

WORK SESSION

September 14, 2026 6:00 P.M.

ZOOM

<https://us02web.zoom.us/j/88574330915?pwd=qKUkKeVRi4xyfwaY0x6wu2zaiSSdhP.1>

Meeting ID: 885 7433 0915

Passcode: 707790

AGENDA

PLEDGE OF ALLEGIANCE / SILENT REFLECTION

AGENDA APPROVAL

APPROVAL OF MINUTES

ABSTRACT OF CLAIMS Councilman Morreale

DEPARTMENT HEAD STATEMENTS

Bldg. Dept – Grass Cutting

OLD/PENDING BUSINESS

NEW BUSINESS

SUPERVISOR BRODERICK

- 1) Liaison Report
 - a. Court Clerk retirement
 - b. Request for Continued Payment of Village Electric Bills
 - c. Water/Sewer Re-levy
- 2) Legal
 - a. Citrine Power/Lewiston: Resolution re Extensions
 - b. Introduction to Local Law
- 3) Engineering
- 4) Finance
 - a. Budget Revisions

COUNCILMAN BURG

- 1) Liaison Report
 - a. One-Lot Split – Miller Road
 - b. Police Officer retirement

COUNCILMAN MORREALE

- 1) Liaison Report

COUNCILMAN MYERS

- 1) Liaison Report

COUNCILWOMAN WAECHTER

- 1) Liaison Report
 - a. Defibrillators for Parks

PRIVILEGE OF THE FLOOR / PUBLIC COMMENT

Upcoming Boards/Commission meetings

Planning Board	September 17	6:30 P.M.
Town Board Meeting	September 28	6:00 P.M.

Zoning Board

October 8

6:00 P.M.

Join Zoom Meeting

<https://us02web.zoom.us/j/88574330915?pwd=qKUkKeVRi4xyfwaY0x6wu2zaiSSdhP.1>

Meeting ID: 885 7433 0915

Passcode: 707790

One tap mobile

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+16465588656,,88574330915#,,,,*707790# US (New York)

Join instructions

https://us02web.zoom.us/join/88574330915/invitations?signature=7d8Fnka-6HSU4T_QCA0Qu6w5NF6iYo-LkRAa5Ibz6kQ

August 24, 2026

Regular Town Board Meeting

6:00 PM

PRESENT: Supervisor S. Broderick; Councilmembers W. Burg, R. Morreale, J. Myers, & S. Weachter; Dep. Sup. W. Conrad; Bldg. Inspector T. Masters; Police Chief M. Salada; Eng. C. Jarrell; Atty. A. Bax; Water Foreman D. Zahno; WPCC Ch. Op. J. Ritter; Hwy Sup. M. Weiss; Rec. Director T. Smith; Town Clerk T. Burns & Deputy Clerk B. Cogland; 23 Residents, and 3 Press.

ZOOM: Finance Director J. Agnello, 2 Residents and 1 Press

EXCUSED: Sr. Coordinator M. Olick

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

Cogland read the legal notice into the record

Please take notice that a Public Hearing will be held by the Town of Lewiston, Niagara County, New York, on the 24th of August, 2026 commencing at 6:00 p.m. at the Town Hall, 1375 Ridge Road, Lewiston, New York, on the adoption of "Local Law #4 of 2026 – A LOCAL LAW IMPOSING A MORATORIUM ON THE PLACEMENT, INSTALLATION, USE, STORAGE, AND OCCUPANCY OF SHIPPING CONTAINERS WITHIN THE TOWN OF LEWISTON, NIAGARA COUNTY, NEW YORK."

Said law is intended to provide time for the Town Board of the Town of Lewiston to research and adopt appropriate modifications to the Town of Lewiston comprehensive zoning regulations.

The complete text of said law is on file at the office of the Town Clerk and is available for review by any interested person during business hours. At such Public Hearing, all persons interested, who wish to be heard, will be heard.

Dated: July 27, 2026

Broderick asked if anyone wished to speak. No one present wished to speak.

Close Public
Hearing LL
#4-2026

Morreale MOVED to close the Public Hearing. Seconded by Burg and carried 5-0. 6:04p.m.

Broderick said before getting to the agenda items, Highway Superintendent M. Weiss has asked to say a few things.

Over the years, the Highways Department's approach to drainage maintenance has largely been reactive rather than proactive. Due to limited staffing, efforts have primarily focused on cleaning areas only after complaints have been received. While this has addressed immediate concerns, it has not provided our residents with a long-term solution to the growing drainage and flooding challenges facing our community.

August 24, 2026

Our current method of operation is no longer sustainable. Aging infrastructure, changing weather patterns, and years of deferred maintenance have placed an overwhelming demand on our existing workforce. The dedication of my current employees has allowed us to accomplish a tremendous amount, but they cannot continue to meet these increasing demands without additional support.

Since taking on the role of Highway Superintendent, Broderick and I have spent countless hours meeting with residents, visiting drainage problem areas, inspecting ditches and culverts, and evaluating recurring flooding concerns throughout our community. Doing so has provided valuable insight into both immediate needs and long-term improvements required to better serve our residents. I completely sympathize with our community's concerns; taking action to resolve these issues is top priority.

I remain fully committed to finding a lasting solution to our flooding issues. My goal is not to simply respond to complaints but to develop a comprehensive drainage program that identifies problems before they become emergencies, prioritize critical projects, and create a preventative maintenance schedule that benefits every neighborhood. With that said it needs to be understood that this is not a realistic overnight solution to our problems but a long-term ongoing project that will take time to complete. While not every issue can be resolved immediately, every concern should receive careful evaluation, honest communication and a plan for moving forward. I plan to complete these projects while remaining fiscally responsible.

To effectively address our community's drainage needs, I recommend establishing a dedicated Drainage Division as a part of our current Highway Department responsible for routine inspection and maintenance of roadside and off-road ditches, culverts, and drainage channels, preventative cleaning programs rather than complaint-driven responses, flood mitigation planning and project development, mapping and documenting drainage infrastructure, coordinating drainage improvements with road projects, responding efficiently to emergency flooding events, and maintaining regular communication with residents regarding drainage concerns.

The Highway Department will need new equipment including a larger excavator, tub grinder, and off-road dump truck and a dedicated budget line for perforated drainpipe, drainage gravel or crushed stone, landscape fabric, solid drainpipe, pipe connectors, couplings, elbows, and end caps as needed, catch basin or drain inlets, and topsoil and sod or mulch to restore the area. This will also require a 3-man crew. The staffing structure would allow for both routine maintenance and response while planning future infrastructure improvements along with help of current staff.

Residents also play an important role in maintaining our drainage system. I respectfully ask everyone to help by avoiding the placement of brush, leaves, grass clippings, or other debris in roadways, roadside ditches, and drainage channels. These materials restrict water flow, clog culverts and catch basins, and contribute to localized flooding during heavy rainfall. By working together, we can improve drainage performance throughout the community. Approximately between 2012-2014 the Highway Superintendent, at that time, cut the drainage division. I firmly believe we need to reinstate this division. This proposal

August 24, 2026

represents more than the creation of a new drainage division; it represents a long-term commitment to the residents of our community. My objective is to build a drainage program to protect homes, roadways, and public infrastructure for years to come.

By investing in a drainage division with dedicated personnel, equipment and proactive maintenance, we can move away from a complaint-driven system and move toward one that prevents these events from happening before it occurs. While these improvements will take time, planning, and investment, I am committed to working alongside this community, employees, and current administration to develop lasting solutions that improve the quality of life for everyone.

I've only been in this position for a year, unfortunately some of the drainage issues were not properly addressed by my predecessors. Please bear with us as we work diligently to understand these issues, develop solutions, and make necessary improvements. We appreciate your patience and understanding as we work toward getting these issues resolved.

Broderick and the Town Board have been completely supportive of finding solutions to these issues and are in full support of our Highway Department. I appreciate their continued support and their commitment to working together to address these issues.

AGENDA APPROVAL

Agenda Approval

Waechter MOVED to approve the agenda. Seconded by Morreale and carried 5-0.

RESIDENT STATEMENTS

Nancy Deering – Hillview Court

Deering came to speak on the severe flooding she has experienced. Deering said she has been addressing the Town Board since she bought her home in 1989, 37 years ago. Deering lives on the lowest lying property on Hillview Court and therefore has received the “brunt of the flooding”. She said her yard becomes a lake, and this has caused the floor of her shed to rot as well as the lower boards of the outside of the shed, washed away her raised garden, and leaves behind a mess of mud, debris, and stone in her yard and in the street. Every time there is a downpour, a deluge of water flows down the escarpment across a portion of Creek Road Extension and continues to pour down the side of Hillview Court in which Deering resides. Deering said the flood water pours down from the escarpment to an open dirt ditch plugged with brush, leaves, and grass clippings. Deering asked that someone find the source of the poor drainage from above the hill. Deering expressed her gratitude for Supervisor Broderick for stopping to talk with her several weeks ago, but said she “respectfully cannot accept excuses anymore”. She was told by Broderick that the Hojack Railroad has jurisdiction, yet since that talk, she has learned that the Hojack was sold years ago to Washuta. Masters said south of Creek Road Extension is owned by Niagara Mohawk, not Washuta. Deering said another excuse given by previous Town officials for inaction was that Creek Road Ext. is a State Highway and the Town cannot interfere. Deering said after 37 years of flooding she feels it's time the Town steps up and “builds new court” and though she's not an engineer she feels it makes sense to start with the open dirt

August 24, 2026

ditch, finding and correcting the source of drainage issues at the top of the hill. Deering said what was just said by Mr. Weiss was very uplifting to hear, especially when it came to the necessity of cleaning ditches, drains, and catch basins. She looks forward to seeing what will be done and all the ways Weiss plans to help change the situation.

Waechter asked Deering if she had any sewer backup. Deering said no sewage in the basement, just water. Waechter said she will be asking this question to everyone to take notes for where people experienced water pooling, and where sewage was backing up. She has some areas marked on a map already, but the extra input would be very helpful.

Linda Scalzo – Creek Road

Scalzo said she came to demand answers and express her anger over the flooding issues she has experienced at her home over the years, but since she doesn't believe she will get any answers she would like to address some other issues instead. Her first issue is the statement that was posted on Facebook by the Waste Water Treatment Plant on August 11th. Scalzo found the wording of certain parts of the letter to be "rude, dismissive, and insensitive to residents who had just cleaned raw sewage out of their basement, not once, but twice in a five-day period." Scalzo said the post suggested that some residents do not understand the difference between stormwater and sanitary sewer, but she is sure after all these years, the difference is known by all. The statement then went on to list things that residents can do to protect themselves, but Scalzo said these are all things that come with more cost to the homeowner and none of which come with a guarantee. Scalzo said nowhere on the letter does it say what the Town is doing. The statement "do this and you'll never have to call the Town again" is something that rubbed Scalzo the wrong way because as a taxpayer, she does not feel residents should be made to feel discouraged to call the Town.

Scalzo read a letter

"Since 2017, my residence has experienced four separate sewage backup events. These incidents have caused extensive property damage, significant cleanup costs, ongoing emotional distress, and adverse effects on my physical health and well-being. The repeated intrusion of raw sewage into my home has caused me substantial mental anguish, anxiety, stress, frustration, and loss of enjoyment of my property. What should be a place of comfort and security has instead become a source of constant fear and uncertainty. Despite numerous complaints and documentation provided to the Town over the years, and despite similar complaints from neighboring residents, no permanent solution has been implemented.

The financial burden associated with these repeated events has been overwhelming. The cumulative costs of repairs, remediation, cleanup, replacement of damaged property, and preventative measures now exceed the amount I originally paid for my home. I was forced to install a backwater valve at my own expense in an effort to protect my property, yet even this measure provides no assurance that future backups will not occur.

The emotional impact of these events continues long after the visible damage has been addressed. Following each sewage backup, I have experienced persistent headaches,

August 24, 2026

physical illness, stress, and anxiety for weeks. Even after cleanup efforts are completed, I continue to detect odors associated with sewage contamination, creating an ongoing sense of discomfort and concern regarding the safety and cleanliness of my home.

As an insulin-dependent diabetic, these incidents have had an especially severe impact on my sense of safety and well-being. The contamination caused by raw sewage has left me fearful of handling medical supplies and administering insulin injections within my own home because everything feels contaminated. This fear and anxiety have significantly affected my daily life and peace of mind.

Additionally, periods of heavy rainfall now trigger substantial emotional distress. Rather than feeling secure in my home, I constantly worry that another sewage backup will occur. I am often reluctant to leave my home during or after significant rain events because I fear returning to discover additional flooding, contamination, and damage. This ongoing fear has substantially diminished my quality of life and my ability to enjoy my home.

For nearly a decade, I have endured repeated sewage intrusions, property damage, financial loss, disruption of daily living, physical illness, and continuing emotional distress. The cumulative effect has been severe and ongoing, with no indication that a permanent solution is forthcoming.”

Second, Scalzo read the following statements she had prepared regarding the backflow preventer program: “First, the program should correctly identify the equipment being installed. A backwater valve is not a backflow preventer. These are two different devices that serve different purposes, and the grant documents should use the proper terminology so residents clearly understand what is being funded and installed in their homes. The eligibility requirements state that the program is available to owner-occupied single-family and two-family homes that are "chronically burdened with sewer backup issues relating to inflow and infiltration during significant rainfall events." This raises several important questions. How are these affected areas identified? Who determines which properties qualify? Is there a map or list of these areas that can be made publicly available? Residents deserve transparency regarding how eligibility is determined. In addition, if the Town's position is that sewer backups are caused by inflow and infiltration and that "water seeks its own level," what happens as more homeowners install the Town-recommended backwater valves? If sewage can no longer enter those homes, does the pressure and flow simply move elsewhere in the system, potentially affecting properties that have not historically experienced backups? If affected areas have already been identified, and these issues have existed for more than twenty years, residents also deserve to know what long-term infrastructure improvements have been made to address the root cause of the problem rather than simply shifting the burden of protection to individual homeowners. econd, the liability and insurance requirements raise serious concerns. The Town is not hiring the contractor, selecting the contractor, supervising the work, or paying the contractor directly. The homeowner is responsible for hiring and paying the contractor. Therefore, it is reasonable for the Town to disclaim responsibility for contractor workmanship, but it is difficult to understand why homeowners are also being asked to indemnify the Town and waive their rights through such broad language.

August 24, 2026

The agreement states: 'The homeowner hereby agrees to indemnify and hold the Town of Lewiston harmless against any and all claims and further covenants not to sue the Town of Lewiston for any and all claims.' What exactly does "any and all claims" mean? Does it apply only to contractor workmanship and the installation of the backwater valve, or does it extend to claims involving the Town's sewer infrastructure? If a homeowner installs a backwater valve through this program and later experiences another sewer backup, does the Town believe that homeowner has waived any right to pursue a claim related to the Town's sewer system? If not, the agreement should be revised to clearly state that the release applies only to contractor workmanship and the performance of the valve itself. No matter how the language is interpreted, the practical concern remains the same. If I experience another sewer backup caused by a known problem within the Town's sewer system, and the backwater valve fails to prevent damage, the focus will immediately shift to the valve. The question will become, "What failed?" Was it the Town's sewer system, or was it the valve? The Town can point to the valve and the signed waiver, while the homeowner is left bearing the loss. Residents are being asked to install equipment on their own property, hire and pay their own contractor, maintain the device for the life of the home, indemnify the Town, and agree not to sue. In return, they receive a \$2,500 reimbursement. That raises an important question: is this program intended to help homeowners protect their homes, or does it effectively transfer responsibility for a known municipal infrastructure problem onto individual property owners? Finally, the process itself is unnecessarily complicated. Homeowners dealing with recurring sewage backups are already under significant stress and are trying to protect their homes before the next storm event. Requiring pre-inspections, approvals, and additional administrative steps before work can begin only delays the solution. The process should be simple: 1. Homeowner submits an application. 2. Homeowner hires a qualified contractor. 3. The backwater valve is installed. 4. The Town performs a final inspection. 5. The Town issues the reimbursement. This is a reimbursement program, not a Town construction project. The focus should be on helping residents quickly reduce the risk of future sewer backups, particularly when those backups are tied to known limitations within the Town's sewer system. I respectfully ask the Board to revise this program by correcting the terminology, clarifying the eligibility criteria, making affected-area information publicly available, narrowing the liability language to contractor-related issues only, removing unnecessary administrative burdens, and creating a straightforward process that truly serves the residents it was intended to help."

Scalzo said after the first sewer backup, she was told the problem was her lateral.

"Following that advice and approximately \$18,000 to excavate and replace the line, the backups happened again. Suddenly the problem wasn't the lateral, the problem was the Town's sewer infrastructure. Fast forward to today, and I have experienced three additional sewer events." She said on August 2nd after calling the Town in frustration, two Town employees came to her home, one pointed to the floor drain actively discharging raw sewage, and said needed to hire a plumber and cap that drain. She asked if she needed to cap the toilet too where it was flowing out of or the shower? Scalzo asked if she should have to cap everything in her house because the Town sewer system is failing? Scalzo's husband has been a plumber for over 40 years, and they understand plumbing, and drainage, and the difference between a homeowner problem and a municipal infrastructure failure. Scalzo witnessed that day was not problem solving it was blame shifting. She was told floor drains are not allowed in new construction and would not pass an inspection. She asked if our sewer system is already struggling under existing demand, is the Town properly evaluating

August 24, 2026

the impact of continued development on an aging sewer system? “That answer seems obvious, but here we are issuing permits, not only for homes, but condos and developments.” Scalzo installed a check valve and hopes this will help protect her home in the future. She is no longer standing here for herself, but for her fellow residents who cannot afford thousands of dollars in plumbing modifications, the elderly residents on fixed incomes, and young families who cannot absorb \$10-30,000 expenses to fix the system. Scalzo said the current administration is making an embarrassment of the Town of Lewiston. There was a time when she would tell people she lives in Lewiston and the response would be “what a beautiful town” and now that has shifted to “is that the Town with the flooding problems? How are your sewers?” She said this is becoming what Lewiston is known for and we can compare it to Niagara Falls and Love Canal.

“Lewiston deserves better, our residents deserve better, and at some point, we have to stop and ask ourselves whether the current approach is working, because after decades of issues, the residents are still standing here asking the same questions and are being told the same stories. When does it end? When do we stop accepting temporary fixes and start demanding lasting solutions? Because the reputation of this town, the trust of its residents, and the quality of the families who live here depend on it. The ability to flush a toilet, take a shower, and trust that sewage will safely be removed from your home is not a luxury – it is one of the most basic services local government infrastructures is intended to provide. New York State law recognizes the necessity of sewage systems for the protection of public health and federal law recognizes the importance of wastewater systems in preventing pollution and protecting the community.”

Clayton Miller – Creek Road

Miller thanked the Board for not setting a time limit on statements today and letting everyone have the chance to speak their piece. Miller has thoroughly read the minutes accounting for every word that has been spoken in every board meeting since 2016. This being said, Miller has absolutely no doubt that each board member and department head present today cares deeply about this topic. Miller said he one hundred percent believes if there was some “magic wand” that could be waved to fix these issues, any one of the Town representatives would have waved it. Miller said he also believes it “guts” everyone here the same way it does him to drive down areas like Creek Road on garbage day and see piles of our neighbors’ belongings being thrown out due to damage. At the same point, he said, he believes the Town is past the point of anyone in the room fixing the issue. Miller said, as a historical anecdote, when the Apollo 13 mission went wrong. For two straight days, all the people at NASA and all the people on the shuttle worked to fix the issue to get Apollo 13 back. They tried everything, were committed to it, but eventually after the second day, they said “we need help.” So, the team called the best jet propulsion specialist in the country. They called the best engineers, and tracked down the company that made thrusters. Then making the call and saying “we need help” is the reason Tom Hanks lives at the end of the Apollo 13 movie. Miller said he firmly believes that despite all of the Town Council’s best efforts, the Town needs help from either a firm or person who at this moment is in another municipality making corrections to the same issues the Town of Lewiston is having right now. Miller said even if the Town does not hire or contact anyone, he still thinks the Board should put together an RFP for information from an outside company that can potentially

August 24, 2026

contract with Lewiston and fix these issues. Miller said part of asking for help is letting go of ego and hubris, and when it's time for elections, most of the elected officials all say they'll fix Lewiston's infrastructure, yet nothing is getting fixed.

Miller told the Board most of these issues go way past their administration terms, back to 2018. Miller said he has recorded every time any word associated with flooding, or drainage or sewers has come up in the Town of Lewiston Board Meetings since 2008 and put it on a spreadsheet he has online. 2,147 times since 2008 terms around flooding have come up. Miller said despite everyone's best efforts the Town is nowhere near being where it needs to be. "It's ok to say we need help." If a company comes in and has a viable long-term solution, then that company should have wide open authority to enact the changes that need to happen. As a community, everyone needs to "buckle up and get their checkbooks out" and though that's no personal fault of the Town Board, Miller says there are things that should have been being done incrementally for a long time. The second part of this conversation that is coming is what is it going to cost everyone? "As a community, we are going to have to suck it up and help these people out."

Tim Henderson – Oneida Street - Village of Lewiston

Henderson was a licensed Waste Water Treatment Plant operator for Lewiston for almost 30 years. About a year ago, Henderson attended a Board Meeting and said the crowd looks the same as now as it did then. At that time, he questioned the allocation of the \$15,000 towards the Engineering Department to do a study of the flooding. With so many basements still flooding, Henderson said, the only person benefitting from these studies are the engineers. During Henderson's time at the Treatment Plant, he and his partner did extensive walk around surveys of troubled areas, and they looked in every manhole in the Town and just about everyone was leaking. Henderson said they dye tested the parking lots at Niagara University and found that some of the roofs on the dormitories were discharging directly into the sewer system. The Board back then took that seriously and put \$250,000 towards cleanup campaigns and made things right. Henderson said they also found, off of Bronson Drive, a manhole that some kids had taken the cover off, and realized during the high flows, we were draining fish creek. Henderson and his fellow operator at the time made suggestions that were largely ignored, so he said he would offer them again now. The WPCC serves approximately 27,000 residents. It's estimated that each individual contributes around 100 gallons every day, putting the plant almost at capacity even on a sunny day. Henderson said he has been at the plant during high flow events where the inflow has reached over 12 million gallons. He suggested the installation of an automatic overflow line, something like an intercept, on the line that goes into the Treatment Plant. When the flow reached a certain level, this would automatically take over the flow into the outfall line before it even gets to the Treatment Plant. Also, there is an area behind the Treatment Plant that could accommodate a third overflow retention facility. Henderson said the Town could apply to the DEC for a waiver to bypass before it gets to a certain level. He also suggested an increase in scheduling for clearing lines including the Village lines off Center Street that are consistently flooded with grease from the restaurants, possibly sleeves in the older areas that would help with the I&I. If these failed, Henderson said, as a last resort, an adjustment could be made to effected homes in their taxes that would reflect their cleanup costs. Many homes in the area now pay more in cleanup costs than they do in taxes,

August 24, 2026

and the homeowners should not be living in fear of rain events. Several people he knows are actually living with some form of PTSD from these events. He thanked the Board and asked they take this matter seriously. Waechter asked Henderson if he experienced sewage backup at his home during the rain events. He was one of the lucky ones who did not.

Rick Flores – Stacey Drive

Flores said he appreciates everything Weiss said. He has felt like there has been a lack of transparency before. Flores understands that Weiss has only been in his position for a year and knows there isn't too much that can realistically be expected to change in a year's time. Flores's story started back in 2002 when he built his house. Flores had a lot of water problems from 2002-2008. He said he was "going through sump pumps like candy." Finally in 2008 the Town came to him when Bob Nablo used to work for the Water Department and he implied to Flores that he had built his home on top of an artesian well. There was no artesian well, but rather a Town main leak somewhere, but it was never found. Instead, the Town put two dams in front of his house to offset the stormwater going into his house. From 2008-2024 Flores said he was fortunate, nothing else happened. Now there are a lot of new builds in that area on Legacy Drive and Northridge Drive, so a lot of additional water in the area. During the most recent rain storm, there was water coming down from Mountain View Drive. Someone was pumping water right down the highway – sanitary water that is. Some people say it was sewer water, but the manholes say 'sanitary.' Flores is tired of having sanitary water come up through his toilet in his basement, especially considering he has a fairly new home. "This shouldn't happen." Sewer and sanitary water are two different things. "Why the Town is having so many issues with infiltration between the storm and sanitary waters. This is a big problem, and another main problem is half the Town is saying "this is the Sewer Department's problem" while the Sewer Department says the issue is the storm sewers, not the sanitary sewers."

Flores said he hears the excuse that the State will not allow the Town to clean the ditches because of muscles. This is something Flores is tired of hearing, and said that there should be more working together to find a solution. In his area, there are 7 new homes and every one of them had sanitary sewer backup in their basements. Flores asked how would anyone else like for their own grandchildren to be playing in their cellars after something like that happened? He has a grandson and does not want this to happen anymore and have to worry about that.

Broderick read a letter submitted by Eva Nicklas of Oneida Street in the Village of Lewiston:

"I am Eva Nicklas and I live at 903 Oneida St in the Village of Lewiston. I'll be out of town for this important meeting but I write this statement because I too, experienced raw sewage flooding into my basement during the last two storm events. My damages are substantial, several thousand dollars so far, and I live in fear of rainy says.

As long as I've lived here, I never experienced ANY water problems in my basement until after the clearing of acres of green space behind Tim Horton's. That land was replaced with new buildings, parking lots, driveways, brick, concrete and asphalt . . . and water has no place to go. I wonder if the impact on sewer systems were carefully evaluated before all that development was approved? Relentless expansion shouldn't come at the expense of

August 24, 2026

longtime residents and we shouldn't have to deal with the consequences, or the expense, of poor planning and over-developing . . . in historic Lewiston."

Sharon Bland – Lower River Road

Bland is a fourth generation Lewiston resident, residing on the corner of Lower River Road and Chicora Road. Bland has formed a citizen action group, and has so far over 300 homeowners who have experienced damages in our community. "But obviously, this is a Niagara County problem." She wanted to issue a brief rebuttal to a few statements made by Weiss and Ritter which were insensitive and suggested the residents do not know the difference between sewer water in their basement, and storm water – which they do Bland said. The residents are not junking up the ditches, mother nature puts debris in the ditches. State law requires the Town, and County, and State to maintain their right of ways. Bland said she has lived here long enough to say, as can many others, that the Town of Lewiston is not maintaining it's ditches. Bland said she has been contacting the Town of 40 years – her grandmother broke her leg in their ditch, her mother broke her arm in the ditch, and she is still the one trying to maintain the ditch. Bland reached out to Weiss in February requesting help when she experienced flooding then and got nothing. She then filed a notice of claim and now has \$7,000-15,000 worth of damage, a huge crack in her basement and sewer water and flies. Bland said the storm system was not working and she notified the Highway Department of this problem in February. Bland said to the statement about the Town needing to be proactive rather than reactive – she has been paying taxes for decades to clean the ditches. Before the Board decides to allocate hundreds of thousands of dollars to a new department and new employees, Bland wants to know where the infrastructure dollars go, and why are the ditches not being maintained, why is the state not enforcing it, and when are the County and the State going to step in and help residents? There are hundreds of people with hundreds of thousands of dollars in damages. After, Bland said, she received no response from the Highway Department, she filed three more notices of claims, and had submitted a FOIL request for all of the infrastructure records in order to audit the Town of Lewiston and find out where those dollars are being spent. Bland also issued a letter to all Niagara County mayors, supervisors, and townships to ask them to take part in programs that exist to help create the infrastructure. There is government money out there, and all the Town has to do is apply for it.

Bland said there has been a 350% increase in property assessments. Residents have paid money for infrastructure and property values are predicated on things like storm water, sewage, and not radioactive waste runoff that raises much concern. Bland said "before a single penny gets spent on additional departments, personnel, and equipment, we want Town meetings. We want accountability. We want to have these conversations because there are many, many people affected. We want no more band aids." There are two programs that already exist – the Clean Water Revolving State Fund which provides grant monies and low interest loans at 7%. Many neighboring municipalities are already availing the New York State Resilient Watershed Grant Program which is funded by the Environmental Bond Act. This is would require the Town to get a resilient New York flood study or have a DEC approved comparable study. Once that is done, the Town can apply for many kinds of improvement grants. There are plenty of programs and plenty of money and help available for what the Town of Lewiston needs. Volunteers are needed to help clean up areas if there is not enough personnel. These things must be fixed before spring or else

August 24, 2026

there will be more problems a lot worse than the ones the Town is already experiencing now. She is asking the Town Board and department heads to look into these programs that can help the Town as well as all the various mayors and supervisors in Niagara County to register their damages on the website the State has put forth. Bland has a petition on change.org and is trying to get Governor Hochul to answer her, but she's getting a bit of blowback because "they don't want to take responsibility for their part in our problems." Bland told the Board she knows this isn't their fault, she has lived here a very long time and these problems have always existed. It doesn't matter what came before anymore, it only matters what is done tomorrow. If these problems aren't fixed the property values will depreciate. Lewiston is the equivalent of a basin and becoming an effective flood zone. Bland said when residents call for flood insurance, it's double the cost of homeowners insurance and only covers \$250,000 – which won't cover most of Lewiston residents' home values. Bland said she feels like Lewiston residents are being victimized by local providers that are fixing cracks in basements. Bland has visited multiple other homes whose basement walls are caving in. "It is disgusting, it is a health issue, it's just appalling. I've never seen anything like it." Everyone has to start focusing on the problems and paying attention to the fixes that people are putting in, because Bland also put a fix in that failed. Bland knows others who have had things fixed and those fixes failed and now basements are caving in and residents cannot live in their own homes anymore. She said this is happening because the repairs are only internal band aids and the problem is outside. Bland said her "theme for the day is no more band aids. Please help find permanent solutions. We deserve that"

Waechter asked Bland if she had the website she mentioned, and if it was through FEMA. Bland said she has a paper with all the information laid out she would be happy to give copies. Waechter said that would be very helpful and that can be posted onto the Town of Lewiston website so it can be catalogued so if the Town can apply for any federal money, or FEMA money, all the information can be aggregated together. Bland said she is trying to get people to put a sign out in their front yards that says they were a flood victim because people are misunderstanding when she was trying to gather names together because there are thresholds and she is not completely sure if it is a property threshold or a monetary threshold or both. She said some people are just saying its because their sump pumps didn't work. She said what matters is if anyone had any kind of water damage, we can't meet the threshold unless we know it. Waechter said she believes is it a monetary threshold somewhere around \$38 million. Bland said Governor Hochul referred her to Homeland Security's emergency response team. The county has to have \$1.3 million in damages, and the state has to have \$38 million. Bland said they also told her that FEMA doesn't cover private people/property. Bland said she's not completely sure how all of that works but she does know there is plenty of money out there the Town can apply for.

APPROVAL OF MINUTES

Approval
of
Minutes

Morreale MOVED to approve the minutes from the July 27, 2026 Regular Town Board Meeting. Seconded by Myers and carried 5-0.

ABSTRACT OF CLAIMS

August 24, 2026

Abstract of
Claims

Burg MOVED to approve the Regular Abstract of Claims Numbered 26-02317 thru 26-02462 recommended total payment in the amount of \$525,035.58 plus a Post Audit in the amount of \$16,590.29. Seconded by Morreale and carried 5-0.

DEPARTMENT HEAD STATEMENTS

Clerk's Office – B. Cogland

The postage machine lease is up, so the Clerks office is asking for approval to extend the lease and have the Town Clerk sign the lease renewal with Pitney Bowes for another 60 months at \$173.05/month.

Pitney Bowes
Lease renewal

Waechter MOVED to approve a 60-month lease renewal with Pitney Bowes. Seconded by Burg and carried 5-0.

Waechter MOVED to approve the Town Clerk to sign the lease renewal with Pitney Bowes. Seconded by Burg and carried 5-0.

The Town Clerk received three bids for key fobs for 25 inside doors and 2 outside doors at Town Hall. Maximum Security bid \$57,500, Security 101 bid \$51,750, and Technical Solutions bid \$23,856. The Town Clerk requested approval to accept the low bid from Technical Solutions.

Key Fob bid
awarded to
Technical
Solutions

Waechter MOVED to approve the bid from Technical Solutions in the amount of \$23,856 for key fobs for the doors at Town Hall to be paid from H97. Seconded by Burg and carried 5-0.

Waechter MOVED to approve the Town Clerk to sign the contract with Technical Solutions. Seconded by Morreale and carried 5-0.

The uniform and mat contract through Vestis is up in December of this year. To get a head start for a smooth transition, the Clerk's office would like to start obtaining bids for this now. This would cover the mats and uniforms for the Water Department, Sewer Department, Highway Department and Clerks Office.

uniforms and
mats to bid

Morreale MOVED to approve going out to bid for uniforms and mats. Seconded by Mvers and carried 5-0.

Highway Supt. – M. Weiss

The Highway Department has been out cleaning ditches. They have started in the areas around Langdon Road and will continue to clean ditches along with other projects. Cleaning ditches takes a lot of time and that is the reason Weiss had asked for approval to hire extra help. The Highway Department has been working alongside the WPCC with the camera and sewer jet in storm drains to see if they can pinpoint any problems. Waechter asked Weiss if the two additional employees he is asking to hire to clean ditches would be just a summer job or if there is work they could also do in the winter or if this would be

August 24, 2026

strictly ditch cleaning. Weiss said as long as there's not six feet of snow on the ground they can continue cleaning ditches and cutting down trees year-round. Weiss said he is looking to add two MEOs to the department for the purpose of cleaning ditches and clearing drainage blockages. These workers would be utilized for other highway projects if absolutely needed, but their main purpose would strictly be cleaning and maintaining the ditches. He said it will time to get to where we need to be, but this would be a start. These workers would be hired as part of a ditching crew with a primary focus on cleaning ditches with a preventative maintenance program to get the Town back into a position where it's not struggling to spend months cleaning out a ditch. A budget line will need to be created to cover equipment and supply purchases for the ditch division.

Highway
Dept to hire
2 MEOs

Waechter MOVED to approve the Highway Department to hire two additional MEOs for the purpose of cleaning and maintaining ditches in the Town. Seconded by Morreale and carried 5-0.

Burg asked if the Highway Department has enough equipment for this new division to be productive now once they are hired. Weiss said they do, but there is equipment they don't have that would be ideal for this kind of work that would make the process much faster and more efficient. A tub grinder would allow the department to take care of the trees and such right on site and it would go back to the earth as opposed to having to make multiple trips hauling trees away. It would save a lot of time to be able to grind them on the property. Waechter asked if this was budgeted for this year or if Weiss would be amending his proposed budget line for next year's budget. Weiss said that is something he will need to discuss with the Finance Officer. Weiss said it will take some time to find the right people for the positions so this isn't something that is going to happen right away.

WPCC Chief Operator – J. Ritter

Ritter said Lewiston got almost ten inches of rain in five days, if it were snow that would be the equivalent of 8 feet. That is a lot for any area. Ritter said his heart goes out to everyone affected by this. Ritter has spoke with every resident who spoke today, and hundreds of others. When the Town experiences flooding issues and the ditches are flooded, there is no way to keep the water out of the sanitary sewer. It will back into low lying properties. Ritter said he never meant to offend anyone with the letter that was posted on Facebook. The purpose was to help give ways residents can protect themselves as well.

Engineer – C. Jarrell

GHD felt it was important to have someone attend the meeting to hear what residents have to say about the recent events. GHD will continue working with the Town and have been meeting with the Supervisor, Town Board, and Highway Department. Options are being discussed on methods of improvement. Waechter asked if there was a hard copy of the drainage study of Morgan Farms available. She has it online but would rather have a hard copy she can go through and capture notes from. Broderick said there are areas with historic problems some going back 60-70 years. Broderick said the "big question mark" is Lewis Town Park. That neighborhood has been going in since the 1980s which may sound like a long time ago but it is relatively new in terms of drainage. The Highway and Sewer

August 24, 2026

Departments have been in that neighborhood lately with jets and cameras trying to find what the problem is there. The Town performed a topographical study in the Morgan Farms area with current as-built drawings.

Request an RFP from GHD to investigate Drainage issues **Broderick MOVED to request an RFP from GHD to investigate the drainage issues in Lewis Town Park phase 8 and 9 (Perry Court, Stacy Drive, Raymond Drive, Sara Court, Lauren Court). Seconded by Myers and carried 5-0.**

This effort will include necessary topographic and boundary survey, storm water modeling concept, and final design of the storm water infrastructure improvements. Burg said he knows the Town recognizes the infiltration issues and have been dealing with them for years. He said he is curious to know what is the corporate structure of GHD. “Are they prepared to give the necessary resources we need and do they have the people on staff that can get us answers in a relatively short period of time?” Jarrell said absolutely. GHD has multiple offices that share resources and work together as a larger team consisting of thousands of employees. She said even some of the early work they’ve done has not been just from the local staff. It has been shared across the offices to find the best technical staff to work on what is needed. GHD has many systems in place to ensure they constantly have the right staff and available staff to work on each project. GHD will commit to seeing that this project like every other is done properly and in a reasonable amount of time. “This can not linger as we have heard tonight.” Burg asked if there is a rough time estimate? Jarrell said not at this time, but it will be put together as quick as possible following tonight’s meeting. Burg asked for monthly reports and updates to be made available. Moving forward Lannon will be present at the meetings to give updates. Broderick said what is being asked is a proposal on what will be done, how much it will cost and such. Waechter said she knows this is only a request for a proposal, and GHD has been involved in other engineering projects and is currently working on a project in Tonawanda for installing sewer liners. Waechter said what she wants to know is after all these studies are done and all the information is gathered, is GHD capable of developing an action plan for the Town that can be used in applications for assistance. Jarrell asked if she’s looking for something like a master plan or what to do when something occurs guidelines? Waechter said she just feels like the Town keeps having all these studies done one after the other and that’s great but what’s being done with all this information? Some kind of action route needs to be made for all the issues that are being identified. Something the Town can write grant applications off of. Waechter said there seems to be a disconnect with the information being gathered and the applicability of that information. Jarrell said the best format would be to start putting a more overall picture together of the Town and focus areas. Studies can identify areas of interest, but then that needs an action plan to say what will actually be done to improve the infrastructure and/or repair or modify whatever needs to be. This first proposal starts this process in the one area, but there needs to be a comprehensive list put together of all the areas of interest and start prioritizing and planning ahead. Waechter asked if there are any other historical studies that GHD has already done in Lewiston, Town or Village. Jarrell said there are other drainage studies GHD has done for local municipalities throughout Niagara County, nothing comes to mind involving Lewiston specifically, but she will double check with Lannon.

August 24, 2026

Broderick invited legislatures Irene Myers and Mike Casale who attended the meeting. Broderick thanked them both for attending. Broderick said some of these issues may need the County or even the State's involvement. Casale said it was their pleasure to be here to listen and that the County will be getting together. He and Myers have had conversations with chairman of Niagara County's Infrastructure Facilities Committee. He said rest assured there will be more communication and a plan made on how to lend some support to the effort. Legislature Casale was also a victim of major flooding. Casale said he fully understands and sympathizes with everyone affected as he himself had sewage backed up in his basement during both recent rain events July 26-27th and August 2nd. Broderick also acknowledged the Mayor of Lewiston Dan Cota and thanked him for attending as well. Casale said he would like to thank the Mayor of Lewiston as well – for getting guys out clearing ditches near his home and also between the parkway and the trail. Casale said he knows Cota is looking to work with the DEC to get permits that the Village needs to get more cleared out. Cota said they should have those permits in the next 14 days. Casale said on a county level, they need all the towns to work together. He said they don't want something the Town of Lewiston does to negatively effect the Town of Niagara or vice versa. Broderick said nothing the Town of Lewiston would do to get rid of water would affect the Town of Niagara at all, if anyone was affected it would be the Town of Porter as the water goes North, or West into the river. Casale said he knows the DEC applications can be burdensome and the County is willing to help with the process if there is need for assistance. Broderick said the ditches on the east and west side of the parkway is a big source of where all the water goes, the permit was signed, it is owned by New York Parks. Town of Lewiston had a lease with New York Parks for the trail/bike path to operate that area but the ditches belong to NYS Parks. They signed a permit application that Cota started on Friday. Waechter has also contacted the Governor's office directly along with Mayor Cota to seek their assistance on other areas that have issues such as Four Mile Creek, Fish Creek, and Gil Creek. Waechter is hopeful that communication can be established there and Lewiston can receive the State's assistance with the DEC for those creeks. Legislature Myers said they will be putting much effort into trying to look at the big picture of everything. Our weather pattern is changing, and to date have received 42 inches of rain which is well above average in this area. Broderick said every town is dealing with flooding, and DEC and drainage issues.

Recreation Director – T. Smith

Camp season is finished. Preparing for the next season, Smith said he doesn't want to talk about it too much yet and let everyone enjoy the last two weeks of summer before thinking about it. There are a lot of upcoming events for both adults and children.

FINANCE

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

1. A request to move \$105 to Justice Equipment A00-1110-0200-0000 from Justice Contractual - A00-1110-0400-0000, to cover equipment expenses.

August 24, 2026

2. A request to move \$2,000 to Building Equipment A00-1620-0200-0000 from Building Contractual - A00-1620-0400-0000, to cover equipment expenses.
3. A request to move \$100 to Recreation Concessions Personnel A00-7310-0100-4402 from Recreation Seasonal Personnel - A00-7310-0100-0000, to cover Concessions payroll expenses.
4. A request to move \$100 to Recreation Concessions Contractual - A00-7310-0402-0000 from Recreation Contractual - A00-7310-0400-0000, to cover Concessions contractual expenses.
5. A request to move \$1,682 to Property Insurance DB0-1910-0400-0000 from General Repairs Contractual - DB0-5110-0400-0000, budget to cover insurance expenses.
6. A request to move \$135,000 to Machinery Equipment - DB0-5130-0200-0000 from Fund Balance - DB0-1000-0599-0000, to cover the purchase of new fittings for the New Payloader.
7. A request to move \$6,000 to Treatment & Disposal Gasoline - SS1-8130-0400-3510 from Transfer from Other Funds - SS1-1000-5031-1189, to cover gasoline expenses.
8. A request to move \$25,000 to Sanitary Gas & Electric - SS2-8120-0400-3500 from Transfer from Other Funds - SS2-1000-5031-1189, to cover electricity expenses.

Budget
Revisions

Morreale MOVED to approve the budget revisions as presented. Seconded by Burg and carried 5-0.

OLD/PENDING BUSINESS – None

NEW BUSINESS – None

SUPERVISOR BRODERICK

Gina Iamarino came to ask the board for forgiveness on the water/sewer bill at her sister's property. Their average water bill is \$62.71, and the May 2026 bill was \$5,729.37 because while her sister who owns that house was in the hospital with health issues there was a major pipe bust in the bathroom upstairs that flooded the whole downstairs and no one was there for a couple days and came home to a disaster and had to call the Town to have the water shut off in an emergency. Iamarino was able to set up a payment plan but is unable to make a dent on this bill and is asking the board to consider giving a partial credit for the break. Broderick asked for proof that the work was done and repairs were made. Iamarino will send them to Broderick and discuss this further with him.

Broderick said the Town just settled the police contract which he believes is now completely finalized. In the past, the pay for Court Officers has matched the part time Police Officers per the Town/Police contract. This is a product of minimum wage going up and therefore everyone's salaries going up.

August 24, 2026

Court Officer
Pay raise

Broderick MOVED to increase the pay of Court Officers to match that of the part-time Police Officers per contract effective August 24, 2026. Seconded by Morreale and carried 5-0.

Legal

The Town works within the rights of way of the State of New York. Bax has given each board member a resolution authorizing the execution of a new undertaking with the New York State Dept of Transportation. This resolution explains what the Town will be doing indemnifying the State for that work. Bax said this is just a reaffirmation of what the Town did in 2005, this just sets a longer term relationship.

Bax presented resolution 7-2026 “A Resolution Authorizing the Execution of a New Undertaking with the New York State Department of Transportation”

WHEREAS, the Town of Lewiston (the “Town”) from time to time receives permits from the New York State Department of Transportation (“NYSDOT”) and conducts activities and operations upon highways and/or within rights-of-way controlled by the State of New York; and

WHEREAS, the Town previously executed an undertaking in favor of NYSDOT in connection with its activities and operations affecting State highways, dated August 29, 2005; and

WHEREAS, the Town Board has been presented with a new NYSDOT form of undertaking entitled “UNDERTAKING for the benefit of The New York State Department of Transportation In connection with work affecting state highways,” which is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the new undertaking establishes the terms and conditions applicable to the Town’s permitted activities and operations within State highway rights-of-way, including permit applications, compliance with applicable rules and regulations, site restoration, payment and release of liens, indemnification, and the Town’s obligations relating to claims, damages, losses and expenses; and

WHEREAS, the Town Board has reviewed the proposed undertaking and determines that execution of the undertaking is necessary and appropriate to facilitate the Town’s continued ability to obtain and maintain permits from NYSDOT for activities affecting State highways and State highway rights-of-way; and

WHEREAS, the form of undertaking presented by NYSDOT is to be executed without alteration or modification, and the Town Board intends that the undertaking attached hereto as Exhibit A constitute the exact form approved by this Resolution; and

NOW, THEREFORE, BE IT RESOLVED

1. The Town Board of the Town of Lewiston hereby approves and authorizes the Town of Lewiston to enter into the NYSDOT undertaking presented to the Town Board and attached hereto as Exhibit A.

2. The Town Supervisor is hereby authorized and directed, on behalf of the Town of Lewiston, to execute the undertaking attached as Exhibit A and to deliver the executed undertaking to NYSDOT, together with a copy of the instant Resolution and any other documents reasonably required by NYSDOT to process and accept the undertaking.

August 24, 2026

3. The undertaking attached as Exhibit A is incorporated into and made a part of this Resolution.

4. This Resolution shall take effect immediately upon its adoption.

Resolution
7-2026

Burg MOVED to approve the Resolution no. 7-2026 “A Resolution Authorizing the Execution of a New Undertaking with the New York State Department of Transportation.” Seconded by Waechter and carried 5-0.

Myers MOVED to approve the Town Clerk to sign the Resolution. Seconded by Burg and carried 5-0

Some months ago, the Town Board authorized Bax to negotiate with the owner of the parcel/property at 1611 Saunders Settlement Road which is the intersection of Garlow Road and Saunders Settlement Road. There are issues with respect to traffic patterns at that intersection, also complaints from the neighboring properties with respects to the property being kept to code. The Town has reached an agreement with the individual owning the parcel to purchase the property for \$60,000. Several deeds and documents are being held in escrow pending the Board’s vote today. The old red/white building has been going to court for 20 years, it is condemned. The intersection is awkward and the Town intends to line the north side of Garlow Road with the south side of Garlow Road to traffic will cross straight across. Also the Town intends to tear down the condemned building. The Town has received a \$50,000 grant from Assemblyman Morinello that can be used to obtain this property as one of the parameters of the grant is to obtain property. Closing costs would be under \$2,000. This difference from the grant and purchase price would be made using the Town’s H97 fund account.

Town purchase
1611 S. S. Rd **Burg MOVED to approve the purchase of the property at 1611 Saunders Settlement Road in the amount of \$60,000 plus closing costs from H97. Seconded by Morreale and carried 5-0.**

Morreale MOVED to approve the Supervisor to sign the purchase contract. Seconded by Waechter and carried 5-0.

COUNCILMAN BURG

Burg read a letter of resignation from Officer Buzzeo.

Officer Buzzeo
resignation **Burg MOVED to accept Officer Buzzeo’s resignation with regret effective August 31, 2026. Seconded by Myers and carried 5-0.**

The Police Department requested to hire two full time Police Officers to fill upcoming vacancies: Paul Nebel with a start date of September 7, 2026 to fill the vacancy created by Michael Buzzeo who is leaving on August 31, 2026 and Dylan Ljiljanich with a start date of September 8, 2026 to fill the vacancy created by Anthony Nicoletti when he retires on September 25, 2026. Both are being hired from the Civil Service list and need to attend the Niagara County Law Enforcement Academy which starts on September 8, 2026.

August 24, 2026

F/T Police hires **Burg MOVED to approve the hire of Paul Nebel and Dylan Ljiljanich as full time Police Officers. Seconded by Myers and carried 5-0.**

The Historical Association of Lewiston is holding their annual Lewiston Jeopardy at Bella Rose Winery Wednesday September 16th

COUNCILMAN MORREALE

The Town of Lewiston had an agreement to transfer the streetlights from Buffalo Street in Sanborn back on September 23, 2024. The Supervisor at the time said there were a lot of issues with the wiring on those lights and parts needed were no longer available. There are timers that have to be set for daylight savings time, and the Supervisor said if the Town could work it out with National Grid for them to maintain those lights, and replace what needed to be replaced. National Grid reached out to Morreale saying the contract approved in September 2024 still needed to be signed.

National Grid agreement **Morreale MOVED to approve the Supervisor to sign the Agreement for Transfer of Certain Street lighting Facilities between National Grid and the Town of Lewiston. Seconded by Waechter and carried 5-0.**

Multiple requests for sewer forgiveness were submitted – all for pool repairs.

Morreale MOVED to approve a sewer credit in the amount of \$82.31 for J. Jeras at 510 Riverdale Avenue. Seconded by Myers and carried 5-0.

Pool credit
Sewer
forgivenesses **Morreale MOVED to approve a sewer credit in the amount of \$188.54 for J. Fortuna at 5268 Lewiston Road. Seconded by Mvers and carried 5-0.**

Morreale MOVED to approve a sewer credit in the amount of \$43.56 for K. Baldassarre at 603 Park Lane. Seconded by Waechter and carried 5-0.

COUNCILMAN MYERS – nothing to report

COUNCILWOMAN WAECHTER

The Library received the engineering study for their building repairs. The Senior Center will be closed for construction remodeling the week of Columbus / Indigenous Peoples' Day. Waechter thanked everyone who spoke today, she has also had sewer backup before and knows it is not something to take lightly but wants to say Ritter is doing a good job with what he's been given. The Town is two days away from connecting the big sewer line project at the end of Vrooman Drive. She said she believes this would have helped the situation, but wants everyone to know the Town is working very hard to fix these issues.

Broderick said the Town is only a phone call away, Town employees can not physically do the work for anyone in their homes, but will come to any residence and take a look and help discover issues and help find answers. The backflow preventer program is also available and

August 24, 2026

the documents are not intended to release all responsibility from the Town, it's not a payoff, the backflow preventers require maintenance and that is the responsibility of the homeowner to maintain it once it's installed, the forms simply say if it is not properly maintained and fails later due to that that it is not the Town's responsibility.

The Lower River Road Park project was supposed to be completed last December, well into February, it still was not being worked on, the weather was decent and the company hired for it was still not showing up so the Town called in the performance bond. That did not cost the Town any money. The company who wrote the performance bond put the job out to bid. A-1 Landcare was the winner of that bid, which are the ones who originally built the first pavilion down there. They are going to be finishing the pavilion that is down there now which includes a 120-foot fishing pier that runs parallel to the ground with a kayak launch, it will be ADA compliant with a ramp. The total cost of the project is \$950,000. There were complaints that there was no bathroom there, so bathrooms are being put in the outfall building. This is all being paid by Niagara River Greenway funds which is money that can only be used for those types of projects. Those funds can not be used to fix flooding, as much as everyone wishes it could be. The Greenway funds can only be used for parks, recreation, trails, invasive species things, waterfront. Broderick has spoke with fishing captains who have said they would like to see improvements to the waterfront even in the Village.

PRIVILEGE OF THE FLOOR

Mr. Newman missed the public hearing on the storage containers, and said he just hopes the Town can come to a resolution that does not outright ban them from the town. Broderick said the intention isn't to ban them, certain areas maybe, but the goal is just to not make a "free for all" of it.

Morreale MOVED to adjourn the Town Board Meeting. Seconded by Burg and carried 5-0. 7:44p.m.

Transcribed and
Respectfully submitted by:

Briggett R. Cogland
Deputy Town Clerk

September 2026

9/14/2026

I MOVE TO APPROVE THE REGULAR ABSTRACT OF CLAIMS

26-02463 – 26-02688

AND RECOMMEND TOTAL PAYMENT IN THE AMOUNT OF \$ 662,424.80

AND A POST AUDIT PAYMENT IN THE AMOUNT OF \$ 12,784.12



TOWN OF LEWISTON
1375 RIDGE RD
LEWISTON, New York 14092
(716) 754-8213
www.townoflewiston.us

Memorandum To: Town Board
From: Timothy Masters
Date: September 19, 2023
RE: Grass Cutting- Taxes

Per the grass cutting law, I have had 37 parcels in the Town cut. The total fee for the cutting totals \$6912.00. There is also a \$100.00 administration fee per cutting with a total of \$3700.00 totaling \$10612.00.

LW

Grass Cutting 2026					
<u>Address</u>	<u>Date</u>	<u>Cost</u>	<u>Our Fee of \$100</u>	<u>Total</u>	
4410 Creek Road (C)	5/27/2026	\$180.00	\$100.00	\$280.00	
4410 Creek Road (C)	7/8/2026	\$191.25	\$100.00	\$291.25	
5105 Dana Drive (C)	7/8/2026	\$157.50	\$100.00	\$257.50	
1067 Elliot Dr (C)	5/7/2026	\$157.50	\$100.00	\$257.50	
1067 Elliot Dr (C)	6/2/2026	\$186.75	\$100.00	\$286.75	
1067 Elliot Dr (C)	7/24/2026	\$213.75	\$100.00	\$313.75	
5952 Hyde Park (C)	5/7/2026	\$146.25	\$100.00	\$246.25	
5952 Hyde Park (C)	6/3/2026	\$146.25	\$100.00	\$246.25	
5952 Hyde Park (C)	6/26/2026	\$168.75	\$100.00	\$268.75	
5952 Hyde Park (C)	7/28/2026	\$180.00	\$100.00	\$280.00	
851-853 Jeffersonway (C)	5/8/2026	\$202.50	\$100.00	\$302.50	
851-853 Jeffersonway (C)	6/2/2026	\$157.50	\$100.00	\$257.50	
851-853 Jeffersonway (C)	7/8/2026	\$191.25	\$100.00	\$291.25	
4526 Lower River Road (C)	7/23/2026	\$180.00	\$100.00	\$280.00	
5981 Mayflower (C)	7/24/2026	\$202.50	\$100.00	\$302.50	
5981 Mayflower (C)	8/22/2026	\$213.75	\$100.00	\$313.75	
929 Orchard (C)	5/27/2026	\$135.00	\$100.00	\$235.00	
929 Orchard (C)	6/24/2026	\$236.25	\$100.00	\$336.25	
929 Orchard (C)	8/21/2026	\$157.50	\$100.00	\$257.50	
854 Orchard (C)	5/27/2026	\$360.00	\$100.00	\$460.00	
1334 Ridge Road (C)	6/3/2026	\$189.00	\$100.00	\$289.00	

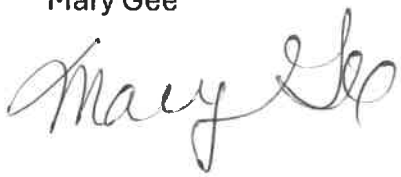
424 Roosevelt (C)	5/12/2026	\$146.25	\$100.00	\$246.25
424 Roosevelt (C)	6/3/2026	\$157.50	\$100.00	\$257.50
1036 Saunders Settlement Road (C)	7/23/2026	\$180.00	\$100.00	\$280.00
1036 Saunders Settlement Road (C)	8/22/2026	\$202.50	\$100.00	\$302.50
1236 Saunders Settlement Road (C)	5/4/2026	\$157.50	\$100.00	\$257.50
1245 Saunders Settlement Road (C)	5/4/2026	\$157.50	\$100.00	\$257.50
1602 Saunders Settlement Road (C)	7/23/2026	\$225.00	\$100.00	\$325.00
1611 Saunders Settlement Road (C)	7/17/2026	\$191.25	\$100.00	\$291.25
2566 Saunders Settlement Road (C)	6/24/2026	\$202.50	\$100.00	\$302.50
2849 Saunders Settlement Road (C)	5/13/2026	\$225.00	\$100.00	\$325.00
2849 Saunders Settlement Road (C)	7/15/2026	\$247.50	\$100.00	\$347.50
2849 Saunders Settlement Road (C)	8/22/2026	\$202.50	\$100.00	\$302.50
1573 Swann Road (C)	5/2/2026	\$157.50	\$100.00	\$257.50
1801 Swann Road (C)	7/28/2026	\$135.00	\$100.00	\$235.00
2041 Swann Road (C)	5/27/2026	\$180.00	\$100.00	\$280.00
5785 West Street (C)	7/8/2026	\$191.25	\$100.00	\$291.25
		\$6,912.00	\$3,700.00	\$10,612.00
		Cost	Our fee	Total

September 8, 2026

To the Town of Lewiston Board,

I am retiring from my position as Court Clerk as of January 11, 2027.

Mary Gee

A handwritten signature in cursive script that reads "Mary Gee". The signature is written in dark ink and is positioned below the printed name "Mary Gee".

Village of LEWISTON

145 North Fourth Street ♦ PO Box 325
Lewiston, NY 14092-0325
716.754.8271 ♦ FAX 716.754.2703
villageoflewiston.net



August 25, 2026

Supervisor Steve Broderick
PO Box 330
Lewiston, NY 14092

Re: Request for Continued Payment of Village Electric Bills

Dear Town Board Members:

On behalf of the Village of Lewiston, we would like to express our sincere appreciation to the Town of Lewiston for all that you have done to support the Village and our community.

As you know, the Town has generously assisted the Village by paying the Village's electric bills. This support has been greatly appreciated and has provided meaningful financial assistance to the Village.

We respectfully request that the Town continue paying the Village of Lewiston's electric bills through June 2027. Extending this assistance would be extremely helpful to the Village.

We are grateful for the Town's continued partnership and support of the Village of Lewiston. The cooperation between the Town and Village is an important benefit to our entire community, and we sincerely appreciate your consideration of this request.

Thank you again for all that you have done for the Village and for your continued commitment to working together for the benefit of our residents.

Sincerely,

Stephanie L. Longwell
Treasurer

RESOLUTION MEMORIALIZING AND GRANTING EXTENSIONS FOR CP MODEL CITY, LLC

WHEREAS, the **TOWN OF LEWISTON**, New York, 1375 Ridge Road, Lewiston, New York 14092 (the “Municipality”), received and has processed an application from CP MODEL CITY, LLC, (the Developer) for the construction of an industrial scale solar project at 4746 Model City Road in the Town of Lewiston (the “Project”); and

WHEREAS, the Developer made application to the Town of Lewiston Zoning Board of Appeals requesting various area variances relating to the Project relating to setbacks and operational concerns; and

WHEREAS, the Town of Lewiston Zoning Board of Appeals granted the variances on August 8, 2024, setting forth several conditions, including a deadline to obtain a building permit.

WHEREAS, on the 12th day of February, 2026, the Developer returned to the Town of Lewiston Zoning Board of Appeals to request an extension of the deadline to obtain a building permit as set forth as a condition of the previously granted area variances; and

WHEREAS, Town of Lewiston Zoning Board of Appeals held an open public meeting held on that same date to consider business, including the Developer’s request; and

WHEREAS, Developer’s request for an extension was ultimately approved by the Town of Lewiston Zoning Board of Appeals; and

WHEREAS, it is the desire of the Town, on behalf of the Developer, to memorialize the determination and approval made by Town of Lewiston Zoning Board of Appeals and also simultaneously extend the approval deadlines of the Project, including, but not limited to, the special use permit and site plan, along with any conditions therein imposing deadlines, to coincide with the deadline as extended by the Town of Lewiston Zoning Board of Appeals; and

WHEREAS, all other such approvals including, but not limited to, the special use permit and site plan, along with any conditions imposing deadlines, issued by the Town are hereby extended to February 12, 2027;

NOW, THEREFORE, BE IT RESOLVED:

The Town Board of the Town of Lewiston hereby formally approves the extension of the Project approvals including, but not limited to, the special use permit and site plan, along

with any conditions imposing deadlines, to coincide with the Town of Lewiston Zoning Board of Appeals extension of February 12, 2027.

Adopted this ____ day of September, 2026, by the Town Board of the Town of Lewiston, New York.

AYES:

NOES:

ABSENT:

Tamara Burns, Town Clerk



September 10, 2026

Page 1 of 2

Dear Supervisor and Board Members,

At the 9/14/2026 Board meeting I will be asking your approval to process the following **2026** budget revisions:

1. This revision is requesting to move \$436.00 to the Building Equipment budget (A00-1620-0200-0000) from the Building Contractual budget (A00-1620-0400-0000) to cover equipment expenses.
2. This revision is requesting to move \$70.00 to the Highway Admin. Equipment budget (A00-5010-0200-0000) from the Highway Admin. Contractual budget (A00-5010-0400-0000) to cover equipment expenses.
3. This revision is requesting to move \$1,900.00 to the Union Welfare Benefits budget (B00-9070-0800-0000) from the Hospital & Medical Ins. budget (B00-9060-0800-0000) to cover employee benefits.

Thank you,

Jacquie Agnello
Director of Finance

**TOWN OF LEWISTON
NIAGARA COUNTY, NEW YORK**

LOCAL LAW NO. ____ OF 2026

**A LOCAL LAW IMPOSING A TEMPORARY MORATORIUM ON THE
ACCEPTANCE, PROCESSING, APPROVAL, CONSTRUCTION, INSTALLATION,
AND OPERATION OF BATTERY ENERGY STORAGE SYSTEMS, INCLUDING
BATTERY ENERGY STORAGE SYSTEMS ASSOCIATED WITH COMMERCIAL
SOLAR ENERGY SYSTEMS AND STAND-ALONE BATTERY ENERGY STORAGE
FACILITIES.**

SECTION 1. Legislative Findings and Intent

The Town Board of the Town of Lewiston hereby finds that battery energy storage systems (“BESS”) are rapidly evolving technologies that can present substantial land-use, fire-safety, emergency-response, environmental, aesthetic, and neighborhood-compatibility considerations.

The Town Board recognizes the benefits of renewable energy and energy storage and does not intend this temporary moratorium to constitute a determination that battery energy storage systems are inherently unsafe or inappropriate. Rather, this temporary measure is intended to preserve the status quo while the Town evaluates appropriate locations, siting standards, setbacks, screening, emergency access, fire protection, capacity thresholds, equipment configuration, noise, security, decommissioning, abandonment, and other land-use considerations before additional applications are accepted or approved.

The Town Board has reviewed guidance from New York State concerning battery energy storage systems. NYSERDA's current Battery Energy Storage System Model Law provides municipalities with a framework for regulating residential, commercial, and utility-scale systems and advises municipalities to tailor local regulations to local conditions and existing zoning. The Town Board therefore finds that a temporary pause will permit Town staff, land-use boards, emergency responders, consultants, and counsel to review those standards and determine appropriate local regulations.

The Town Board further finds that changes to battery-storage technology and applicable New York State building and fire codes, together with the potential scale and duration of proposed facilities, warrant a deliberate review before new projects are authorized.

Accordingly, the Town Board determines that a temporary moratorium is necessary to preserve

the status quo, protect the public health, safety and welfare, and allow the Town to develop comprehensive and legally defensible regulations.

SECTION 2. Purpose and Objectives

The purposes of this Local Law are to:

- A. Temporarily suspend new applications and/or approvals for covered battery energy storage systems;
- B. Preserve the existing land-use status quo during the moratorium;
- C. Review the Town Comprehensive Plan and zoning regulations as they relate to energy storage;
- D. Evaluate appropriate zoning districts and locations for BESS facilities;
- E. Establish appropriate capacity thresholds and classifications;
- F. Evaluate setbacks from residences, property lines, public roads, schools, public facilities, and environmentally sensitive areas;
- G. Review fire prevention, emergency response, access, water supply, detection, suppression, and incident-response requirements;
- H. Evaluate visual screening, landscaping, fencing, lighting, noise, equipment height, and neighborhood compatibility;
- I. Establish requirements for operation, inspection, maintenance, security, abandonment, and decommissioning; and
- J. Consider appropriate regulations for both solar-associated and stand-alone battery storage facilities.

SECTION 3. Definitions

- A. “Battery Energy Storage System” or “BESS” means one or more devices, assembled together, capable of storing electrical energy in order to supply electrical energy at a future time, including batteries, battery management systems, power conversion systems, transformers, switchgear, controls, enclosures, containers, cooling systems, fire protection systems, and associated equipment.
- B. “Solar-Associated Battery Energy Storage System” means a BESS located on the same property as, or directly associated with, a commercial or utility-scale solar energy system, whether charged exclusively by the solar facility or capable of receiving electricity from the electric grid.
- C. “Stand-Alone Battery Energy Storage Facility” means a facility principally devoted to the storage and discharge of electrical energy and not physically incorporated into an individual residential or ordinary small-scale commercial electrical system.
- D. “Commercial Solar Energy System” means a solar energy system intended primarily to generate electricity for commercial sale, wholesale distribution, or grid supply, including utility-

scale or community-scale solar facilities to the extent regulated by the Town.

E. “Battery Storage Facility” includes a stand-alone BESS and all associated structures, equipment, fencing, access roads, electrical infrastructure, transformers, inverters, controls, and related improvements.

SECTION 4. Moratorium

For a period of **six (6) months** following the effective date of this Local Law, no application shall be accepted, processed, considered, approved, or acted upon by any Town board, agency, officer, employee, or official for the construction, installation, expansion, enlargement, modification, or operation of a covered BESS.

The moratorium shall apply to:

- A. Stand-alone battery energy storage facilities;
- B. Battery energy storage systems proposed in connection with commercial or utility-scale solar energy systems;
- C. New BESS proposed as additions to existing commercial or utility-scale solar facilities;
- D. Expansion of an existing BESS; and
- E. Material modification of an existing BESS where the modification increases storage capacity, changes battery technology, changes the physical footprint, or materially changes the facility's fire-safety or operational characteristics.

The moratorium shall include applications for site plan approval, special use permits, variances, building permits, zoning permits, certificates of zoning compliance, or other Town approvals to the extent such approvals would authorize a use suspended by this Local Law.

SECTION 5. Residential and Small-Scale Systems

This moratorium is principally intended to address commercial, utility-scale, and other non-residential battery storage facilities presenting substantial land-use or emergency-response considerations.

Ordinary residential battery systems serving an individual dwelling and systems incidental to ordinary residential electrical service are exempt, subject to the New York State Uniform Code, Energy Code, Fire Code, and other applicable laws.

Small-scale commercial systems that are integral to an existing permitted commercial use may be exempt only to the extent they do not constitute a principal or separate use and do not exceed capacity thresholds ultimately determined by the Town.

SECTION 6. Existing Lawfully Existing Systems and Previously Approved Projects

Nothing in this Local Law shall require removal of a battery energy storage system that was lawfully existing and operational before the effective date of this Local Law.

This Local Law shall not invalidate a final, unexpired approval lawfully issued before its effective date. However, no expansion, enlargement, relocation, or material modification of such system shall occur during the moratorium unless exempted herein or separately authorized as permitted by law.

SECTION 7. Exemptions

The moratorium shall not apply to:

- A. Residential-scale battery systems serving an individual dwelling;
- B. Emergency or backup batteries serving critical municipal, public-safety, medical, communications, or similar facilities when installed as part of an existing permitted use;
- C. Temporary battery systems used for emergency response or disaster recovery;
- D. Maintenance or replacement of components of a lawfully existing BESS that does not increase its capacity or materially change its fire-safety characteristics;
- E. Projects for which all required final Town approvals were issued before the effective date of this Local Law; and
- F. Other projects specifically exempted by the Town Board where the exemption is consistent with the purposes of this Local Law and applicable law.

SECTION 8. Pending Applications

Any application pending before the Town on the effective date of this Local Law that has not received all final approvals shall be held in abeyance to the extent permitted by law. The Town's reviewing agencies shall not take action inconsistent with the moratorium during its effective period.

The Building Department and Code Enforcement Officer may continue to administer permits and approvals necessary for lawful maintenance, repair, and safety work on existing facilities.

SECTION 9. Hardship Relief

The Town Board may, after public hearing, grant limited relief from this Local Law upon written findings that strict application would result in extraordinary hardship, reasonable alternatives are unavailable, the requested relief is the minimum necessary, and granting relief would not materially impair the purposes of this Local Law or adversely affect public health, safety, and welfare.

Any relief may be conditioned upon requirements concerning location, capacity, setbacks, fire safety, emergency response, screening, noise, security, decommissioning, and other appropriate safeguards.

SECTION 10. Regulatory Review

During the moratorium, the Town Board shall direct appropriate Town personnel, consultants, and land-use boards to review existing zoning and land-use regulations; NYSERDA's Battery Energy Storage System Model Law and Guidebook; applicable provisions of the New York State Uniform Code and Fire Code; BESS classifications and capacity thresholds; setbacks; fire protection and emergency response; emergency access; noise, lighting, fencing, landscaping and visual screening; stormwater and environmental considerations; decommissioning and financial security; insurance and indemnification; inspection, monitoring, reporting and emergency notification; and compatibility with commercial solar energy systems.

SECTION 11. Enforcement

Any construction, installation, expansion, or use undertaken in violation of this Local Law shall constitute a violation of the Town Code. The Town may pursue all remedies available by law, including stop-work orders, appearance tickets, civil enforcement proceedings, injunctive relief, and recovery of authorized penalties and costs.

SECTION 12. Penalties

Violations shall be subject to the penalties and enforcement remedies authorized by the Town Code and applicable law. Each day that a violation continues may constitute a separate violation to the extent permitted by law.

SECTION 13. Duration and Extension

This Local Law shall remain in effect for **six (6) months** from its effective date.

The Town Board may extend the moratorium for one additional period not exceeding six (6) months by local law, following such public hearing and findings as may be required by law, if additional time is reasonably necessary to complete the review and enact permanent regulations.

SECTION 14. SEQRA

The Town Board shall make the appropriate determination under the State Environmental Quality Review Act. To the extent applicable, adoption of a temporary land-use moratorium may constitute a Type II action under 6 NYCRR Part 617. The Town Board shall confirm the applicable classification before adoption.

SECTION 15. Severability

If any provision of this Local Law is determined by a court of competent jurisdiction to be invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remaining provisions, which shall remain in full force and effect.

SECTION 16. Supersession and Preemption

This Local Law is adopted pursuant to the Town's authority under the New York State Constitution, the Municipal Home Rule Law, Town Law, and other applicable authority. Nothing

herein shall be construed to prohibit or regulate any matter preempted by State or Federal law. This Local Law shall be interpreted consistently with applicable New York State building, electrical, energy, fire, and environmental requirements.

SECTION 17. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law and shall remain in effect for the period specified herein, subject to any lawful extension or earlier repeal by the Town Board.

CERTIFICATION

I, the undersigned Town Clerk of the Town of Lewiston, hereby certify that the foregoing is a true and correct copy of Local Law No. ____ of 2026, duly adopted by the Town Board of the Town of Lewiston and filed as required by law.

Tamara Burns, Town Clerk
Town of Lewiston, New York

Date: _____



TOWN OF LEWISTON
1375 RIDGE RD
LEWISTON, New York 14092
(716) 754-8213
www.townoflewistonny.gov

Honorable Town Board
1375 Ridge Road
Lewiston, NY 14092

Supervisor Broderick and Councilmembers:

The Planning Board meeting in regular session on August 20, 2026 reviewed a one lot split request from William Cody 5881 Miller Road, Niagara Falls, NY 14304 SBL 116.00-1-14.11. The Board classified this as a "Minor Subdivision" as defined under §306-2 of the Town of Lewiston Code and that it should be treated as such. The planning board, after considering all relevant information, hereby recommends that the Town Board adopt a negative declaration with regard to SEQRA and approve the one lot split as presented.

Sincerely,
Planning Board

Kenneth Lilly
Planning Chairman
LW



TOWN OF LEWISTON
1375 RIDGE RD
LEWISTON, New York 14092
(716) 754-8213
www.townoflewistonny.gov

COURTESY NOTICE

August 13, 2026

Applicant: William Cody 5881 Miller Road, Niagara Falls, NY 14304

Neighbors: Frederick/ Arleen Green 1504 Saunders Settlement Road, Niagara Falls, NY 14304

Steven LaFortune 1520 Saunders Settlement Road, Niagara Falls, NY 14304

Rome Posa 1534 Saunders Settlement Road, Niagara Falls, NY 14304

Daniel Barber 5885 Miller Road, Niagara Falls, NY 14304

Niagara Wheatfield Central School PO Box 309, Sanborn, NY 14132

Please be advised that the Town of Lewiston Planning Board will be reviewing a one lot split on 5881 Miller Road SBL 116.00-1-14-11 on August 20, 2026 at 6:30pm at the Lewiston Town Hall 1375 Ridge Road, Lewiston, NY 14092.

Information concerning this request is on file and available for inspection during normal business hours at the above-named office. All citizens and persons of interest will be given an opportunity to be heard.

Thank you,

William Conrad
Planning Board Chairman

TO: The Honorable Lewiston Town Board

FROM:

NAME:

William Cody

ADDRESS:

5881 Miller Road
Niagara Falls, NY

TELEPHONE:

716-471-5445

RE: Request to Subdivide

Tax Map #/SBL#

116.00-1-14.11

Road:

Miller

RRT Zoning Dist

Number of Lots:

1

Variance Requests:

None

Fee Paid:

\$ 900.00

Date Paid:

Accepted by:

NOTE: In January 2018, the Town Board approved imposing a \$500 per lot recreation fee on each subdivision payable (within 30 days) when the property is divided.

[Signature]

Signature

7/27/26

Date

Referred to Planning Board

DATE: 7-30-26

40' = 1" scale

width 95'

Depth 278.10'

New Parcel
Created

136.67

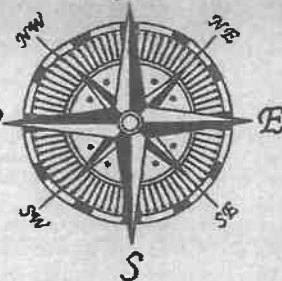
231.67'

Miller Road

75 x 150 Ref.

0.06 - 1 inch
 0.17 - 2"
 0.25 - 3"
 0.33 - 4"
 0.42 - 5"
 0.50 - 6"
 0.58 - 7"
 0.67 - 8"
 0.75 - 9"
 0.83 - 10"
 0.92 - 11"
 1.00 - 12"

2) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH



SAUNDERS SETTLEMENT ROAD

(WIDTH VARIES)

SOUTHERLY LINE OF SAUNDERS SETTLEMENT ROAD

$R=3770.00'$

$292.94'$
 $N78^{\circ}03'52''E$

EXCEPTION
 LIBER 2723 PAGE 176

SOUTHERLY LINE
 LIBER 2723 PAGE 176

$N88^{\circ}36'57''W$
278.10'

$N07^{\circ}16'03''E$
 176.82'

SET REBAR

$N07^{\circ}16'03''E$
150.00'

VACANT LOT
 AREA=
 41495.3 SQFT±
 0.95 ACRES±

FOUND PIPE
 0.905

278.10'
 $N88^{\circ}36'57''W$

DRIVE
 5.85
 FRAME
 SHED

DRIVE
 4.65

DRIVE
 1.75

CONCRETE
 DRIVE

DRIVE
 1.65

BLACKTOP
 DRIVE

DRIVE
 1.75

FOUND PIN
 0.185

FOUND PIN
 1.555, 1.245

$N07^{\circ}16'03''E$
 108.97'

CENTERLINE
150.00'
 $N07^{\circ}16'03''E$

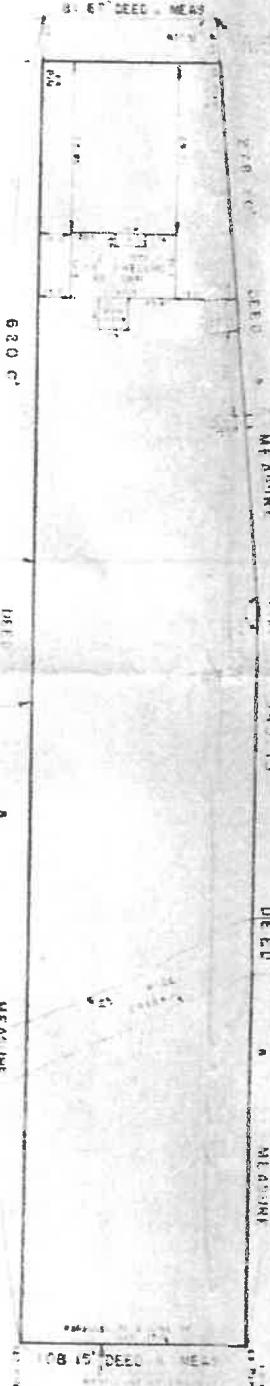
722.35' TO NORTHWEST CORNER
 LIBER 910 PAGE 74

MILLER ROAD

(49.5' WIDE)

MILLER

ROAD



NOT TO SCALE
THIS MAP IS A REPRODUCTION OF A SURVEY MAP
AND IS NOT A LEGAL DOCUMENT. IT IS NOT TO BE
USED FOR ANY PURPOSES OTHER THAN FOR
RECORDING PURPOSES.

open

5881 MILLER ROAD

PART OF LOT 15, T-14, R-9, TOWN OF
LEWISTON, NIAGARA COUNTY, N.Y.

DATE: MARCH 28, 1987
BY: [Signature]
108 NO. 29 - 493
1482 - 137

McINTYRE SURVEYING & ENGINEERING
270 MAIN STREET • NIAGARA FALLS, N.Y. 14303

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
1 lot split			
Name of Action or Project:			
Subdivision of Parcel on Miller Road			
Brief Description of Proposed Action:			
I would like to divide my parcel to create a new parcel for a buildable lot			
Name of Applicant or Sponsor:		Telephone: 716-297-0480	
William Cody		E-Mail: willcody25@gmail.com	
Address:			
5881 Miller Road			
City/PO:		State:	Zip Code:
Niagara Falls		NY	14304
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			✓
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO YES
If Yes, list agency(s) name and permit or approval: Town of Lewiston Building Dept. + Town Board			✓
3.a. Total acreage of the site of the proposed action?		.61 acres	
b. Total acreage to be physically disturbed?		.2 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.1 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
b. Consistent with the adopted comprehensive plan?		✓	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation service(s) available at or near the site of the proposed action?		✓	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		✓	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <u>Engineered plans speed to most current NYS energy code</u>	NO	YES	
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? ☐ NO ☒ YES] If No, describe method for providing potable water: _____	NO	YES	
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? ☐ NO ☒ YES] If No, describe method for providing wastewater treatment: _____	NO	YES	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
b. Is the proposed action located in an archeological sensitive area?		✓	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: <u>There is a potential Federal wetland in the rear of the property by ditch. Tim</u>		✓	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☒ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban			See photo attached
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
16. Is the project site located in the 100 year flood plain?	NO	YES	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☒ NO ☐ YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <u>Possible connection to storm sewer if unavailable. splash blocks will be used to direct water to swales</u>	NO	YES	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	✓	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	✓	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	✓	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>William Cody</u> Date: <u>7/29/26</u> Signature: <u>[Signature]</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	X	
2. Will the proposed action result in a change in the use or intensity of use of land?	X	
3. Will the proposed action impair the character or quality of the existing community?	X	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	X	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	X	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	X	
7. Will the proposed action impact existing: a. public / private water supplies?	X	
b. public / private wastewater treatment utilities?	X	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	X	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	X	

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	X	
11. Will the proposed action create a hazard to environmental resources or human health?	X	

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
<u>Town of Lewiston</u> Name of Lead Agency	<u>7-30-26</u> Date
<u>Timothy Masters</u> Print or Type Name of Responsible Officer in Lead Agency	<u>SEQA Compliance Officer</u> Title of Responsible Officer
<u>Timothy Masters</u> Signature of Responsible Officer in Lead Agency	 Signature of Preparer (if different from Responsible Officer)



Dark Green Potential Federal
Wetland.
Tim

Planning Board Project # 3-2026

Project Name Cody 5881 Miller Rd

TOWN OF LEWISTON, NEW YORK

1375 Ridge Rd – Lewiston, NY 14092 – (716) 754-8213 – FAX (716) 754-2219

Approved 3/2026

MUNICIPAL REVIEW FEE SCHEDULE



☒ One-Lot Split

- ☒ Town Filing Fee.....B00-1000-2660-0000.....\$250/Dwelling unit
- ☐ Sketch Plan Review (when required).....B00-1000-2660-0000.....\$250
- ☐ Final (Plat) Plan Review (when required) B00-1000-1589-0700.....\$250
- ☒ Recreation Fee..... TE4-1000-2089-7140.....\$500/Dwelling Unit
- ☐ + (SWPPP) Review and (SEQRA) Review.....\$ see below

☐ MINOR SUBDIVISIONS = 4 lots or less

- ☐ Town Filing Fee.....B00-1000-2660-0000.....\$250/lot
- ☐ Sketch Plan Review (when required).....B00-1000-2660-0000.....\$250
- ☐ Final (Plat) Plan Review (when required) B00-1000-1589-0700.....\$400 + \$150/lot over 2
- ☐ Recreation Fee..... TE4-1000-2089-7140.....\$500/Dwelling Unit
- ☐ + (SWPPP) Review and (SEQRA) Review.....\$ see below

☐ MAJOR SUBDIVISIONS (No Public Improvements) = >4 lots

- ☐ Town Filing Fee.....B00-1000-2660-0000.....\$250/lot
- ☐ Sketch Plan Review.....B00-1000-2660-0000.....\$400
- ☐ Preliminary (Plat) Plan Review.....B00-1000-1589-0700.....\$500 + \$150/lot over 4
- ☐ Public Hearing Charge.....B00-1000-2560-0000.....\$200
- ☐ Final (Plat) Plan Review.....B00-1000-1589-0700.....\$1,000+\$150/lot over 4
- ☐ Recreation Fee.....TE4-1000-2089-7140.....\$500 per dwelling unit
- ☐ + (SWPPP) Review and (SEQRA) Review.....\$ see below
- ☐ Sanitary Sewer I&I Remediation Fee (See Below) (>2,500 gallons)

☐ MAJOR SUBDIVISIONS (With Public Improvements) = >4 lots

- ☐ Town Filing Fee and Dept. Review Fee.....B00-1000-2660-0000.....\$250/Dwelling Unit
- ☐ Sketch Plan Review.....B00-1000-2660-0000.....\$500
- ☐ Preliminary (Plat) Plan Review.B00-1000-1589-0700..\$1,000 + \$150/Dwelling Unit over 4
- ☐ Public Hearing Charge..... B00-1000-2560-0000.....\$500
- ☐ Final (Plat) Plan Review.....B00-1000-1589-0700.....\$2,000+\$300/Dwelling Unit over 4
- ☐ Recreation Fee.....TE4-1000-2089-7140.....\$500/Dwelling Unit
- ☐ + (SWPPP) Review and (SEQRA) Review + Sanitary Sewer Down Steam Capacity Analysis..... \$ see below (County & Town)
- ☐ Sanitary Sewer I & I Remediation Fee (See Below) (>2,500 gallons)

☐ Planned Unit Development

- ☐ Town Filing and Dept. review Fee... B00-1000-2660-0000.....\$250/Dwelling Unit
- ☐ Town Filing Fee..... B00-1000-2660-0000..... For Non-Residential PUD's \$5,000/Non-Residential Structure
- ☐ Concept Plan Review ... B00-1000-1589-0700..... \$250/Dwelling unit, \$5,000/Non-Residential Structure
- ☐ Public Hearing Charge.....B00-1000-2560-0000..... \$500
- ☐ Detailed Plan Review B00-1000-1589-0700..... \$1,250 + \$75/Dwelling Unit over 4
- ☐ Recreation FeeTE4-1000-2089-7140..... \$500/Dwelling Unit
- ☐ + (SWPPP) Review, + (SEQRA) Review, \$ See Below
- ☐ Sanitary Sewer Downstream Capacity Analysis Review ... See Below (County & Town)
- ☐ Sanitary Sewer I & I Remediation Fee (See Below) (>2,500 gallons)

☐ COMMERCIAL/INDUSTRIAL SITE PLANS

- ☐ Town Filing Fee..... B00-1000-2660-0000...\$1,000 + \$3 per \$1,000 cost of construction
- ☐ Sketch Plan Review..... B00-1000-2660-0000..... \$1,000
- ☐ <1 acre (Engineering Review Fees) B00-1000-1589-0700..... \$1,000
- ☐ 1-5 acres..... B00-1000-1589-0700.....\$2,500 + \$500/acre over 1
- ☐ >6 acres.....B00-1000-1589-0700..... \$5,000 + \$500/over 6
- ☐ Environmental (SEQRA) Review or SWPPP Review.....\$ see below
- ☐ Sanitary Sewer I & I Remediation Fee (See Below) (>2,500 gallons), Sanitary Sewer Downstream Capacity Analysis Review ... See Below (County & Town)
- ☐ Commercial Public Hearing..... B00-1000-2560-0000.....\$500
- ☐ Utility-Scale Solar Array & Commercial Energy Storage.....B00-1000-2660-0000.....\$5,000
 - +Public Hearing, Long SEQRA, SWPPP Review, Building Permit
- ☐ Tower Installation (\$5 per ft if over 100 ft.)..B00-1000-2660-0000...\$ 5,000(collocation \$2,500)
 - +Public Hearing, Long SEQRA, SWPPP Review, Building Permit
- ☐ Mining/Excavation.....B00-1000-2560-0000.....\$ 5,000
 - +Public Hearing, Long SEQRA, SWPPP Review, Rezone Application, Building Permit

STORM WATER POLLUTION PREVENTION PLAN (SWPPP) REVIEW:

- ☐ Town Filing Fee.....B00-1000-2660-0000.....\$300
- ☐ 1-3 acres.....B00-1000-2660-0100.....\$1,000
- ☐ 3-5 acres.....B00-1000-2660-0100.....\$1,500
- ☐ 5-10 acres.....B00-1000-2660-0100.....\$2,000
- ☐ >10 acres.....B00-1000-2660-0100.....\$2,500 + \$150/acre over 10

Construction Observation (per year until NOT is filed)

- ☐ <5 acres.....B00-1000-2550-0100.....\$1,500
- ☐ 5-10 acres.....B00-1000-2550-0100.....\$2,000
- ☐ >10 acres.....B00-1000-2550-0100.....\$2,500 + \$150/acres > 10

ENVIRONMENTAL (SEQRA) REVIEW

- ☒ Short Environmental Assessment Form (EAF)...B00-1000-2555-0000.....\$150
- ☐ Long EAF.....B00-1000-2660-0100.....\$500
- ☐ Coordinated Review.....B00-1000-2660-0100.....\$5,000
- ☐ Environmental Impact Statement (EIS)...B00-1000-2660-0100...Town Engineer to Quote

Sanitary Sewer I&I Remediation Fee for Developments

- ☐ >2,500 gallons per day...H58-1000-2122-0000.....Average flow (gpm) x 4 (peaking factor) x 4 x \$100/gpm
- ☐ Sanitary Sewer Downstream Capacity Analysis Review
Fee.....B00-1000-2660-0100..... \$2,500
(Check Town and County)

OTHER

- ☐ Residential Drainage Plan Final Review.....B00-1000-1589-0700.....\$300
- ☐ Traffic Impact Study Review.....B00-1000-2660-0100.....\$2,000
- ☐ Engineer's Report Review.....B00-1000-1589-0700.....\$1,500
- ☐ Application for Rezoning.....B00-1000-2660-0000.....\$500
- ☐ Site Plan Review.....B00-1000-1589-0700.....\$TBD
- ☐ Special Use Permit.....B00-1000-2660-0000.....\$200
- ☐ Determination of Substantial Change..... B00-1000-2660-0000.....\$150
- ☐ Request for Abandonment of Town-Owned Property... B00-1000-2660-0000....\$250
- ☐ Request for Waiver of Sidewalk Requirements... B00-1000-2660-0000....\$300
- ☐ Use or Area Variance..... B00-1000-2660-0000.....\$150
- ☐ Flood Zone Variance..... B00-1000-2660-0000.....\$150

TOTAL FEES TO BE COLLECTED

\$ 900.00

DATE PAID: _____

GENERAL REQUIREMENTS & CONDITIONS

- The aforementioned amounts cover one (1) initial review and one (1) subsequent review. All other fees or expenses incurred by the Town and Engineering Consultant in connection with any review, above and beyond the standard fees, shall be the responsibility of the Applicant. Approval will not be granted until all fees have been paid by the Applicant.
- As it pertains to Stormwater Prevention Plans, additional fees to cover engineering review and inspections(s) shall be the responsibility of the Applicant should the design be in non-conformance with the New York State Design Manual.
- No development shall occur with the Town of Lewiston unless in accordance with the provisions of the Town Code and Town Standard Specifications and Details.
- The Applicant is referred to the Permit Conditions under the Application to Construct a Public Improvement for any improvement located within or connected to any public right-of-way or public facility. In addition to and prior to construction, a letter shall be submitted to the Town Engineer by the Developer stating that ALL construction items delineated on the approved final construction drawings are under contract with the Developer's contractor(s).
- A separate deposit shall accompany each individual public improvement permit application in the amount shown.
- Any subdivision or site plan must be submitted at least fifteen (15) days prior to the Planning Board Meeting to provide adequate opportunity for review, distribution of notices, and advertisement of public hearing.
- No change, revision, or modification to any approved plan may be made without authorization of the Planning Board.
- All required fees must be submitted to the Town Building Department prior to preliminary site plan or subdivision submittal.
- All site plans or subdivisions must satisfy the technical checklist for plan approval.

September 1, 2026

Chief Michael Salada

Lewiston Police Department

It's with mixed emotions and great sadness that I am writing to inform you that I will be retiring on September 26, 2026, after more than 29 years of service.

It's been an honor and a privilege to serve the Town and Village of Lewiston throughout my career. I am truly grateful for the opportunity to work alongside so many dedicated employees and members of the department who have become like family to me.

I will greatly miss all of you and the friendships, memories and experiences we have shared over the years. While I am looking forward to the next chapter of my life, leaving this department and the people I have worked with for so many years will be very difficult.

Thank you for your support, friendship and for allowing me the privilege of serving this community for more than 29 years.

With sincere appreciation and respect,

Officer Anthony Nicoletti #145

A handwritten signature in dark ink, appearing to read 'A. Nicoletti', with the number '145' written below it.

Town of Lewiston Recreation
Timothy Smith, Director
1375 Ridge Road, Lewiston, NY 14092



September 14, 2026

Honorable Members of the Lewiston Town Board,

Please consider allocating funds for Recreation Department to purchase the following supplies to replenish and update our three defibrillators for our parks

Defibtech Lifeline AUTO AED Refresh Pack

\$392.99

- Includes AED Battery, Adult and Pediatric AED Pads

Total(3) - \$1,178.97

Thank You.

Shopping Cart

\$175 off \$1500 cart total with code **SAVE175**, \$450 Off \$4000 cart total with code **SAVE450**,
*Promotion details

ZOLL Trade-In Offer. Use code **SAVE150** to save.

ITEMS	PRICE	QTY	TOTAL
 Defibtech Lifeline or Lifeline AUTO AED Refresh Pack Choose the one that is right for you:: Select (+\$392.99) Part #: ARP-LIFELINE-SEL	\$392.99	3	\$1,178.97

Subtotal (3 items): \$1,178.97

Order Summary	
Subtotal	\$1,178.97
TOTAL	\$1,178.97

Complete your order online, by phone, or email.

To order online, visit us at www.aedsuperstore.com.

To order by phone, contact us at 800-691-7502.

To order by email, contact us at sales@aedsuperstore.com and include a copy of your quote.



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WE WILL BEAT OR MATCH ANY COMPETITOR'S PRICE

\$175 Off!