

PRESENT: Supervisor S. Broderick; Councilmembers A. Bax, W. Geiben, J. Jacoby & J. Myers; Dep. Sup. W. Conrad; Police Chief F. Previte; Bldg. Insp. T. Masters; Finance Director J. Agnello; Atty. T. Seaman; Eng. B. Lannon; WPCC Ch. Op. J. Ritter; Water Foreman D. Zahno; Deputy Highway Supt. B. Christman; 1 Press; 4 Residents and Clerk D. Garfinkel

Supervisor opened the meeting with the Pledge of Allegiance and a moment of Silent Reflection. Broderick introduced and welcomed Councilman Jason Myers.

Geiben introduced Joel - Niagara County Community College intern, who will videotape the meetings.

2020 Regular Meeting & Work Session/Audit Schedules

Geiben requested a change of the November Work Session to the 9th. Veterans Day is on the 11th.

Geiben MOVED to approve the Town Board Meeting / Town Board Work Session schedule as follows: January 6 - WS; January 27 - RTBM; February 10 - WS; February 24 - RTBM; March 9 - WS; March 23 - RTBM; April 13 - WS; April 27 - RTBM; May 11 - WS; May 28 - RTBM; June 8 - NO WORK SESSION; June 22 - RTBM; July 13 - NO WORK SESSION; July 27 - RTBM; August 10 - NO WORK SESSION; August 24 - RTBM; September 14 - WS; September 28 - RTBM; October 15 - WS; October 26 - RTBM; November 12 - WS (Thursday); November 23 - RTBM; December 14 - WS; December 28 - RTBM, Seconded by Jacoby and Carried 5 - 0.

2020 Meeting Time/Agenda/Voucher Submission Deadline

Geiben MOVED Board meeting / Work Session be scheduled for 6:00 pm, with Agenda items received in the Clerk's office by 4:30 pm, the Wednesday prior to the meeting, Seconded by Bax and Carried 5 - 0.

2020 Holiday Schedule

Bax MOVED the following Holiday Schedule: 1/1 - New Year's Day; 1/20 - Martin Luther King, Jr. Day; 2/17 - President's Day; 4/10 - Good Friday; 5/25 - Memorial Day; 7/3 - Independence Day; 9/7 - Labor Day; 10/12 - Columbus Day; 11/11 - Veterans' Day; 11/26 & 27 - Thanksgiving; 12/24 & 25 Christmas, Seconded by Myers and Carried 5 - 0.

2020 Pay Schedule / Employees Stated

Geiben MOVED approval of 2020 Pay Schedule, as presented (dated 1/6/20), Seconded by Bax

Broderick stated the 2020 hourly wage for Christman, Brian - Deputy Highway Supt., is not \$5,044.00 an hour, it is for the year.

Carried 5 - 0.

Geiben said this includes all employees, full-time and part-time. Geiben questioned if it includes those that receive a stipend and seasonal workers. Broderick said it does not. .

2020 IRS Mileage Rate - 57.5¢ (2019 Rate 58¢)

Geiben MOVED to approve the 2020 IRS Mileage Rate of 57.5¢, Seconded by Jacoby and Carried 5 - 0.

2020 Copy Fee Schedule

Geiben MOVED approval of the following copy fees: Town Map = \$5.00; Disk/thumb drive = \$25.00; Building Dept.: 24' X 36' Sheet B/W = \$12.00, 36' X 48' Sheet B/W = \$24.00, 24' X 36' Sheet COLOR = \$18.00, 36' X 48' Sheet COLOR = \$30.00; Non-Certified Copies = \$0.25; Assessor's Office = \$0.65, Seconded by Bax and Carried 5 - 0.

2020 Fee Rates (Resolution 2018-13)

Bax MOVED approval of Resolution 2018-13 as presented for 2020 Fee Rates, Seconded by Jacoby and Carried 5 – 0.

Clerk notified Board members there are still fees in the Code that need to be removed. This will be worked on and presented to the Town Board at a later date.

2020 Cell Phone Stipend

Geiben MOVED for approval of the following: Code Enforcement Officer / Fire Inspectors (2) / Fire Prevention Chairman / Town Clerk = \$25.00; Assessor = \$30.00; Building Inspector / Supervisor = \$80.00, Seconded by Bax and Carried 5 – 0.

2020 Credit Card Payment – Departments / 2020 Dishonored Check Fee

Geiben MOVED approval of the following departments to accept credit card payments: Town and County Tax Payments, Water and Sewer Payments, Fees associated with the Building Department, Fees associated with the Town Clerk’s Department, Fees associated with the Parks & Recreation Department; and impose a Service Charge of \$20.00 for any Dishonored Check presented to any department in the Town, Seconded by Jacoby and Carried 5 - 0

Official Town Newspaper

Broderick MOVED to designate the Niagara Gazette as the Official Town Newspaper, Seconded by Bax and Carried 5 – 0.

Geiben MOVED to designate the Lewiston-Porter Sentinel be used for informational advertising, Seconded by Bax and Carried 5 – 0.

Official Town Depositories

Geiben MOVED to approve Key Bank and M&T Bank as official Town Depositories and designate the Town Supervisor, Deputy Supervisor, and Director of Finance as signatories to the Depositories, Seconded by Jacoby

Geiben noted, in regards to investments, the Town can go outside of these.

Carried 5 – 0.

Town Physician - No decision

Procurement Policy

Geiben MOVED to approve the Town of Lewiston Procurement Policy, Seconded by Bax and Carried 5 – 0.

Summary of above: **Goods and/or Services** – More than \$5,000, but equal or less than \$20,000 **Public Works** – More than \$10,000 but equal or less than \$35,000 = 3 written / fax quotes; **Goods and/or Services** – More than \$2,500 but equal or less than \$5,000 **Public Works** – More than \$5,000 but equal or less than \$10,000 = 3 oral quotes; **Goods and/or Services** – Less than \$2,500 = Department Head approval; **Public Works** – less than \$5,000 = Department Head approval.

Investment Policy

Geiben MOVED approval of Resolution No. 2019-013 – as the 2020 Investment Resolution, Seconded by Jacoby and Carried 5 – 0.

Roberts Rules of Order – addressed 12/30/2019

Geiben MOVED to approve the Roberts Rules of Order as posted in the Main Meeting Room and approved on December 30, 2019, Seconded by Bax and Carried 5 – 0.

APPOINTMENTS AND CONFIRMATIONS

Assessor's Dept: **Geiben MOVED to confirm appointment of Linda Johnson - Town Assessor and Heidi Seguin - Real Property Appraisal Technician, Seconded by Jacoby and Carried 5-0.**

Attorney: **Broderick MOVED to retain the law firm of Seaman Norris, LLP as Attorney for the Town and authorize the Supervisor to sign said contract with Seaman Norris, LLP, as Attorney for the Town, Seconded by Bax and Carried 5-0.**

Building Dept: **Bax MOVED to re-appoint Tim Masters - Building Inspector/SEQR Compliance Officer, Sandy VanUden - Clerk/Typist and Chris McAuliffe - Ordinance Enforcement Officer/Stormwater Manager, Seconded by Jacoby and Carried 5-0.**

Engineering Services: **Geiben MOVED to retain GHD Consulting Services, Seconded by Jacoby and carried 5-0.**

Fire Inspectors: **Geiben MOVED to re-appoint Pat Martin & Don Cosentino as part-time Fire Inspectors, Seconded by Bax and Carried 5-0.**

Highway Department: **Geiben MOVED to confirm the appointment of Brian Christman, Deputy Highway Supt. and Typist Darlene Norwich, Seconded by Jacoby and Carried 5-0.**

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

Justice Confirmations: **Geiben MOVED to confirm Justice Court Employees, Seconded by Bax and Carried 5-0.**

Town Prosecutor: **Geiben MOVED to confirm George Adamson, Town Prosecutor, Seconded by Jacoby and Carried 5-0.**

Parks: **Geiben MOVED to re-appoint Mike Dashineau - Parks Supt., Seconded by Bax and Carried 5-0.**

Police: **Geiben MOVED to confirm Frank Previte as Police Chief, Seconded by Bax and Carried 5-0.**

Recreation: **Geiben MOVED to re-appoint Mike Dashineau – Recreation Director, Seconded by Bax and Carried 5-0.**

Registrar, Records Access Officer, Dog Control, RMO & Recycling Officer: **Geiben MOVED to re-appoint Donna Garfinkel as Registrar, Records Access Officer, Dog Control, RMO & Recycling Officer, Seconded by Jacoby and Carried 5 – 0.**

Senior Services: **Geiben MOVED to re-appoint Jeanette Collesano - Senior Director and her staff, Seconded by Bax and Carried 5-0.**

Supervisor's Confirmations: **Broderick MOVED to confirm Amy Smith - Confidential Secretary / Sr. Typist / Risk Manager, Seconded by Bax and Carried 5-0.**

Broderick MOVED to confirm Jacqueline Agnello as Finance Director, Seconded by Bax and Carried 5-0.

Broderick MOVED to appoint Geiben as an alternate to attending Greenway Committee meetings in his absence, Seconded by Bax and Carried 5 – 0.

Grant Writer: **Geiben MOVED to appoint Connie Miner & Co. as Grants Consultant, Seconded by Bax and Carried 5-0.**

Geiben MOVED to authorize the Supervisor to sign contract, after Attorney review, Seconded by Jacoby and Carried 5 – 0.

Town Clerk Confirmations: **Geiben MOVED to confirm Carole Schroeder, First Deputy Town Clerk/Deputy Registrar, Linda Kreps, Deputy Town Clerk/Sub Registrar, Tamara Meogrossi, Deputy Town Clerk, Seconded by Bax and Carried 5-0.**

Geiben MOVED to re-appoint John Aquino, Laborer/Deputy DCO, Seconded by Bax and Carried 5-0.

Water Personnel – Administrator: **Geiben MOVED to re-appoint Steve Broderick, Water Administrator and Daniel Zahno – Water Foreman, Seconded by Bax and Carried 5-0.**

Geiben MOVED to confirm William Conrad, Deputy Supervisor, Seconded by Bax and Carried 5-0.

WPCC: **Geiben MOVED to confirm Jeff Ritter - Chief Operator, Seconded by Bax and Carried 5-0.**

APPOINTMENTS:

2020 Appointed Liaisons as follows:

Board of Ethics Ex-Officio – Thomas Seaman; Building Inspector – Bax; Cable Commission – Myers; CWM Siting Advisory Committee – Bax; Engineer – Geiben; Environmental Commission – Bax/Geiben; Fire Bureau – Broderick/Jacoby; Highway/Drainage – Bax; 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; Modern CAC – on hold; Parks & Recreation Advisory Committee – Geiben; Personnel Committee – Geiben; Police – Bax; Town/Village Police Liaisons – Broderick/Bax; Planning Board – Bax/Jacoby; Recreation – Geiben; Risk Manager – Broderick; Sanborn Business and Professional Assoc. – Myers; Senior Citizens – Geiben; Signage Committee – Myers; Tower/Wind Energy Research Committee – Abolished; Water – Broderick; WPCC – Bax; and Zoning Board of Appeals – Bax/Jacoby.

Geiben MOVED approval of 2020 Liaison Appointments, as read, Seconded by Bax

Geiben reviewed and asked that Myers be the Cable Commission liaison. Geiben requests a second member for the Zoning Board of Appeals. Jacoby will be the second.

Carried 5-0.

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

Women's Business Officer: **Geiben MOVED to re-appoint Donna Garfinkel, Seconded by Bax and Carried 5-0.**

Electrical Inspectors: **Bax MOVED to accept the agreement with New York Atlantic-Inland, Inc. - Electrical Inspection Services, a private subcontractor and authorize the Supervisor to sign said agreement, Seconded by Geiben and Carried 5-0.**

Records Appeals Officer – FOIL: **Geiben MOVED to appoint Donna Garfinkel and Supervisor Broderick, Seconded by Myers and Carried 5-0.**

T/V Police Commission: **Jacoby MOVED to appoint Steve Broderick, Seconded by Bax and Carried 5-0.**

Bingo Inspector: Geiben MOVED to appoint Linda Kreps, Seconded by Bax and Carried 5-0.

BOARDS, COMMISSIONS & COMMITTEES:

Cable Commission: Geiben MOVED the following individuals to the Cable Commission for 2020: James Abbondanza (Chairman), Anthony DiPasquale, Karl Frankovitch, Carl Hoffman and John Sharpe. Seconded by Bax and Carried 5-0.

Environmental Commission: Bax MOVED the re-appointment of Domonic Balassone and Zachary Collister, terms to expire 12/31/2022, Seconded by Jacoby and Carried 5-0.

Bax MOVED to appoint Jerald Wolfgang - Chairman and James Allen - Vice Chairman, Seconded by Bax and Carried 5 – 0.

Board of Ethics: Geiben MOVED the appointment of Robert DiFrancesco, Linda Johnson, Suzanne Pardee (Chair), James Roscetti, Ronald Winkley and Thomas Seaman (or his designee) as Ex-Officio, Seconded by Bax and Carried 5-0.

Historic Preservation: Jacoby questioned who is on it currently and their dates of expiration. Clerk to forward the list to Board members. No Action taken.

Lewiston Library Board of Trustees: Linus Ormsby and William Leggiro have chosen not to be reappointed. Geiben MOVED to appoint Nancy Smith (term expire 12/2023) and Justin Tedesco (term expire 12/2022 – Leggiro replacement) to be the Town’s representatives, Seconded by Jacoby and Carried 5-0.

Lighting Advisory Board: Geiben MOVED to re-appoint John Barber - Chairman, Suzanne Pardee, Bruce Gonka, Mary Price and Daniel Vitch, Seconded by Bax and Carried 5-0. Brian Christman - Ex-Officio.

Modern CAC: Broderick noted that no appointments were made in 2018, 2019.

Parks and Recreation Advisory Committee: Geiben MOVED to re-appoint David Perrault, term expire 12/2026, Seconded by Bax and Carried 5 – 0.

Geiben MOVED to appoint Thomas Deal – Chairman and Robert Flegal – Vice-Chairman, Seconded by Jacoby and Carried 5 – 0.

Personnel Committee: Broderick MOVED to appoint Donna Garfinkel, Amy Smith and Attorney Thomas Seaman (or his designee), Seconded by Bax and Carried 5-0.

Planning Board: Geiben MOVED to re-appoint Kenneth Lilly term to expire 12/2026 and William Conrad – Chairman, Seconded by Bax and Carried 5-0.

Senior Advisory Board: Abolished

Signage Committee: Geiben MOVED to appoint David Trane, Christopher Winstel and Frank Previte, Seconded by Bax and Carried 5-0. Two vacancies exist.

Tower/Wind Energy Committee: Conrad – Chairman of the Committee was asked to update the Board. Conrad said the Committee has met twice in the last two years. With those members on the Planning Board, Conrad believes they are more than capable of handling the applications.

Bax MOVED the following resolution: Resolution Abolishing the Town of Lewiston Tower / Wind Energy Committee; Whereas, the Town of Lewiston has previously established the Town of Lewiston Tower / Wind Energy Committee (“Committee”) and, Whereas, said Committee is an ad-hoc Committee with only recommendation authority for the Town Board, and, Whereas, said Committee has not met or made any recommendations to the Town Board in many months, and, Whereas, based on the inactiveness of the Committee, the Committee Chairman has recommended that the Town Board abolish said Committee, Now Therefore Be

It Resolved, that the Town of Lewiston Tower / Wind Energy Committee be and is hereby abolished and dissolved, effective immediately, Seconded by Geiben and Carried 5 – 0.

Town Hall Renovations Board: **Geiben MOVED to re-appoint Bill Conrad, Donna Garfinkel, Bill Geiben, Bob Lannon, Pat Martin and Tim Masters, Seconded by Bax and Carried 5 – 0.**

Zoning Board of Appeals: **Geiben MOVED to re-appoint Joseph Conti term to expire 12/2024, Seconded by Bax and Carried 5 – 0.**

Geiben MOVED to appoint Norman Machelor – Chairman, Seconded by Bax and Carried 5 – 0.

Geiben MOVED to appoint Anita Muzzi as Alternate, Seconded by Bax and Carried 5 – 0.

The 2020 Budget reflects the Supervisors salary as \$43,583. With Broderick's NYS Retirement, he can only accept \$35,000. Therefore, Broderick will be accepting \$35,000 as his salary.

Bax MOVED to exit the Reorganization meeting, Seconded by Jacoby and Carried 5 – 0.

WORK SESSION

Association of Towns:

Authorize Membership Dues payment - \$1,500: **Geiben MOVED to authorize Membership Dues payment in the amount of \$1,500, Seconded by Bax and Carried 5 – 0.**

Approval – Attendance - 2020 Training and Annual Meeting (2/16 – 2/19, 2020): **Geiben MOVED to authorize Supervisor Broderick and Councilman Geiben to attend the Association of Towns meeting, Seconded by Jacoby and Carried 5 – 0.**

Bax MOVED to assign Supervisor Broderick as the Delegate with Councilman Geiben as the alternate, Seconded by Jacoby and Carried 5 – 0.

Conrad spoke of a two day Webinar he would like to participate in for Solar Battery Storage. Conrad requests the Board approve his participate at a cost of \$250.

Geiben MOVED to approve Conrad's participation in the Webinar, at a cost of \$250, with funds coming from Supervisors Contractual, Seconded by Bax and Carried 5 – 0.

Retiring Notice – Michael Dell – MEO Highway Dept.

Geiben MOVED to accept, with regret, the retirement of Michael Dell – MEO, Highway Dept., Seconded by Jacoby and Carried 5 – 0.

Sewer Forgiveness – 5079 Forest Road

Bax MOVED to approve the sewer forgiveness of \$116.53, 5079 Forest Road, Seconded by Geiben and Carried 5 – 0.

Town Justice Dept. – Notification of 2019 Lewiston Court records available for examination. Board acknowledges receipt.

Niagara County Sheriff's Tower – Swann Road – Update Lease Agreement – Site Plan

The Site Plan was changed to accommodate the moving of the tower. The Site Plan is part of the Lease Agreement; therefore the Lease Agreement needs to be approved with the changed Site Plan.

Jacoby MOVED to update the Lease Agreement, Seconded by Bax and Carried 5 – 0.

Seaman suggests the Board approve the amended Site Plan as well.

Bax MOVED to accept the Site Plan as presented, Seconded by Jacoby and Carried 5 – 0.

Finance

Agnello asks the Board to enter into an agreement with the Town of Cambria for the contribution of \$4,000 for 2020 to fund Sanbornites Seniors.

Geiben MOVED to enter into an agreement with the Town of Cambria for the contribution of \$4,000 for 2020 to fund Sanbornites Seniors, Seconded by Jacoby and Carried 5 – 0.

Geiben MOVED to authorize the Supervisor to sign the agreement with Town of Cambria, Seconded by Jacoby and Carried 5 – 0.

Agnello prepared 12 Budget revisions, reflected in the 2019 Budget. Geiben asked Seaman if they can be approved all at once.

Geiben MOVED to dispense of reading the list and approve it as presented, Seconded by Jacoby and Carried 5 – 0.

Transfer \$1.00 from Court Security Personnel budget - A00-1110-0100-0100 to Prosecutor Personnel - A00-1165-0100-0000.

Transfer \$11,906.00 from Supervisor Personnel - A00-1220-0100-0000 to Waiver of Salary - A00-1220-0100-0001.

Transfer \$4,227.00 from Jr. Accountant Personnel - A00-1310-0100-0001 to Administrative Allocation - A00-1310-0100-0002.

Transfer \$22,971.00 from Recreation Seasonal Personnel - A00-7310-0100-0000 to Recreation Equipment - A00-7310-0200-0000.

Transfer \$484.00 from Registrar Contractual - B00-4020-0400-0000 to Registrar Personnel - B00-4020-0100-0000.

Transfer \$1.00 from Safety Personnel - B00-3620-0100-0000 to Stormwater Personnel - B00-8140-0100-0000.

Transfer \$39.00 from Social Security - B00-9030-0800-0000 to Disability Insurance - B00-9055-0800-0000.

Transfer \$1,618.00 from Social Security - B00-9030-0800-0000 to Union Welfare Benefits - B00-9070-0800-0000.

Transfer \$128.00 from Sanitary Personnel - SS2-8120-0100-0000 to Master Sewer Personnel - SS2-8110-0100-0000.

Transfer \$5.00 from Sanitary Personnel - SS2-8120-0100-0000 to Master Sewer Medicare - SS2-9020-0800-0000.

Transfer \$21.00 from Sanitary Personnel - SS2-8120-0100-0000 to Master Sewer Social Security - SS2-9030-0800-0000.

Transfer \$29.00 from South Sewer Administrative Equipment - SS3-8110-0200-0000 to South Sewer Social Personnel - SS3-8110-0100-0000.

Recreation

Dashineau notified the Board the Ice Rink has closed. The Financial report will be submitted.

Dashineau submitted a memo outlining hourly rates to change due to an increase in minimum wage.

Geiben questioned if the Board can approve to increase just those that are below minimum wage, to minimum wage. Broderick asked Seaman what he thought.

Seaman thinks, in terms of those under minimum wage, the Town is legally required to raise it. It should be done by motion so the record reflects that all were raised to minimum wage. Those that are above minimum wage, Seaman recommends the Board go into Executive Session.

Geiben MOVED to modify the Salary Schedule to bring all those below minimum wage up to minimum wage - \$11.80/hour, Seconded by Bax

Jacoby questioned the different levels that each employee will be raised. Broderick said that is why the Board is going into Executive Session.

Myers MOVED to enter into Executive Session to discuss Personnel issue related to particular part-time employees in Parks & Recreation, Seconded by Bax and Carried 5 – 0.

PRESENT: Supervisor S. Broderick; Councilmembers A. Bax, W. Geiben, J. Jacoby & J. Myers; Dep. Sup. W. Conrad; Finance Director J. Agnello; Atty. T. Seaman; Parks & Recreation Director Dashineau

Issue discussed: Personnel issue related to particular part-time employees in Parks & Recreation.

Myers MOVED to exit into Executive Session, Seconded by Geiben and Carried 5 – 0. (7:30 pm)

No action taken.

Transcribed and respectfully submitted by:

Donna R. Garfinkel, Town Clerk