

November 24, 2025

Regular Town Board Meeting

6:00 P.M.

PRESENT: Supervisor S. Broderick; Councilmembers J. Myers, J. Jacoby, & R. Morreale; Dep. Sup. W. Conrad; Chief of Police M. Salada; Eng. B. Lannon, Finance Director J. Agnello; Bldg. Insp. T. Masters; Hwy Sup. M. Weiss; Rec. Director T. Smith; WPCC Ch. Op. J. Ritter; Atty. A. Bax; & Deputy Clerk B. Cogland; 21 Residents, and 1 Press

ZOOM: 1 Press

EXCUSED: Councilwoman Waechter; Sr. Coordinator M. Olick; Water Foreman D. Zahno

Supervisor called the Work Session to order followed by the Pledge of Allegiance and a moment of silent reflection.

AGENDA APPROVAL

Legal – Local Law 2-2025

Agenda **Jacoby MOVED to approve the agenda, as amended. Seconded by Myers and Carried 4-0.**

RESIDENT STATEMENTS

Alex Bartosh – Sanborn

Bartosh has lived in Sanborn for 35 years. He came to inquire about the closing of the Sanborn Post Office. Broderick said he only just heard of this today. Bartosh said there are many residents that depend on the local Post Office, for package delivery and also for medications. It amounts to a lot of traveling, especially for senior residents, to have to go to Model City, or Lewiston, or Niagara Falls for mail. Weather causes troubles during the winter that is unfavorable to travel in. Broderick said this is something he will look into and reach out to Bartosh once more information is gathered.

David LaComb – Country Club Trail

Lacomb read a letter to the Board.

“Dear Town of Lewiston Board Members, I am writing about my November water and sewer bill for my property at 5177 Country Club Trail in the amount of \$1,466.47. This amount comes with concern as nothing has occurred abnormally with my household’s water usage. When I contacted the Water Department, I was asked if I have a sprinkler system – I do – and was advised to have it inspected for possible leaks. Upon inspection there were two very wet areas in the yard and determined to be caused by leaks within the sprinkler system. The system has now been winterized and repairs will be made in the spring. Based on past instances of the Town Board forgiving sewer charges for water that was not discharged into the sewer system, due to stuck sump pumps, etc. I am here requesting the same consideration, believing the water did not go into the sewer. I am here asking the Board for forgiveness of the sewer portion of my bill which is \$724.23 compared to \$325.49 this time last year. Thank you for your time and attention to this matter.”

Ritter said sometimes people come to the Board requesting large sewer reliefs for various reasons. The Town has a sewer use agreement with all the municipalities that use the Treatment Plant, and within that agreement is mention of agricultural designation. If someone is going to be using water to grow anything, they must have \$10,000 worth of product. This is a slippery slope for the Town to approach, because to approve this opens a

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door for other residents to say they were only watering their flowers and therefore should not pay the sewer fee. Per the Sewer Use Agreement, if a resident does not want sewer charges for irrigation watering, they would need to obtain a hydrant meter and water from the fire hydrant. The Board has made a policy about receiving a one-time forgiveness for filling a pool. This is noted in our system to ensure it is a one-time forgiveness.

LaComb said he's had a sprinkler system for 6 years and has never been to the Board asking for a lower bill, because this situation has never happened and for his usage, he has always paid his bill without a sound. However, now, with knowing this water did not ever go down to the Treatment Plant, he is looking to have the sewer portion to be lowered to what it was last year, as this is the best comparison he has to go off of. LaComb had no knowledge of the leaks in the sprinkler system until the bill came out with the usage and feels this is a reasonable request based on the situation. Bax said the Town has come up with a policy that states sewer charge forgiveness will only apply to pools, and for that reason believes the Board should abide by the policy so not to set a precedence for others to come in challenging the Board on sewer charges. Broderick said that he feels bad because he understands LaComb didn't know he had an issue until the bill came out but a similar situation has occurred with Niagara University. LaComb said he respects what is being said, it just feels like common sense to him to not have to pay sewer fees for water that definitely never went into the sewer system. LaComb said he not looking for the bill to be cleared, just for the sewer portion to level to the usage of last year that can best compare how much actually went into the sewer.

Bax said the issue is there are many cases where things go wrong for residents and there is no telling where the water went to, which is why a policy on sewer was created. LaComb said he read a consideration back in August of a sewer forgiveness not involving a pool, and would like to know how that differs from his request. LaComb read the following minutes from August 25th Regular Town Board Meeting:

Dear Town of Lewiston,

I received my water and sewer bill on 8/1/2025. The bill is for \$2,191.47. My previous bill was around \$70. I once had an issue with my sump pump water backup staying on after a power outage but have been very conscious about it since that large billing. This time however, I cannot find a culprit to this much water usage. My brother who works at the sewer plant (Jeff Ritter) said I should have someone check on the water meter and see if I am leaking water somewhere. The Town showed up and the best they could surmise is there may be a problem with the meter.

Regardless, if it was anything I could not see I would assume it was water from the sump pump assist. Not going into the home sewer but the storm sewer. My brother said I should ask the Town to at least waive the sewer charges on my bill.

Broderick said he spoke to Ritter who said it was an issue with the sump pump. Burns said there was not an issue with the meter. The meter is an older style meter and the Water Department could not extract the data to see the specific time and date the water was used. The total sewer charge on Pinson's bill was in the amount of \$983.89. Pinson's normal sewer bill is \$30.97 which means Pinson is asking for relief of sewer in the amount of \$952.92.

The Town Board needs to decide if they are willing to waive \$952.92 that did not go into the sewer. Jacoby asked if this is the best we could do. Broderick said yes. The Town pays Niagara County for water and was charged for the water that went through the meter. Bax said if this fee is waived, it will not set a precedence. Pinson said the Water Department changed her meter because it was not working correctly. Burns said she spoke with the Water Department and the meter was changed due to the same situation happening a year ago and we could not extract the data from the meter to see when the water was used. If this happens again, the Water Department will be able to extract the data from the meter. Pinson said the red dial on her meter was not moving. Zahno said, if the red dial was not moving on the meter, it would not show any water usage.

Waechter asked if the problem has been resolved. Burns said when the Water Department went to Pinson's house, her consumption was back to normal.

LaComb notes this is a different situation but the point of the argument is that water didn't go through the sewer, the only difference is she was asking around \$900 he's only asking for around \$400 although the amount shouldn't make the difference. Bax said that situation was stated to not create precedence.

Sewer
Forgiveness
5177 Country
Club Trl

Broderick MOVED to lower the sewer charge on the November water bill for 5177 Country Club Trail to \$400 not to set a precedence in the future. Seconded by Jacoby and carried 4-0.

APPROVAL OF MINUTES

Minutes

Jacoby MOVED to approve the minutes from the 11/10/2025 Work Session. Seconded by Myers and Carried 3-0. Morreale abstained.

ABSTRACT

Abstract

Myers MOVED to approve the Regular Abstract of Claims Numbered 25-03048 thru 25-03162 and recommended payment in the amount of \$206,304.44, plus a Post-Audit of \$5,621.97. Seconded by Myers and Carried 4-0.

DEPARTMENT HEAD STATEMENTS

Building Department

Masters said the roof and re-blocking on the Water Storage Tank Building has been done, but another issue had arisen. The back bonding masonry work needed to be fixed, and therefore the allowance for the project was over spent by \$4,500. Broderick said he went to examine the building with Masters, and this building had not had any repairs done in about 30-50 years. Reinforcement was needed in multiple areas. It's important to see it done right so it doesn't need to be revisited for another 30-50 years. The door frame and door also need full reinforcement and replacement.

Change Order
Aerial Roofing
Water Storage
Tank

Jacoby MOVED to approve the change order of \$4,500 to Aerial Roofing to be paid from H97. Seconded by Myers and carried 4-0.

Masters said the next thing discussed was the door having to be 'yanked' on to open it. The door is leaky and all jammed up. An estimate was received for a commercial insulated double sliding door.

Door Purchase
Water Storage
Tank

Morreale MOVED to approve the purchase of a door for the Water Storage Tank Building in the amount of \$8,363.64 from Aerial Roofing to be paid out of the H98. Seconded by Jacoby and carried 4-0.

Highway Dept

Weiss said the Cliff Road project is wrapped up. The Highway Department will return in the spring for landscaping and a little more paving. The Highway Department started working on the Elm and Annover drainage this week. That has been completed – all pipes are in the ground. The crew will return in the spring for full cleanup and landscaping.

It has been brought to Weiss's attention that a headstone at Dickersonville Cemetery may be in an incorrect area. The Highway Department wants to make sure no other errors have been made from past doings. J.

Kilmer has worked extensively to ensure progress for the cemetery. Weiss is asking the Board for approval to hire Via Vista Mapping to do sonar mapping of the cemetery. This will give an up-to-date precise map of where everything is underground and ensure that everything is marked properly and mapped accurately. New maps will be made so moving forward there is no question. The cost for this full service is \$15,225.

Sonar Mapping
Dickersonville
Cemetery

Jacoby MOVED to hire Via Vista Mapping in the amount of \$15,225 to do sonar mapping of the Dickersonville Cemetery. Seconded by Myers and carried 4-0.

Weiss said over the years the Highway Department has rented and borrowed manlift trucks for tree trimming on right-a-ways, hanging of snowflakes on poles in Sanborn, and Hometown Hero Banners. There are times that scheduling gets to be difficult and Weiss feels it will greatly benefit the Town to have its own manlift. Weiss received a quote from Milton Cat for a new manlift in the amount of \$167,702.68. Broderick said he has no idea how the Town made it this long without our own lift and has suggested this purchase happen for years.

Manlift
Purchase
Highway

Morreale MOVED to approve the purchased of a manlift from Milton Cat in the amount of \$167,702.68. Seconded by Jacoby and carried 4-0.

WPCC Ch. Op. – J. Ritter

Regarding the dye testing in Morgan Farms area – a few yard drains were found to be directly connected to the sanitary sewer. Flow data is still being reviewed and there is suggestion of cross connection of sump pumps in the area.

The WPCC's Chevy Blazer was declared excess back in early March but its replacement delivery date was later than anticipated. It ended up on Auctions International this month and sold for \$1,300.

Steve Arora is no longer an operator trainee. Arora passed his New York State 3A Operators exam last week. All trainees are now certified operators at the Treatment Plant.

Earlier this month CPR training was held at the Treatment Plant. Work place violence training was held at Town Hall last week with a grant by New York State Hazard Abatement Board.

Engineer – B. Lannon

As an extension to Ritter's statements on the Morgan Farms area, meters will be removed December 16th. Until then, more testing will be done and once completed mid-December, the Town can begin moving forward with solutions.

Recreation – T. Smith

Skating at Niagara University starts this Friday. The Recreation Department is still looking for 4 sponsors. 21 Skates will be held this year. December 6th the Town of Lewiston will be sponsoring the skate. Free to residents – you can bring your own skates or rent a pair.

OLD/PENDING BUSINESS - None

NEW BUSINESS - None

SUPERVISOR BRODERICK

Personnel
Payroll
Specialist
Position

Broderick said a new position needs to be created for Civil Service titled Personnel/Payroll Specialist. This is a permanent position.

Morreale MOVED to create a permanent position titled “Personnel / Payroll Specialist”. Seconded by Jacoby and carried 4-0.

Legal

The Town Board has asked Bax to draft a moratorium on the processing of applications and approval for Site Plan approvals. With the concerns that occurred with the Pumpkin Farm this past season, it created some awkward discussions for the Town as there are no clear laws in place on seasonal and special uses. Therefore, a moratorium will be put in place.

Bax read Local Law 2-2025 titled “Establishing a Six-Month MORATORIUM on the Processing of Applications and Approvals for Site Plan Approvals and Special Use Permits Relating to Non-conforming Seasonal Uses, Seasonal Events and Attractions in all Zoning Districts by the Town of Lewiston Planning Board” into the record.

SECTION 1. TITLE: This law shall be known as Local Law No. 2_ of the Year 2025 entitled “A Six-Month MORATORIUM on the Processing of Applications and Approvals for Site Plans and Special Use Permits Relating to Seasonal Uses, Seasonal Events and Attractions in all Zoning Districts by the Town of Lewiston Planning Board”.

SECTION 2. PURPOSE: The purpose of this Local Law is to amend the Code to place a six (6) month moratorium on the processing of applications and approvals for Site Plans and Special Use Permits relating to seasonal uses, seasonal events and attractions in all zoning districts within the Town of Lewiston to allow time for the research, development and adoption of amendments to the Town Code of the Town of Lewiston which regulates these types of applications. This time will give the Town Board the ability to complete all reasonable and necessary review, study analysis and, if warranted, revision to the Town of Lewiston Zoning Code as may be necessary to promote and preserve the health, safety and welfare of the Town of Lewiston and its residents.

SECTION 3. EXEMPTIONS: None.

SECTION 4. TERM: This moratorium shall include any applications made on or after November 24, 2025 and shall be in effect for a period of six (6) consecutive months from its effective date of November 24, 2025. This term may be extended, for additional periods not to exceed six (6) month each, if necessary, by resolutions of the Town of Lewiston Town Board.

SECTION 5. SEVERABILITY: If any portion, subsection, sentence, clause, phrase or portion thereof of this Local Law is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

SECTION 6. EFFECT ON OTHER LAWS: To the extent that any law, ordinance, rule or regulation, or parts thereof are in conflict with the provisions of this Local Law, this Local Law shall control and supersede such law, ordinance, rule or regulation. Any provision of any local law requiring prior review by any Town of Lewiston advisory board, including without

limitation, the Town of Lewiston Planning Board and Zoning Board, shall not be applicable to this Local Law.

SECTION 7. WHEN EFFECTIVE: This Local Law shall become effective immediately upon its filing in the office of the Secretary of State. Upon the enactment of this Local Law, the Moratorium shall remain in place for a six (6) month time period commencing with its effective date. This six (6) month time period may be extended by the Town Board by adoption of a Resolution for said purpose.

Schedule
Public Hearing
Local Law
2-2025

**Morreale MOVED to schedule a Public Hearing for Local Law 2-2025 on December 8, 2025 at 6:00PM.
Seconded by Jacoby and carried 4-0.**

FINANCE

The Finance Director asked for approval to process the following 2025 budget revisions:

1. A request to move \$697 to Supervisor Equipment - A00-1220-0200-0000 from Contingency - A00-1990-0400-0000, to cover purchase of a lap top.
2. A request to move \$2,105 to Budget Office Equipment - A00-1310-0200-0000 from Senior Center Equipment - A00-7630-0200-0000, to cover purchase of a desk top and lap top computer.
3. A request to move \$5,561 to Assessor Equipment - A00-1355-0200-0000 from Senior Center Equipment - A00-7630-0200-0000, to cover purchase of a server and lap top computer.
4. A request to move \$1,512 to Town Clerk Equipment - A00-1410-0200-0000 from Senior Center Equipment - A00-7630-0200-0000, to cover purchase of a desk top and lap top computer.
5. A request to move \$4,002 to Building Equipment - A00-1620-0200-0000 from Senior Center Equipment - A00-7630-0200-0000, to cover purchase of a shredder.
6. A request to move \$1,970 to Recreation Equipment - A00-7310-0200-0000 from Senior Center Equipment - A00-7630-0200-0000, to cover purchase of two desk top computers.
7. A request to move \$4,130 to ArtPark Modern Contractual - A00-7560-0400-0000 from ArtPark Modern Revenue - A00-1000-1270-0000, to cover ArtPark 3rd quarter tipping fee payment.
8. A request to move \$4,640 to Parks Personnel - B00-7110-0100-0000 from Parks Contractual - B00-7110-0400-0000, to cover seasonal personnel payroll.

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9. A request to move \$1,998 to Union Welfare Benefits - B00-9070-0800-0000 from Delinquent Lawn Maintenance - B00-3620-0401-0000, to cover union employee benefits.

Budget
Revisions

Morreale MOVED to approve the budget revisions as presented. Seconded by Myers and Carried 4-0.

COUNCILMAN JACOBY – nothing to report

COUNCILMAN MORREALE

Morreale read a request from Timothy McGuire of 900 James Drive for a sewer forgiveness credit in the amount of \$124.22 for the filling of a pool after liner replacement.

Sewer
Forgiveness
Pool Liner
900 James

Morreale MOVED to approve a sewer forgiveness credit in the amount of \$124.22 for a pool liner replacement at 900 James Drive. Seconded by Myers and Carried 4-0.

The Recreation Department is requesting approval to hire Madison Stricker as a part-time seasonal Recreation Leader at \$16.00/hr. with hours beginning November 28, 2025.

P/T Rec
Leader
Hire

Morreale MOVED to approve the hire of Madison Stricker as a part-time Recreation Leader at \$16.00/hour with hours beginning November 28, 2025. Seconded by Myers and carried 4-0.

COUNCILMAN MYERS

Christmas at the Farm will be held December 7th at the Historical Museum in Sanborn. There will be a Holiday Party for the kids December 13th and 14th. The museum will have a Santa store for shopping and basket raffles each day. The Sanborn Historical Society will have “Caroling at the Farm” Saturday December 20th featuring Ladies First Quartet an acapella group.

PRIVILEGE OF THE FLOOR – No one wished to speak.

Morreale MOVED to adjourn. Seconded by Jacoby and carried 4-0. 6:37 P.M.

Transcribed and
Respectfully submitted by:

Briggett R. Cogland
Deputy Town Clerk

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