

Town of Lewiston discusses proposed changes to Environmental Commission; Broderick pledges support for environment

PART I BY TERRY DUFFY
Editor-in-Chief

The Town of Lewiston held a highly anticipated regular meeting Monday at Town Hall. Despite a Bills-Jags "Monday Night Football" game that evening, a good-sized crowd visited to learn more about a new topic of interest. Namely, the status of the Town of Lewiston Environmental Commission and possible plans for its restructuring.

The session led off with a public hearing on Local Law No. 4 of 2024: "Adoption of a local law terminating the Environmental Conservation Commission and creating the Planning Environmental Review Board. Said law is intended to eliminate the Town of Lewiston Conservation Commission and redefine the Town of Lewiston Planning Board as the Planning and Environmental Review Board together for establishing all appropriate authority therein," Acting Clerk Tamra Burns said.

Announced at the Town Board's Sept. 9 work session, news of the disbanding went on to spur questions and comments as to why, from the River Region community - particularly as northern Niagara County continues to deal with a number of environmental concerns on the town's northern border with Porter (the 191-acre Niagara Falls Storage Site on Pletcher Road, where the U.S. Army Corps has begun a large-scale, half-billion-dollar-plus remediation project to remove high-level radioactive contamination associated with the World War II Manhattan Project; CWM Chemical Services LLC on Balmer Road, which has been involved in a nearly two-decades-long application process with the state Department of Environmental Conservation to reopen its hazardous waste landfilling operations that closed down in 2015; relations with Modern Corporation, which operates a municipal landfill, recycling and other services at facilities on Pletcher and Model City roads).

The public hearing included 10 speakers, with many opposed to the proposal.

Tim Henderson, a retired 30-year town employee, explained, "Since 1991 as Lewiston's environment goes, nothing has really changed. If anything, there's more challenges that have been created. ... To dissolve the commission at this time, I think it's ill advised. It's sending the wrong message to the waste industry, for one."

Resident Mary Flang, a past member of Residents Organized for Lewiston's Environment

(ROLE), said the town is "going backwards" with its plans to disband.

She was joined by current and former Environmental Commission members who spoke their minds on the issue.

Dr. Mark Gallo, a biology professor at Niagara University, 29-year resident and current member of the Planning Board and its Environmental Commission, discussed the need to continue the functions of the commission and its stewardship for the area's natural resources, but with perhaps a different operations structure.

"It's one thing for folks to have a knee-jerk reaction to things. But I think it's also important to really, fight through these things and ask, 'Are we doing the right things?' I think that we are," Gallo said. "Ensuring our compliance with state and federal regulations, we have a Planning Board, and they do a wonderful job with this. Every one of these things has been thoroughly addressed by people such as Tim Masters (town building and code enforcement officer), and the rest of the people I've worked with on that board. I'm really impressed."

He went on to argue for some form of an environmental commission to address many of today's issues, including microplastics found at the Water Pollution Control Center; the presence of viruses in waterways and other sources; managing "forever chemicals" such as PCBs in landfills; and climate change challenges, such as excessive precipitation events and flooding.

"These are things that you're going to have to deal with, and soon in the waste stream. So, some of these things are topics that could come in whatever board, commission, survives this," Gallo said.

Regarding a new commission's oversight and engaging the community in the future, he suggested a combined group of members with professional backgrounds might have greater effect in managing the town's environmental problems: "I think that's where a board, like a commission, separate from the Planning Board, may be able to do things that a Planning Board can't."

"I think maybe an Environmental Commission could be tasked with things like that, educational, engaging" to make sure we're on the right path.

Responding, Supervisor Steve Broderick said, "I'm 100% for the environment." He spoke of his work as a Niagara River Greenway Commission member; the success in achieving Lewiston's designation as a "Smart Com-

munity," the town's selections of Gallo and Zach Collister, current chair of the Environmental Commission and Planning Board member, for their expertise; and current efforts to appoint a DEC air quality engineer as a Planning Board member.

Broderick also commented to Gallo, "I appreciate what you said about the (Environmental Commission) deficiencies, that aren't being done. So, for people to paint a picture that the Environmental Board is doing all these wonderful things, hate to say, they haven't been. We're trying to get that where it's going to happen."

"I'm all for protecting everything that everybody's talking about. I want to do it more than we ever have. But it's not being done."

Gallo responded, "To your point, I think we have to see how we can make that happen. ... To continue to exist would be great, (but) how do we empower it to do these things? (The) regulations behind that commission (and what it's) supposed to do is insane."

Gallo said he supported Broderick's thoughts on improving the board's functions and eliminating the burden on individuals: "That's what I'm for and I think many people are that way. I am sure you feel the same way, too. I feel we have to sit back and think about it."

Broderick agreed.

"I want to tell people tonight, we're making no decision," he said. "This a work in progress. And Mark has volunteered to come in and work with myself, the attorney, (Councilwoman) Sara Waechter and Tim Masters into make this ... everything the Environmental does on the Planning Board, make sure nothing falls through the cracks. So, that is the intention. We are changing our focus."

In his remarks, Collister said,

"Steve, I agree with you. ... I 100% believe we should be more active, but at the Town Board's direction."

Collister admitted the current Environmental Commission has had its faults and has not been proactive enough. Collister, like current member Matt Feldman and past member Brock Davey who also spoke, suggested the commission has been functioning recently. He commented that it has been more like a review board on considering planning issues like subdivisions rather than focusing on the environment.

"So, I'm 100% on board with streamlining government. ... So, the local law as it stands does not cover what the environmental commission does. It does not have the investigative (mindset)," Collister said.

Feldman went on to note the town "has two pages worth of gaps that have not been addressed yet. If those are addressed and the Environmental Commission can be a proactive commission, that's one thing. Right now, it's just a review board."

Feldman closed by commenting that the commission should not be working on planning concerns but rather on environmental issues: "Please come and talk with the Environmental Conservation Commission. Let's work together as a town; let's focus and prioritize the environmental issues."

In his remarks, Masters stated he supports "reconfirming the role of the Environmental Commission" and its move to the Planning Board. "I'm all about streamlining government ... to say I'm anti-environment couldn't be further from the truth."

He went on to add that, in his belief, the town has, indeed, been environmentally friendly. Masters noted the past involvement of numerous officials and their knowledge, work and their dedication.

He suggested a more focused approach among all parties is a better answer.

"I believe that the Planning Board, if they have a subcommittee or ad-hoc committee, could do a better job" on this.

Concluding the nearly hour-long discussions, Broderick said, "What we've decided to do ... we're going to leave the public hearing open; this a working document. We do not want anything to slip through the cracks; we do care about the environment."

"Right now, there is no environmental oversight; it's not working the way it was designed, at all right now. ... We are going to create a subcommittee of the Planning Board, environmental, to do exactly what Zach said, exactly what Mark said. We don't want any aspect of the Environmental Commission to fall through the cracks."

A full text of the proposed Local Law No. 4 can be viewed on the town's website, www.townoflewiston.us.

Part II will recap comments from visiting Morgan Farms residents; discussions by WPCC administrator Jeff Ritter on backflow preventers and their function; a brewing controversy over a Townline Road business; and a look at the town's proposed 2025 budget.

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