

Work Session

6:00 PM

**PRESENT:** Supervisor S. Broderick; Councilmembers R. Morreale, W. Burg, J. Myers & S. Waechter; Dep. Sup. W. Conrad; Police Chief M. Salada; Finance Director J. Agnello; Eng. B. Lannon; Water Foreman D. Zahno; WPCC Ch. Op. J. Ritter; Bldg. Insp. E. Zimmerman; Atty. A. Bax; 1 Press; 3 Residents & Town Clerk T. Burns

**ZOOM:** Sr. Coordinator M. Olick

**EXCUSED:** Bldg. Insp. T. Masters; Hwy Sup. M. Weiss; Rec. Director T. Smith

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

*AGENDA AMENDMENTS:* None

Agenda **Waechter MOVED to approve the agenda, as presented. Seconded by Myers and carried 5-0.**

*APPROVAL OF MINUTES*

Minutes **Morreale MOVED to approve the minutes from the 1/5 Reorg. Meeting. Seconded by Broderick and carried 5-0.**

*ABSTRACT*

Abstract **Myers MOVED to approve Regular Abstract of Claims Numbered 25-03671 thru 25-03712 and 26-00104 thru 26-00291 and recommended payment in the amount of \$1,829,424.03 with a Post Audit in the amount of \$0. Seconded by Waechter and carried 5-0.**

*DEPARTMENT HEAD STATEMENTS*

Police Chief M. Salada

Salada said they've had a busier than normal January with 1,344 calls and 48 arrests. There has been an uptick in check frauds again. Checks are being stolen from mailboxes and are being washed and cashed. The Police Department does have suspects for the several cases they've had but are encouraging residents to bring their mail into the Post Office or handing mail to the mail carrier directly.

Water Foreman D. Zahno

Zahno said the Water Department had a pretty good size water main break on Vrooman Drive that was fixed.

Eng. B. Lannon

February 9, 2026

Lannon said they are continuing to work with National Grid on getting the street lights for Oak Run Phase 5. Lannon is expecting an internal draft for the Morgan Farms I & I later this week.

Bldg. Insp. E. Zimmerman

Zimmerman said there will be a Comprehensive Plan Workshop Meeting on February 26<sup>th</sup> at the Senior Center.

Sr. Coordinator M. Olick

Olick said the Senior Center had their Superbowl party on Friday which was well attended. The center will have their Valentines Day lunch on Wednesday. Flower Arranging will be moved to Monday the 23<sup>rd</sup> due to the AARP tax prep being on Friday.

Hwy Sup. M. Weiss

Weiss was excused from the Board Meeting but asked Broderick to read a letter he wrote.

“Over the past two weeks, with heavy snowfall activity, the Highway Department has been very busy. We have been working extended hours to keep up with the snow, as well as drifting snow this season. I am very proud of the hard work and tireless hours that my crew has put in so far this winter. We will continue to work very hard on keeping our roads clear and safe for our residents. With the small break that we had with the weather this last week, we were able to free up a crew to clear the snow on Center Street, in support of our local businesses and in the event that we continue to get more snow this season, we will have a place to put it while keeping the residents and visitors safe. We have also been making an attempt to clear snow from dead ends and cul-de-sacs. We plan on continuing to clear more of Center Street this week, weather permitting.

*OLD/PENDING BUSINESS* - None

*NEW BUSINESS* – Library Roof

Fred Caso – Lewiston Library Board Member

Caso said there have been more tarps on their books in the library this past week than anyone could imagine. There have been 5 significant roof leaks that have been going on due to the extreme cold and now warming. Caso contacted Broderick last Monday and he sent Zimmerman and Masters to the library to identify the problems which was more problems than they ever thought. The library is in the process of contacting their insurance company and roofers to repair the building. Getting people out there has not been easy.

Jill Palermo – Lewiston Librarian

Palermo thanked Zimmerman and Masters for coming out to look at the library building. It was a very big help. It was recommended to call a Buffalo Environmental Company to have them look at the library to make it more energy efficient – lack of insulation is a problem. Palermo has not heard back from the company. The original shingle roofer emailed Palermo and said they did not want to

February 9, 2026

do anything further at the library. Palermo reached out to Blue-Ox roofing and is on their wait-list. At this point, everyone is having issues and roofing companies are busy. Broderick said this is a municipal library that the Town 100% funds. The Town is going to help out as much as they can. These are all energy costs and the Town can use their energy funds. Morreale asked if there was a lot of snow on the roof. Zimmerman said there is a lot of ice and it's what everyone is going through right now. You're losing heat at the top and its forming ice dams at the bottom of the roof. Wachter asked if the library suffered any loss from the leak. Palermo said the collection so far is good. The DVDs are what got the most wet but they're plastic. The library caught the leaks in time to get the tarps up. There are a lot of damp carpets and water in some of the walls. Servpro came out and gave them an estimate of \$5,000 but they cannot hire them until the leaks are fixed. Morreale asked if an insurance adjuster has come out. Palermo said yes. The adjuster told her to keep him updated with pictures/further damage and it's currently listed as an "ongoing claim".

SUPERVISOR BRODERICK

Broderick presented a resolution "Receipt & Approval of Justice Court 2025 Annual Report"

**WHEREAS**, the Town of Lewiston, in the operation and facilitation of the Town of Lewiston Justice Court, has an obligation to serve in an oversight capacity to the Town of Lewiston Justice Court, relative to the receipt and disbursement of funds and the maintenance of records relating to said receipts and disbursements; and

**WHEREAS**, the Town of Lewiston and Town of Lewiston Justice Court are subject to 22 NYCRR §214.9 *et seq.* and the New York State Comptroller regulation and guidance relating to the collection, disbursement of funds and the recordkeeping therefore; and

**WHEREAS**, the Town of Lewiston Justice Court, having submitted its 2025 Annual Report on the 29th day of January, 2026,

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Lewiston acknowledges receipt of the Town of Lewiston Justice Court 2025 Annual Report and hereby formally approves same.

**Broderick MOVED to approve the Resolution, as presented. Seconded by Morreale and carried 5-0.**

A few years back, the Town of Lewiston gave employees 6 months once hired to move into the Town of Lewiston. It was almost impossible to find a home in the Town. The Town of Lewiston changed their residency requirement to the Town of Lewiston or an adjoining municipality. The Deputy Clerk position was excluded. Bax said the reason for the residency requirement for the Deputy Clerk was for in the event the Town Clerk became sick or what not, there are certain duties that would require someone to be an electorate of the Town of Lewiston. The Clerk's Office requires a little bit more assistance. The Town reached out to the Association of Towns who said, so long as one of the Deputy Clerks is a resident and the others, you can differentiate between the position as 1<sup>st</sup> 2<sup>nd</sup> and 3<sup>rd</sup> deputies, this law allows the Clerk's Office to propose candidates for the 2<sup>nd</sup> and 3<sup>rd</sup> Deputy Clerks positions for people who are residents of the Town of Lewiston or an adjoining municipality. This allows us to open up the resources to that pool of individuals and get a

February 9, 2026

better qualified individual to help the Clerk's Office while at the same time maintaining that the first Deputy Clerk lives in the Town of Lewiston.

Broderick introduced Local Law 1-2026 - Establishing Residency Requirements.

Be it enacted by the Town Board of the Town of Lewiston, New York, as follows:

**A local law to establish the residency requirements for the appointed office of Deputy Town Clerk and/or Deputy Tax Receiver for the Town of Lewiston.**

Be it enacted by the Town Board of the Town of Lewiston as follows:

**Section I. TITLE:** A local law to establish the residency requirements for the appointed offices of Third Deputy Town Clerk and/or Deputy Tax Receiver.

**Section II. AUTHORITY:** This local law is adopted pursuant to Municipal Home Rule Law, §10 [1](i) and §10 [ii][a][1] that grants to local governments the authority to enact local laws regarding the qualifications of local officers. Furthermore, this local law recognizes that the State Legislature has made numerous amendments to Public Officers Law, §3 and Town Law §23 expanding the residency requirements for various appointed public officers and officials in towns within the State of New York, thereby rendering Public Officers Law §3 and Town Law §23 special laws with respect to any appointed town officer (See N.Y. Ops. Atty. Gen. (Inf.) No. 2000-5).

**Section III. SUPERSESSSION:** This local law shall supersede any provisions of Town Law §§ 20 and 23 in their application to the office(s) of Deputy Town Clerk and/or Deputy Tax Receiver for the Town of Lewiston.

**Section IV. RESIDENCY REQUIREMENTS FOR THE POSITION(S) OF THE SECOND AND THIRD DEPUTY TOWN CLERK AND/OR SECOND AND THIRD DEPUTY TAX RECEIVER FOR THE TOWN OF LEWISTON:** Any person holding the office of Second or Third Deputy Town Clerk and/or Second or Third Deputy Tax Receiver in the Town of Lewiston need not be a resident nor an elector of the Town of Lewiston, provided, however, that such person shall reside in an adjoining municipality to the Town of Lewiston. Nothing herein shall serve to eliminate the requirement that the First Deputy Clerk and/or First Deputy Tax Receiver be a resident and an elector of the Town of Lewiston.

**Section V. INCONSISTENCY:** All other local laws and ordinances of the Town of Lewiston that are inconsistent with the provisions of this local law are hereby repealed; provided however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

**Section VI. SAVINGS CLAUSE:** If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation of the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**Section VII. EFFECTIVE DATE:** This local law shall take effect immediately upon filing with the New York State Secretary of State.

February 9, 2026

Introduce  
LL #1-2026  
Schedule  
Public Hearing

**Burg MOVED to introduce Local Law #1-2026 - Establishing Residency Requirements and schedule a Public Hearing for Monday, February 23<sup>rd</sup> at 6:00 PM. Seconded by Morreale and carried 5-0.**

Bax said the Development off Bronson Drive was originally proposed by the Rubino Brothers. At that time, the Town had a different Highway Superintendent, and the plan of building was different than the plan being presented by the Town today. There were a number of formalities through the process that the developers should have done, including a storm water and drainage district. A second developer came in and took over the project, and made some changes. From the Town's perspective, the original proposal was off the table. Bax and Masters worked on trying to get the new developer to pick up the pieces from where the old developer left off. The current developer, through their attorneys, did not believe that the Public Hearing conducted back when the Rubino Brothers were handling the project was sufficient to create a drainage district for this project. The developers are more than willing to do the "leg work" to get the district formalized and adopted and filed with the County Clerk's Office but wanted the Town to re-do the Public Hearing for purposes of that drainage district. Bax said, hopefully, at the end of this Public Hearing, there will be no further impediments to the developer moving forward with the State.

Schedule  
Public Hearing  
Drainage Dist.  
Essex

**Morreale MOVED to schedule a Public Hearing on Monday, February 23, 2026 for the creation of a drainage district for the Essex Development subdivision. Seconded by Burg and carried 5-0.**

Finance:

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

1. A request to move \$30 to Budget Office Equipment - A00-1310-0200-0000 from Budget Office Contractual - A00-1310-0400-0000, to cover computer purchases.
2. A request to move \$500 to Town Clerk Contractual - A00-1410-0400-0000 from the Buildings Contractual - A00-1620-0400-0000 to cover contractual expenses.
3. A request to move \$2,273 to Town Garage Electric & Gas - A00-5132-0400-3500 from Transfer from Other Funds - A00-1000-5031-1189, to cover electric & natural gas expenses.
4. A request to move \$40 to Engineering Firm-GHD Contractual - B00-1440-0440-0000 from Engineering Firm-Other Contractual - B00-1440-0400-0000, to cover contractual expenses.
5. A request to move \$1,168 to Police Electric & Gas - B00-3120-0400-3500 from Transfer from Other Funds - B00-1000-5031-1189, to cover electric & natural gas expenses.

February 9, 2026

6. A request to move \$8,256 to Street Lighting Electric & Gas - B00-5182-0400-3500 from Transfer from Other Funds - B00-1000-5031-1189, to cover electric & natural gas expenses.
7. A request to move \$216 to Parks Personnel - B00-7110-0100-0000 from Parks Out of Dept. Personnel - B00-7110-0100-0100, to cover personnel expenses.
8. A request to move \$400 to Parks Contractual - B00-7110-0400-0000 from Vehicle Insurance - B00-1910-0400-0000, to cover contractual expenses.
9. A request to move \$1,035 to Lighting Electric & Gas - SL0-5182-0400-3500 from Fund Balance -SL0-1000-0599-0000, to cover natural gas expenses.
10. A request to move \$5,615 to Treatment & Disposal Electric & Gas - SS1-8130-0400-3500 from Transfer from Other Funds - SS1-1000-5031-1189, to cover electric & natural gas expenses.
11. A request to move \$1,527 to Sanitary Sewer Electric & Gas - SS2-8120-0400-3500 from Transfer from Other Funds - SS2-1000-5031-1189, to cover electric & natural gas expenses.

Budget  
Revisions

**Morreale MOVED for approval as presented. Seconded by Burg and carried 5-0.**

COUNCILMAN BURG

The Police Department is requesting to hire Michael Buzzeo as a lateral transfer to full-time. Buzzeo is currently a part-time officer.

Hire FT  
Police  
Officer

**Burg MOVED to approve the lateral transfer of Michael Buzzeo to full-time Police Officer at \$28.97/hr. effective 2/9/2026. Seconded by Waechter and carried 5-0.**

COUNCILMAN MORREALE – Nothing to report

COUNCILMAN MYERS

The Sanborn Historical Society will have their regular meeting on Tuesday, February 24<sup>th</sup> with speaker series entitled First Ladies by Janet Karness.

COUNCILWOMAN WAECHTER

Waechter would like to thank the Highway Department for a great job they've been doing this winter. It is always a pleasure to come from surrounding areas to Lewiston because you know the roads are going to be clear.

RESIDENT STATEMENTS - none

February 9, 2026

**Morreale MOVED to adjourn. Seconded by Myers and Carried 5-0. 6:30 P.M.**

Transcribed and  
Respectfully submitted by:

Tamara Burns  
Town Clerk

February 9, 2026

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