

March 23, 2026

Regular Town Board Meeting

6:00 PM

**PRESENT:** Supervisor S. Broderick; Councilmembers R. Morreale J. Myers, & S. Weachter; Dep. Sup. W. Conrad; Bldg. Inspectors T. Masters & E. Zimmerman; Police Chief M. Salada; Eng. B. Lannon; Atty. A. Bax; Finance Director J. Agnello; Assessor N. Fiutko; Sr. Coordinator M. Olick Hwy Sup. M. Weiss & Deputy Clerk B. Cogland; 16 Resident, and 1 Press.

**ZOOM:** No one

**EXCUSED:** Chairman W. Burg; Rec. Director T. Smith; Water Foreman D. Zahno; WPCC Ch. Op. J. Ritter

Supervisor called the Board Meeting to order followed by the Pledge of Allegiance and a moment of silent reflection asking to keep your United States Military in our prayers.

Assessor – N. Fiutko

Fiutko said a lot of misinformation circulating on the internet regarding the reassessment. Everyone should have received a two-page letter in the mail. One is the actual change in assessment; the other page is the important notice for questioning the reassessment. The market value is the higher number. A lot of people are confusing the market value for 2025 with their assessed value. The market value has always been the same – it's the higher number. The level of assessment is given by the state. That changes every year, and this year it dropped to 40%, which is why the reassessment is so important. The assessed value of each property is what the owners' tax is based on. The number reflected has not been what it is now for twenty years, the market value has been used as the assessed value. Below that you'll see the new market value number.

The reassessment is not to generate more tax revenue for the municipality; it is to make sure the state gives us a 100% rating and the tax burden is shared where it is supposed to be among the residents. If anyone disagrees with their assessment, there are several outlets to dispute it. Anyone can go onto the townoflewistonprosgar.com website by March 31<sup>st</sup> and submit an informal review with GAR associates where a human being will sit down and look at the assessment and find if a mistake was made and make a quick adjustment. If you still disagree with your assessment after that, on May 1<sup>st</sup> applications can be submitted for a grievance. On May 26<sup>th</sup>, a Board of Lewiston residents will meet in the courtroom at Town Hall to whom you may state your case to and give the reasons you feel this is inaccurate and based on what is submitted, the Review Board will make a decision. Fiutko has an open-door policy and welcomes anyone to come in for discussion or help of any kind with filling out the application. He will walk anyone through the process and help make sure everyone sees a fair assessment.

*AGENDA APPROVAL*

Waechter – Local Law No. 3 of 2026

Broderick – Executive Session with Attorney Consultation – No actions to be taken

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

*RESIDENT STATEMENTS*

Mark Gallo – Ridge Road

Agenda  
Approval

March 23, 2026

Gallo is a member of the Town Planning Board and the Comprehensive Master Planning Committee. He attended the meeting to speak on the reassessment. Gallo made a few points that are commonly missed or overlooked. A 100% assessment is great; it really “levels out the playing field” when everyone is paying their fair share. The value at the time of purchase forty years ago, is not the same amount as a property bought within the last month. Gallo’s concern is with what is being considered fair, because equal does not always equitable. Lewiston is a robust community with multiple land uses, and not all land is created equal. Gallo feels this should be reflected in the assessment. For example, farm land, wetlands, marshland, grasslands, and forests are important because the more diversity of land within a community, the more resilient it is. When the question becomes ‘what is the assessed value of those sorts of land?’- it’s not apples to apples to say 12 acres for Modern has the same value as 12 acres of wetlands that can never be used for anything, ever. There’s no value in wetlands. There aren’t many residents in Lewiston that own a plethora of land. Some pieces of land have no inherent value as far as assessment is concerned. There is no money made off anything on the land. That makes it different than say a piece of land with a house or business on it. Or even young forest land with no money being made from it. These are all important lands to keep green, and when they are taxed and assessed at a value equal to industrial complexes, it disincentivizes land owners to continue to be stewards of green space. The land turns into an equitable burden. Green spaces provide to this community for wildlife habitats, carbon sequestration, preserving fresh water, and monitoring climate. Yet the owner gets nothing in return for having these crucial land spaces. Gallo asked that the value in these terms be considered within the reassessment, and would like for it to not be made overly expensive to simply own farmland. There is no equitable value until a sale is made. For lumber forests, it could be 85 years before any financial gain can be made.

#### *DEPARTMENT HEAD STATEMENTS*

##### Clerk’s Office – B. Cogland

March 31<sup>st</sup> is the last day to pay 2026 Town and County taxes at the Town Hall. After the 31<sup>st</sup>, the Town will be turning over all delinquent taxes to the Niagara County Treasurer’s Office. Any payments mailed in with a post-marked date of no later than March 31<sup>st</sup> will be honored. Post marked envelopes of April 1<sup>st</sup> or later will be returned to sender and referred to the County Treasurer.

##### Police Chief – M. Salada

Over the last couple weeks there have been a spike in thefts. These thieves are looking for cars left unlocked or with the key fobs still in them. There has been property from inside vehicles, and a vehicle stolen. The Police Department is following up on leads, but asks everyone to do their part and not leave keys or fobs inside their vehicles and to lock their doors.

##### Highway Supt. – M. Weiss

The Highway Department is transitioning from plowing to paving now that the spring season is here. Quotes for blacktop are being gathered, and once more numbers come in, Weiss will present the board figures for blacktop projects and a list of what roadwork can be expected.

Weiss asked permission to deem a 1997 John Deere front wheel loader, a 2013 Volvo Skid steer, and a 2008 Ford F350 as excess equipment.

**Morreale MOVED to declare the 1997 John Deere front wheel loader, the 2013 Volvo skid steer, and the 2008 Ford F350 from the Highway Garage in excess. Seconded by Waechter and carried 4-0.**

Excess Equip. listed on Auctions Intn'l **Morreale MOVED to list 1997 John Deere front wheel loader, the 2013 Volvo skid steer, and the 2008 Ford F350 from the Highway Garage on Auctions International. Seconded by Waechter and carried 4-0.**

Weiss would like to purchase a conveyer stacker for the salt barn. This would allow the Highway Department to stack their salt higher and hold more at a time. The Town of Cambria would be splitting the cost of the stacker, and sharing the equipment. This is a used piece of equipment found on Facebook Marketplace. Highway mechanics have gone to look at the machine and found it to be in good working condition. This purchase would save the Town money in the long run. The Town could purchase raw salt and have the gentleman come mix it in the salt barn for \$25/ton cheaper than the blend currently being purchased. This would be a single source purchase as it will serve as a one-use item. Total price is \$29,000 making the Town of Lewiston's share \$14,500. Storage will rotate back and forth between Lewiston and Cambria.

Hwy Purchase Stacker for salt barn **Morreale MOVED to approve the purchase of a stacker, to be split with the Town of Cambria in the amount of \$14,500 each for the Highway Department salt barn contingent on a written agreement being made stating all shared responsibilities of said equipment. Seconded by Myers and carried 4-0.**

Morreale asked who would do mechanical maintenance on the stacker? Weiss said the cost would be split, but since the Town of Lewiston Highway Department is equipped and staffed to be able to do the work it would most likely be done there. Waechter asked if there is a projected cost savings amount this will bring. Weiss said he could gather a specific number range and submit it at the next meeting. The difference would most be noticed in the beginning of the season because its always been hard to order a large amount of untreated salt. The Highway Department is allotted 127,000 tons – that limit was exceeded by 30% this year. Within five years the equipment purchase should have paid for itself in the savings able to be made with it.

Sr. Citizen's Coordinator – M. Olick

Flower arranging went great at the Senior Center with 50 participants. Easter lunch will be on April 1<sup>st</sup> sponsored by the Lion's Club.

*ABSTRACT OF CLAIMS*

Abstract of Claims **Waechter MOVED to approve the Regular Abstract of Claims Numbered 25-03721 thru 25-03727 and 26-00581 thru 26-00742 and recommended total payment in the amount of \$315,759.19 plus a Post Audit in the amount of \$13,270.15. Seconded by Morreale and carried 4-0.**

OLD/PENDING BUSINESS – None

NEW BUSINESS – None

SUPERVISOR BRODERICK

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Last year, the Town's NYPA agreement on relicensing of Niagara Power energy to the Town of Lewiston expired. Every member of the host community hired their own attorneys; totaling seven attorneys, and the actual attorney for the host communities, were able to negotiate a new agreement. The negotiations took place at Town Hall. Broderick read the renewal agreement into record.

WHEREAS, the Town of Lewiston is a member of the Niagara Power Coalition (NPC) which is negotiated with the New York Power Authority (NYPA) as a Relicensing Settlement Partner of the Niagara Power Project, and

WHEREAS, the NPC's membership consists of the seven Host Communities of the Niagara Power Project, of which Niagara County, Niagara Wheatfield School District, Lewiston-Porter School District are active members, and

WHEREAS, as a part of that relicensing process in 2005, NYPA offered, and the Host Communities accepted, a compensation package consisting of cash, land, and low-cost power for the 50 year-term of the license under the Host Relicensing Settlement Agreement (HCRSA) addressing non-license terms and conditions, and

WHEREAS, said HCRSA was executed by the Town of Lewiston pursuant to motion of the Town Board of the Town of Lewiston at a Special Meeting held on June 26, 2005 and by NYPA on July 27, 2005, and

WHEREAS, pursuant to Section 6.2 of the HCRSA, contract for the sale of power and energy shall be negotiated, and

WHEREAS, the sale of power and energy agreement negotiated and executed in May of 2007 had an expiration date of September 1, 2025 with a clause that continued the existing agreement until a new agreement was reached, and

WHEREAS, the renewal agreement negotiations resulted in an agreement to each of the seven host communities that comprise the Niagara Power Coalition; which are all identical in provisions except as to the respective amount of each host community allocation of low-cost power provided for under the HCRSA, and

WHEREAS, the renewal agreement for the sale of power and energy between the Town of Lewiston and NYPA has been negotiated and placed in contract form, and

WHEREAS, once the renewal agreements are approved and executed; and approved by NPAS's trustees and submitted to the Governor of the State of New York for approval pursuant to Section 6.3 of the HCRSA and New York Public Authorities Law § 1006, NYPA shall execute such agreement, now, therefore, be it

RESOLVED, that the Town Board of the Town of Lewiston approves this agreement and following their Attorney's review and approval as to legal form, language, and compliance, the Renewal agreement may be executed pursuant to the Town of Lewiston Contract Policy, and be it further

RESOLVED, that the Town Board of the Town of Lewiston authorizes, that following their Attorney's review, and only after the Town Board has approved and executed their renewal agreement, said agreement for the Town of Lewiston may be executed pursuant to the Town of Lewiston Contract Policy.

**Broderick MOVED to approve the Renewal Agreement for the Sale of Niagara Power and Energy to the Town of Lewiston. Seconded by Morreale and carried 4-0.**

Renewal Agreement  
w/ NYPA

**Waechter MOVED to approve the Supervisor to sign the Renewal Agreement for the Sale of Niagara Power and Energy to the Town of Lewiston. Seconded by Morreale and carried 4-0.**

Broderick introduced Local Law 2-2026 A Local Law Modifying “Chapter 360-Town of Lewiston Zoning Code.” This modifies close to twenty sections. Bax said this resolves obvious fixes in the code, and addresses the “low hanging fruit.”

Set Public Hearing  
on Local Law  
2-2026

**Myers MOVED to schedule a Public Hearing on April 13<sup>th</sup> on Local Law 2-2026 “A Local Law Modifying Chapter 360-Town of Lewiston Zoning Code”. Seconded by Waechter and carried 4-0.**

**FINANCE**

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

1. A request to move \$13,888 to Police Contractual - B00-3120-0400-0000 with \$9,187 from Insurance Recoveries revenue - B00-1000-2680-0000, and with \$4,701 from Police Equipment - B00-3120-0200-0000, to cover accident repairs to two Police vehicles.
2. A request to move \$28 to Zoning Contractual - B00-8010-0400-0000 from Zoning Personnel - B00-8010-0100-0000, to cover contractual expenses.
3. A request to move \$22 to Planning Contractual - B00-8020-0400-0000 from Planning Personnel - B00-8020-0100-0000, to cover contractual expenses.

The Finance Director asked for approval to process the following 2026 budget revisions:

1. A request to move \$7,251 to Snow Removal Contractual - DB0-5142-0400-0000 from General Repairs Contractual - DB0-5110-0400-0000, to cover road salt expense.
2. A request to move \$8,500 to Sewer Admin. Equipment - SS1-8110-0200-0000 from Treatment & Disposal Equipment -SS1-8130-0200-0000, to cover equipment expenses.

Budget  
Revision

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

Agnello said the Town’s 2-year contract with USI is expiring. The Town uses USI GASB for actuarial valuation for retirement services and asked this contract be renewed.

USI contract  
renewal

**Myers MOVED to renew the USI GASB 74/75 Actuarial Valuation Services 2-year contract. Seconded by Waechter and carried 4-0.**

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**Myers MOVED to have the Supervisor sign the USI GASB 74/75 Actuarial Valuation Services 2-year contract renewal. Seconded by Morreale and carried 4-0.**

*COUNCILMAN MYERS*

Sanborn Area Historical Society will be holding their regular meeting Tuesday March 24<sup>th</sup> .

*COUNCILWOMAN WAECHTER*

The Senior Center would like to hire Michael Game as a Seasonal Laborer for a 6-month position, not to exceed 20 hours per week at the rate of \$16.80 / hr.

Michael Game  
seasonal hire  
Sr. Center p/t

**Waechter MOVED to hire Michael Game as a seasonal part time hire to Senior Center Laborer at a rate of \$16.80/hr. Seconded by Morreale and carried 4-0.**

Waechter introduced Local Law 3-2026 “A Local Law Imposing a Moratorium on the Establishment, Construction, Expansion, or Operation of Data Centers, Artificial Intelligence Processing Facilities, and Cryptocurrency Mining Operations within the Town of Lewiston, Niagara County, New York”

Set Public Hearing  
on Local Law  
3-2026

**Waechter MOVED to set a Public Hearing for Local Law 3-2026 on April 13, 2026 at 6PM. Seconded by Morreale and carried 4-0**

PRIVILEGE OF THE FLOOR – no one wished to speak

**Waechter MOVED to adjourn the Regular Town Board Meeting. Seconded by Myers and carried 4-0. 6:32 P.M.**

**Morreale MOVED to go into executive session with the attorney to discuss an ongoing litigation update. Seconded by Morreale and carried 4-0 6:37pm**

Executive  
Session

**Present: Supervisor Broderick, Councilmembers Myers, Waechter, Morreale; Deputy Supervisor Conrad, and Attorney Bax.**

No action taken.

**Morreale MOVED to exit executive session. Seconded by Myers and Carried 4-0. 6:55pm**

Transcribed and  
Respectfully submitted by:

Briggett R. Cogland  
Deputy Town Clerk

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