and directed the Supervisor to sign said Agreement. Seconded by Morreale and carried 5-0.

Geiben MOVED to approve the 2022 Sewer Use Agreement and directed the Supervisor to sign said Agreement. Seconded by Morreale and carried 5-0.

BRODERICK

1. **Engineer**: Lannon said the CSX Pipe-crossing is complete. The pipeline has been pressure-tested and chlorinated. Those results have been sent to the Health Department for review and approval. That process will be wrapped up in the Spring with final restoration of that area.
2. **Finance**: Budget Revisions
 - a) A request to move a total of \$8,583.00 to Supervisor Waiver of Salary (A00-1220-0100-0001) with \$8,433.00 from Supervisor Personnel (A00-1220-0100-0000) and \$150.00 to cover staff overtime and the Supervisor's 2021 Waiver of Salary.
 - b) A request to move a total of \$5,537.00 to Administrative Allocation budget (A00-1310-0100-0002) from Jr Accountant Personnel (A00-1310-0100-0001) to cover the unused 2021 allocation of salary.
 - c) A request to move \$25,000.00 to Recreation Ice Rink Contractual (A00-7310-0403-4403) from Recreation Ice Rink Revenue (A00-1000-2025-4403) to cover Ice Rink Contractual expenses.
 - d) A request to move \$9,000.00 to Police Contractual (B00-3120-0400-0000) with \$3,402.00 from Police Equipment (B00-3120-0200-0000) and \$2,941.00 from Police SRO Personnel (B00-3120-0100-0025) and \$2,657.00 from Police Hospital and Medical (B00-9060-0800-0200) to cover contractual expenses.
 - e) A request to move \$1,294.00 to Police Medicare (B00-9020-0800-0100) from Medicare (B00-9020-0800-0000) to cover Medicare expenses.
 - f) A requesting to move \$6,082.00 to Police Social Security (B00-9030-0800-0100) from Social Security (B00-9030-0800-0000) to cover Social Security expenses.
 - g) A requesting to move a total of \$1,608.00 to the Machine Contractual (DB0-5130-0400-0000) with \$1,282.00 from Highway Administrative Allocation (DB0-1310-

0100-0002) and with \$326.00 from General Repairs Contractual (DB0-5110-0400-0000).

- h) A requesting to move \$23.00 to Water Admin Contractual (SW1-8310-0400-0000) from Water Admin Personnel (SW1-8310-0100-0000) to cover contractual expenses.

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

- 3. Resolution re Updating 2023 Assessment Roll: The Supervisor read a request from the Town Assessor asking that a Resolution to Support the Town Assessor in Updating the 2023 Assessment Roll be discussed and voted upon. A sample resolution was provided.

Broderick said no action would be taken at this time. If anyone had any questions, they should contact Linda Johnson.

GEIBEN:

- 1. Senior Center: Geiben said the Senior Center would re-open January 18, 2022.
- 2. Recreation: Geiben said the Ice Rink was very successful. The Parks Department is in the process of taking down the tent and cleaning up the site.

JACOBY:

Police: Jacoby MOVED to hire Brett Rogers as P/T Police Officer, effective January 11, 2022 at the contractual rate of pay. Seconded by Geiben and carried 5-0.

MORREALE:

- 1. Water: Morreale read a request from Water Foreman Dan Zahno, to permit Jeffrey Dell to attend a class at Stevens Driving School to obtain his CDL License, for the betterment of the department. Morreale said this was already approved on October 17, 2019, but required a formal letter from the Foreman. No further action required.
- 2. Highway: Morreale read a letter from Patricia Zahno: “With regret I am leaving my cleaning job at the Town of Lewiston Highway Department, effective January 9, 2022. I will continue working at the Police Building and Senior Center.”
- 3. Briar Oaks Estates – Final Plat:

Morreale MOVED to schedule a Public Hearing for February 14, 2022 beginning at 6:00 p.m. to hear all interest parties for or against the Final Plat approval for Briar Oaks Estates, 4639 Vrooman Drive, SBL # 87.00-1-21. Seconded by Geiben and carried 5-0.

MYERS:

Myers reported that the Sanborn Area Historical Society will hold a meeting on Tuesday, January 25, 2022 at 7:00 p.m. at the Farm Museum. They will have a special program of the “Music of the American Civil War”, present by Don Dwyer.

PRIVILEGE OF THE FLOOR – No one spoke

Geiben MOVED to adjourn. Seconded by Morreale and carried 5-0. Time: 6:49 p.m.

Respectfully submitted by:

Transcribed by:

Donna R. Garfinkel
Town Clerk

Carole N. Schroeder
Deputy Town Clerk