

Lewiston Town Board puts short-term rentals on hold, approves open-ended moratorium

Lewiston gets favorable audit news

BY TERRY DUFFY
Editor-in-Chief

The Lewiston Town Board took steps Monday to get a handle on short-term rentals. While other communities continue to debate the "What to do?" question, Lewiston approved an open-ended moratorium that effectively puts the matter on hold until all questions concerning zoning codes and permitted uses are reviewed in detail.

Titled Local Law No. 1 of 2023, the measure establishes a temporary moratorium on new short-term rentals. Explaining its purpose, Clerk Donna Garfinkel said, "The Town of Lewiston recognizes the growing interest in short-term rental properties. It is further recognized that the short-term rental use is not currently authorized or properly recognized under the Town of Lewiston code, and could be incompatible with the existing character and property uses in some areas of the Town of Lewiston.

"It is further recognized that this incapability would potentially compromise and inhibit more appropriate growth, as established by the Town of Lewiston's comprehensive plan and zoning code. Therefore, the purpose of this moratorium is to allow the Town Board the opportunity to draft a short-term rental law and/or update the town's current zoning code as appropriate, including

but not limited to: a determination whether short-term rentals should be permitted within the Town of Lewiston; and if allowed, an analysis of where and in what manner short-term rentals are most appropriate.

"These effects are undertaken to promote protect the health, safety and welfare of the citizens of the Town of Lewiston."

Town Attorney Al Bax said, "This law effectively complies with the town's zoning. There will be additional opportunity for comment, possibly at another meeting called by the Town Board, but also if and when the town comes with a final resolution and proposed law on the subject. There will be other public hearings where comments are taken for consideration by the town.

"Just so that public is aware, this a place-setter at this point, and effectively will be maintaining the status quo as the law as it exists in 2023."

No comments from the public were heard, and a motion to close the hearing was moved and accepted thereafter. Local Law No. 1 placing said moratorium on short-term rentals went on to be approved by a 5-0 vote later on in the session.

Town of Lewiston Audit

In other news, the town received favorable news on its 2022 town audit, conducted by Carl Widmer, CPA of Drescher & Mal-

ecki LLP, municipal auditing consultants.

"We're just about ready to release stats," Widmer said as he opened his comments on the audit completed Dec. 31, 2022. "Here tonight, we'll offer an overview of the audit itself – a process."

He explained this involved the firm's consultants meeting with town department officials as part of the review. The audit presentation itself comprised these main parts: auditor communications; a high-level overview of the town's major funds – the general fund; town outside village; highway; water and sewer; and overall comments.

Widmer said Drescher & Malecki reviewed the trends in town accounts over the past years, examining revenues, expenditure activity and the fund balances, and comparing those to 2022.

"There were no significant changes this year, so this year's (2022) financial statements should be able to go up against 2021's and be a fair comparative statement," Widmer said.

The firm's auditors reviewed all facets of the town's financial statements and, "There was nothing that came up," he added.

Reviewing the general fund, Widmer said comparisons of the past five years of revenues vs. expenditures to those of 2022 found the town "spent more than you brought in."

Calling it "by-design" spending, Widmer said the town found itself in the favorable position to work with its fund balance and use available monies for capital improvements. As a result, Lewiston was able to dedicate its general fund toward these expenditures while its revenues line stayed exactly the same. As a result, the fund balance saw a decline of \$4.3 million.

Reviewing the town/outside village account, Widmer said the town was again in a favorable position to use available monies to outspend revenues.

"Very similar trend to your general fund: You were making money the last four years but, in 2022, it inversed," he said. "Capital improvements went up; and this was done by (money) transfers."

He said the town/outside village account experienced a revenue increase with state aid, but its fund balance also went up by \$576,000. As a result, the town had an available fund balance of just under \$2 million.

Widmer said a review of the town's highway, water and sewer accounts, likewise, all showed consistency in revenues outweighing expenditures in the first four years (2017-21), and in 2022 it changed – with the town spending more than it brought in, oftentimes using its favorable fund balances.

Widmer said the water account

recorded a \$375,000 increase in its fund balance, and that, despite a decrease in the property taxes, "revenues were still able to exceed spending."

The town's "plan to move forward and grow a more favorable fund balance is coming to fruition," he said.

For sewer, Widmer said its fund balance saw a \$40,000 decrease, due to the town's opting to spend more on equipment and capital improvements.

Overall, "There are no reportable findings," Widmer said. "The town is still in a stable financial position."

Wrapping up:

- The board approved a new fee and operating schedule for the Dickersonville Cemetery. Garfinkel said that new burial fees are \$500 for the traditional opening and closing of graves, and \$250 for grave preparation for cremation. Operating hours for the said burial services are 9 a.m. to 3 p.m. weekdays, and 9 a.m. to noon on Saturdays, with no service offered on Sundays.

- The board approved a motion by Councilman Jason Myers for Christmas lighting improvements in the hamlet of Sanborn. Myers said the \$7,900 project would see installation of new displays on 17 light poles ahead of the upcoming holiday season.

Mount St. Mary's appoints new emergency department manager

Mount St. Mary's Hospital recently appointed Lindsay Gubala, B.S.N., R.N., to serve as the manager of the hospital's emergency department. She is a 20-year veteran of the hospital and holds a bachelor of science in nursing degree from Roberts Wesleyan College, and an associate degree in nursing from Niagara County Community College.

Gubala began her career in health care at Stella Niagara Health Center, then joined Mount St. Mary's Hospital in 2003 as a nurse attendant, learning many facets of nursing care at various



levels. In 2017, she advanced to her position as a registered nurse for cardiac medical surgical and

emergency services.

A press release noted, "In addition to patient care, she has played an instrumental role at MSM training new staff members and graduate nurses, providing EMR support, performing peer to peer competency reviews, and initiating a bedside rounding program."

Gubala served as chair of nursing peer review committee and ED flow committee. She has also served as a Niagara University clinical instructor through the direct care education unit program. Gubala is currently training for

Erie County Crisis Services as a SANE R.N., a program that provides support throughout Catholic Health and Erie County.

"When you find a great nurse leader at the bedside, who is looking to advance their knowledge and skillset, it is a win-win for the hospital. Our nursing department and the patients can feel the teamwork," said Susan Brooks, M.S., B.S.N., R.F.N., NEA-BC, vice president for patient care services at Mount St. Mary's Hospital. "We are grateful that Lindsay has chosen to accept this important leadership role."

NCCC/NCLEA (cont.)

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projects. One of them being a future Western New York Responder Preparedness Center that is in planning for the new facility."

He said Niagara Falls would redirect \$250,000 from Seneca Gaming Corp. funding toward the law enforcement academy. Restaino called it "the city's contribution financially to this very, very important project."

He said NFPD personnel also will continue their work with Filicetti and his staff in the academy's operations.

"I look forward to the great opportunity it will give the 12 young men and women who choose law enforcement as their career path," Restaino said.

Niagara Falls Police Department Chief John Faso has been a co-director of the academy for the past six years. He recalled the academy's initial founding and said that, when complete, it would rank as "one of the best facilities of its type" to serve the demands of law enforcement training. "I am happy to

see this support of the academy and the men and women who attend. It is appreciated by the staff and the many attendees.

"On behalf of the Niagara Falls Police Department, I want to thank everyone who was involved in this project," Faso said. He paid special recognition to Murabito and to Filicetti for their "tireless work on this project, and recognizing the importance of the academy in Niagara County law enforcement. It's always been a pleasure to co-sponsor this NCLEA with you."

Assemblyman Michael Norris praised the cooperative relationship of federal, state and local officials on their teaming to make the new law enforcement center a reality: "It is just so important in today's society that we properly train our law enforcement officials. For generations to come, law enforcement will be trained at this facility to protect society.

"These are key investments to our future."

Wheatfield Family Picnic Fairmount Park Sunday, August 6th, 2023

Flag Raising 10:45 am
Protestant and Catholic Church Services at 11:00

Starting at Noon
Bingo – Petting Zoo – Rock Climbing Wall
Pony and Hayrides – Magician – Dunk Tank
K-9 Unit Demo – Bergholz Band Concert

Wheels of Wheatfield Classic Car Show

Variety of foods available for sale

The picnic is free to all, paid for by the picnic's sponsors. Please visit the picnic's Facebook page for a list of sponsors and support them.

No dogs will be allowed in the park during the picnic

Real Help
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Presented by
Dr. Glenda R.
Rose
Chiropractor



More than a Bone out of Place

As a chiropractor, I am trained to locate and correct a condition called *The Vertebral Subluxation Complex*.

These spinal misalignments create interference of the nervous system resulting in malfunction and breakdown in other parts of the body. They can occur as early as childhood.

The signs of this condition are: limited flexibility, muscle spasm or weakness, reflexes too slow or too sensitive (this can affect gait and coordination of movement), and swelling (inflammation of joints and ligaments causing in pain and immobility). Calcium deposits will form around misaligned vertebrae resulting eventually in arthritis of the spine. Confusion in nervous system communication can result in lack of coordination within the body, resulting in imbalance of function, too much or too little. Examples could be: pain, numbness, tingling, heart rate troubles, diarrhea or constipation, blood pressure problems, asthma, too much stomach acid, hormone imbalance, menstrual cramping, headache, weakened immune system and the list goes on. **Thus, an important way to stay healthy is to see a chiropractor regularly to keep your spine free of nerve interference and the body able to regulate, coordinate and heal itself.**

As Clinical Master of Nutrition Response TestingSM, I have found patients placed on a Designed Clinical Nutrition program, respond to their chiropractic adjustments better and they hold longer.

Rose Chiropractic, P.C. located at 435 Ridge St., Lewiston. Call (716) 754-9039 to find out how we can help you! New Patients are welcome.