

PRESENT Mayor Welch, Deputy Mayor Eydt, Trustee Conde, Trustee Coppins, Law Counsel Leone, Engineer Marino, Superintendent Wills, Police Chief Previte, Clerk Fundis, Treasurer Longwell, Deputy Clerk Vazquez, Recreation Director McDermott, Fire Inspector Beebe, Building Inspector/Zoning Officer Candella, Historian Piper, Norman Machelor, Doreen Albee, Joe Sorce, Josh Janese, Rick Haight, Loretta Frankovitch, Pete Coppins, Jim Fittante, David Giusiana, Christine O'Hare

EXCUSED Trustee Gibson, Nick Schaefer, Rita Geiben

CALL TO ORDER Mayor Welch called the meeting to order with the Pledge of Allegiance at 6:00pm

MOMENT OF SILENCE Mayor Welch held a moment of silence for the people of Israel and the horrendous war that is taking place there right now.

MINUTES A motion was made by Trustee Conde seconded by Dep. Mayor Eydt and passed unanimously to approve the September 18, 2023 and October 2, 2023 minutes.

BILLS A motion was made by Trustee Coppins seconded by Trustee Conde and passed unanimously to pay the October 2023 bills as presented by Treasurer Longwell, with the exception of the bill for Candella Construction for the Academy Park restrooms to review proof of completion, in the following amounts:

General Fund: \$278,214.58

Capital Fund: \$90,575.53

Trust & Agency: \$2,824.48

Total: \$371,614.59

The Certificate of Occupancy issued for the Academy Park restrooms by Town of Lewiston Building Inspector, Tim Masters, was reviewed later in the meeting. A motion was made by Trustee Coppins seconded by Trustee Conde and passed unanimously to approve the aforementioned bill for Candella Construction.

REPORTS **Historian Piper** gave an update on the final project for the flagpole base to be placed in the Oakwood section of the cemetery.

Recreation Director mentioned the Halloween festivities at Red Brick on Sunday, October 29, 2023 from 12pm-3pm during Trick or Treat on Center. We will have Onondaga Street closed from N. 2nd to N. 4th Street during the event.

OLD BUSINESS **Lewiston Public Art Project – Art Frames**

Maria Fortuna-Dean, Lewiston Council on the Arts Director, gave a presentation on the proposed art frames as part of the Lewiston Public Art Project:

I want to clarify the role of the Lewiston Council on the Arts in this process. The plans and designs for the various elements of this project have been in discussion since before the pandemic. At the July and August Village Board meetings, the plans and designs for the Public Art Project were presented, including the mural, benches and the art frames; all were approved by the trustees. It was at this point, after that approval, that the mayor asked me to write the grant application for the Greenway funding; the LCA is only the agency through which the Village decided to apply for funding. I enthusiastically agreed to write the application for the funding, because the Public Art Project is in line with our mission to support and advocate for the arts in Lewiston. Should the funding be obtained, the mayor requested, and the LCA agreed, to facilitate the curating of the art exhibits and any future programming and activities associated with it, such as events for gallery openings, speakers series, educational programming, field trips, etc.

After the last meeting, where one group expressed concern over the design and placement of the frames, the mayor asked Dan and me to provide suggestions for alternate designs and alternate placement of the proposed gallery; So that is what I am showing you tonight. In response to the concerns expressed over the previously suggested location, the new suggested location for the "Lewiston Living Art Gallery" is along the brick path in Academy Park. The ten frames could alternate along the north and south sides of the length of the brick path, with five frames on each side of the center entrance. The proposed location is not on the street, but

rather would be inside of the fence, on Village property, and therefore, would not be subject to DOT approval. The proposed location would not interfere with long-standing activities and programming in Academy Park.

The design of the frames would be the first of its kind:

On the left is the first design and on the right is the second suggested design, created in response to the concern over the very top part of the frame. To clarify, the height of the frame, from the base to the very top of the finial, which is this top decorative piece, would be eight feet. The art itself would be at eye level. The frames would be able to rotate to display works that are oriented either vertically or horizontally. The artwork in the frames would be illuminated after sunset with solar-powered lighting located within the frames. The design of the frames would be inspired by designs used in American Colonial furniture, such as these, and would harmonize with the Village and Academy Park aesthetic. The Living Art Gallery would feature art works assembled by a guest curator. The displays would change throughout the year on a pre-determined schedule. High-resolution prints of the artworks, not the originals, would be used. There would be interpretive messages for each piece, found inside the frames that would encourage viewers to consider different aspects of the artwork, and what the artist was trying to express.

Early discussions of possible exhibits include Historical Paintings of the Lower Niagara River Region, selections from Lew Port School District Art Shows by Student Artists and by Alumni Artists, Haudenosaunee Art and Culture, Art by Veterans and portraits of local historical figures. Displaying the frames all together along the brick walk would create a cohesive outdoor gallery, enabling participants to experience the artworks as a whole. Programming and activities connected to the exhibits could take place in Academy Park, revitalizing this underused asset and bringing it regularly into the center of Village life.

The LCA supports this proposed project because it reflects our mission of promoting opportunities for artists and encouraging public participation in the arts. We see the potential benefits for Lewiston, including the possibilities of collaboration between community groups such as Lew Port School Students, the VFW, the Garden Club and the Historical Association of Lewiston.

Mayor Welch said before we open up the meeting for your comments, I would like to explain that the proposed Art Frame project will NOT be placed on Center Street. They will be placed along the brick walkway in Academy Park. We have people for this proposal and people against this proposal. Most of the people are against placing them on Center Street, and we agree. Also, NYS DOT will not allow them on the right of way. Placing them along the brick walkway is a better location and will allow people to stroll along and admire the artwork - whether it be from local artists, students, or history. With the completion of the bike path through the park, it will become a "stop over" for cyclists on the bike path and shoreline trail. The proposed art mural, artistic metal sculptures and benches, and the art display frames will be a unique attraction that residents and visitors can enjoy while stopping at Academy Park. Please keep your comments to two minutes so others can speak.

Ron Craft, village resident, said that he is not happy with the art frames proposed along Center Street. There are empty buildings on Center, this is taxpayers' money, and we have been working on taking signs down.

Lee Simonson, representative for the Citizen De-Sign Committee said:

First, we want to say thank you to the Art Council for revising your plans and moving the art towers out of the historic business district. Second, we want to remind everyone there is no rush in making a decision. The Town has rescinded its support until a consensus is reached, and let's keep in mind that the Greenway meets on a regular basis. So, there is no deadline. Third, let's keep in mind that tonight is the first time the Planning Board and HPC have looked at the original plans, and it's the first time everyone has met to discuss the revised plans. The De-Sign Committee received the revised plans three days ago on Friday, and they are still being discussed. Moreover, the public will not have any information on the revised plans until this forthcoming weekend when the Sentinel comes out. My point is, this is a significant and impactful project and it deserves careful consideration with the boards and general public. We encourage you to take your time - take the next few weeks, or months, to examine all the aspects of this proposal with full public participation. Fourth, while our members can speak for themselves, I can tell you that the initial reaction to the revised plans are generally negative. Here are just a few examples of the comments I have received back:

- Personally, I don't want them anywhere in the village. Moving them all to the park does not make them any more attractive, appropriate or less distracting.
- My main concerns about clutter and visibility have been addressed by the relocation -- so I'm ok with the compromise. Unfortunately, I think these will be one of those "white elephants" that gets removed in a few years when lack of care and maintenance render them obsolete.
- They are ugly wherever they are placed. Academy Park needs improvement, not defacement. They add to the streetscape clutter. As for the argument that they would frame student art, Lew-Port High School has a gallery, the Castellani is a gallery, and restaurants on Center Street do house art. Furthermore the Red Brick could also be used to display art, student or otherwise.
- These constructions remind me of something from a sci-fi movie, perhaps "War of the Worlds", or a Bugs Bunny cartoon.
- The benches would look great - in Key West, Florida. Besides, having the design of a shuttle with "Lewiston" looks tacky and certainly not historical or charming. We don't need benches for a shuttle that only runs 3-1/2 months out of the year. Especially for that price.
- The tree-lined path in Academy Park is beautiful! Those frames would ruin the Norman Rockwell look of that walkway. In the winter, that section of the village is magical when the holiday lights are lit, especially when you enter the Village of Lewiston. I don't think the solar lit "frames," with God only knows-what kind of art, will add or enhance our beautiful holiday "postcard".
- The Spirit of Victory sculpture should stay where it is at Grand View Park at Joseph Davis. It has been there over 25 years, adds a richness to the Lower River. It sits majestically and welcomes visitors to a place of solitude and contemplation. Putting carnival Ferris wheels and rides next to it would only denigrate it.

And on a positive note, one member wrote:

- I think it will be an art promenade and if the towers are lit appropriately, it would add to the ambiance and experience.

Those are just a few of the comments, both pro and con. It just indicates that people do have opinions and we need more time to get this proposal properly vetted. Again, I encourage everyone to step back and give the community some time to digest and comment on the project. Fifth, my personal opinion is that having 10 of the art towers in Academy Park is overkill. My concerns also involve taking up precious green space at the park -because once it's gone, it's gone, and it will permanently restrict the future use of the park. In addition, I understand that the artworks in the frames will be illuminated all night. That's certainly not something an historic community would do. Overall, this is a major step for the Village and we need a patient, thoughtful approach. We shouldn't make decisions in one night, especially since the general public still knows nothing about the revised plans. We may have a variety of opinions in this room tonight - but I hope we are all on the same page in making Lewiston the envy of small towns across America. Thank you for this opportunity.

Michelle Marcott, local artist, said she is in full support of this project. Academy Park is big enough to host what it continually does and still have a place for local artists to display their work. There are a lot of local artists in the village that nobody knows about because there is nowhere to exhibit or sell art. We exhibit in Tonawanda, Lockport, everywhere else but Lewiston. Artists would love to be able to exhibit their work, and this would add to the charm of Academy Park. This is the village that we live in, this is this century; the design was changed. Let's think about broadening how we view Lewiston and incorporate the arts a little bit better.

Eva Nicklas spoke on behalf of herself and Irene Rykaszewski, both former members of Lewiston Council on the Arts:

Lewiston is blessed with an identity defined by both art and history. These two forces meld in the Spirit of Victory. She is of course art, but she also has a specific history that brought her to her current location. We take issue with the statement in a recent newspaper article, that in moving the sculpture to Academy Park she is somehow "making her way back home". She. Is. Home. After her majestic siting at Artpark where she inspired visitors as a major element of an installation entitled "Drums Along the Niagara", the piece, like all the projects, was dismantled at the end of the summer. Too large to be dealt with, the Iroquois Angel was discarded

and smaller components of the installation (including her wings) were carried away. Some know the story of how we did our best to gather the lost elements and reunite them with the Iroquois Angel. We brought back Tom Mullany the artist, to give the pieces a new life in what we all agreed was the perfect location. The river at her back is a tangible reference to the original installation "Drums Along the Niagara". But of course she became something different from the original. So, as she rose literally with broken wings, from a pile of rusty metal to a new life, we gave her a new home and Tom gave her a new name, The Spirit of Victory...to signify her triumphant return. Her location is paramount to the story she tells. The Village Board recently voted to move The Spirit of Victory to Academy Park, with a reason being, so that more people would see her. The sculpture however, adds nothing to that location, nor does the location enhance the sculpture. Academy Park already has a lot going on without the addition of a large-scale sculpture. Picture it... there is the Alphonso DiMino Bandshell, the Veterans' Memorial, the historic Simon House (Chamber Office), the Toll Booth, the Bathroom building, and in the future.... an Entrance gate, 10 metal art frames and a picnic pavilion. Instead of spending money to move the Spirit of Victory to Academy Park, a modest investment in landscaping, a bench or two, a bike rack and better signage, would make her current location the perfect pocket park pull off for visitors and residents, whether walking, cycling or driving. She should be the lynchpin of an art trail of 'jewels' along the Greenway corridor, some of which already exist; Freedom Crossing at the Waterfront, The Pod and Archangel Michael at Stella Niagara, Tango at the Lewiston Senior Center and the Spirit of Victory at Joe Davis State Park. These are a good start to the thoughtful development of an Art Trail that leads people along one of the most picturesque roadways in the region. Given the scale of the sculpture, its current location is perfect and it functions as the centerpiece of a contemplative space that just needs a little TLC. Please leave the Spirit of Victory where she is... that is her home.

Loretta Frankovitch, Chairperson of the Historic Preservation Commission, said I am not opposed to developing artwork, but this is sort of new to us. I haven't even spoken to my board about this, I do think we deserve to discuss this as a group.

Doreen Albee, member of the Planning Commission, said I also would like the opportunity to discuss this with my board, to see if it meets the definition of a sign in our code, and to make it the best possible project it can be. Mayor Welch clarified that the art frames are not signs; they are an art display case. Albee also expressed concerns on maintenance.

Susan Daly Bray, resident, said that there are beautiful monuments here, while things do change, compromise is the name of the game.

Russ Piper, Village Historian, said my job is to record and preserve history, not to watch it go by. Lewiston today is not what it was when we grew up. I prefer the art frames in Academy Park and not on Center Street. Lewiston can be both historic and artistic. We need to focus on coming to a common ground; work together and compromise. I appreciate Maria (Fortuna-Dean) for wanting to reinvent the LCA. This is turning into a shit show; everyone needs to stop the bickering, work together, and not just do what is best for yourself.

Joan Maulis, resident, said she is opposed to the project due to financing concerns, and the excess costs beyond the Greenway funding coming from taxpayer's money. There are a lot of things we can do to improve Lewiston; this is not it.

Frank Scelsa, resident, said the Village's identity is based on history, specifically 19th century construction. This does not mean you can't improve and change, but you have to carefully choose the colors, mass, textures, materials, etc. These towers detract from the 19th century identity.

Al Swavy, resident, said he is not in favor of this project, but I understand the place for local artists. Swavy suggested utilizing vacant building on Center Streets to lease and give an art gallery that is properly lit and might attract people to buy art. Natalie Slipko, local artist, said she is in favor of the project. Slipko suggested placing one or two signs by the waterfront to keep people down there longer; it would be another location to showcase art.

Kathy Federspiel said I am all for art with something simple. Spread the art frames out.

Sharon Grevet suggested opening this up to receiving input from the public; people have great ideas for alternatives to art frames.

Tim Henderson, resident, said our history is important and precious, and one by one, as we lose these buildings or locations, we lose our history. History is our future, change isn't always better.

Norman Machelor, said I am here this evening at the request of the Mayor to attend a public meeting. I am here as the Chairman of the Village Planning Commission. This meeting has been called with prior notification as required and the majority of the Planning Board are in attendance. That being the case, I have the option to call an official meeting of the Planning Board to consider the matters proposed for consideration this evening. I believe this option is also available for the Historic Preservation Commission. This will not be necessary this evening if the Mayor and the Board of Trustees will agree to send these matters to the Planning Board for due consideration as required in the Village Code. The proposed Project, including a bike Path, the art signs and the benches have not been vetted, which means the questions of where, when, how, height, colors, materials, and the responsibility for erection and maintenance and finally, upon whose property these items would be installed has not been addressed, let alone answered. I will read from one section of the Village Code concerning one of the most controversial sections of the project, the signs. Here is the definition of the term "sign".

"The term sign shall mean any material, structure or device or part thereof, composed of lettered, or pictorial matter, or upon which lettered or pictorial matter is placed when used or located out-of-doors or outside or on the exterior of any building including window display areas, for display of an advertisement, announcement, notice, directional matter or name, and includes frames, billboards, sign boards, painted wall signs, hanging signs, illuminated signs, pennants, fluttering devices, projecting signs or ground signs and shall also include any announcement, declaration, demonstration, display, illustration, insignia used to advertise or promote the interests of any person or business when the sign is placed in view of the general public".

This statement is followed by 25 individual items on signage details. This is why the Planning Board insists that this portion of the proposed project must be referred to the Planning Board for vetting and recommendation to the Village Board.

Sign Regulations section 13. A.2. states:

"No signs shall be erected except monuments, historic markers, or other public information or directory devices erected by a public agency, unless approval of the Board of Trustees is obtained after recommendations of the Historic Preservation/Planning Commission".

I am not here this evening to render an opinion of the project as a whole or in the individual components of a larger project. I am only here to formally request that the Villager Board follow the Village regulations and code and refer this project to the Planning Commission and our sister body, the Historic Preservation Commission, as appropriate in the law. The two commissions have served this Village faithfully. Your opportunity as citizens to vet these projects is through the commission's public investigations, open to each of you; that is where the answers to your questions, in detail, will be available.

Trustee Coppins asked for clarity on the financial portion of the project; Fortuna-Dean said the money is earmarked for this project. Coppins asked where the remaining funds will come from. Fortuna-Dean said this is not my or the Lewiston Council on the Arts project, I was asked to write the grant for this project. Fortuna-Dean added that previous grants have funding contributing to this project; there is also a contribution from the Niagara Heritage. Coppins said I don't feel the village should have to maintain this. Also for art, maybe ten is too many for Academy Park; Coppins suggested cutting back the amount of art frames. Fortuna-Dean explained that this would alter the amount of the grant funding Greenway would issue for the project. The grant money from Greenway is also for the mural and benches, not just for the art frames.

Lee Simonson asked if the board was planning on making a decision at this meeting. Clerk Fundis stated that the art frames were technically approved at the August 21,

2023 meeting. The art frame portion was not discussed at that meeting, but was part of the Public Art Project proposal. I spoke with our attorney who informed me the board needs to clarify the motion to state what exactly they were approving.

Law Counsel Leone said the intention is for the board to clarify the prior motion the board approved to pursue the grant, not the details, to pursue the grant funds.

Mayor Welch read a letter from local artist, Tom Asklar: Lewiston is amazing, and it continues to get better! When I moved to Lewiston, NY, 22 years ago, there was a ginormous sign, welcoming visitors to the village. On this sign, it listed four hallmarks of Lewiston: ARTS, HISTORY, COMMERCE & WATERFRONT I remember thinking “I want to live in a village that puts the arts first! “. I quickly realized that these four vital tenets are what makes Lewiston New York USA so special. The Lewiston, Council on the Arts has insured the value of the arts in the village, and beyond, in so many ways since its inception. The exciting new proposal of the Living Art, Gallery, centered, quite literally, in the heart of the village at Academy Park, is the latest Crown Jewel achievement! We are humbled honored & blessed to have such high caliber artists involved in this project! The idea & mural design of award-winning artist Maureen Kellick, with its homage to Lewiston, is exquisite! Wrapping the mural around the building is a splendid idea, invoking the idea that Lewiston is all-enveloping! Fine artist and craftsman Dan Buttery continues to excel in his craft. I love the stylistic community collaboration of Buttery’s frames, taking into account and consideration the opinions of so many constituents. Buttery’s thoughtful bench designs for the Discover Niagara Trolleys are exemplary, with form following function. Utilitarian art-art with a practical purpose, art for art’s sake-fits in so perfectly to one of the main goals of this initiative! Bicycle locking stations are yet another practical artistic bonus! The community collaboration continues to fine-tune this brilliant idea. I love the idea of immersing the magical world of art into the context of everyday life. I love the many connections this initiative has to a plethora of diverse groups, such as the Historical Society, VFW, Haudenosaunee, Lew Port Central Schools & Castellani Museum. These community connections will indeed continue to grow! I am so grateful & excited about how the passionate people of Lewiston are coalescing with the ultimate goal of making Lewiston, New York, USA an even better place to live in and visit! Putting the UNITY back into commUNITY! This is quite refreshing! I am looking forward to the continued fellowship & to the fruition of this fine endeavor! Sincerely, Thomas Asklar

Mayor Welch referenced the Village’s Master Plan, stating that the overall vision for the village is to continue to develop the village as a historic, cultural and economic center, continue to develop the Village of Lewiston as a “walkable” community. This includes connecting sidewalks and linking bike paths as appropriate, continued enhancement of the streetscape, parks and waterfront district, and diligent pursuit of grant funds to enhance the Village of Lewiston.

Lisa Vitello, representative of Greenway, stated that the existing grant application could be revised without the art frames for this time, and a separate grant application can be submitted at a later time when a decision has been made.

A motion was made by Deputy Mayor Eydt and seconded by Trustee Conde to clarify prior approval given at the August 21, 2023 Village Board of Trustees meeting to say what was intended in the original motion; to approve for grant funding for the Lewiston Public Art project to be pursued, not for the art frame location or design of the art frames until the Historic Preservation and Planning Commissions review the proposal.

Clerk Fundis polled the board and the motion passed with the following results:
Conde – YES Coppins – YES Eydt – YES Welch - YES

Proposed Historic Law Changes

A discussion ensued between the Historic Planning Commission and the Village Board of Trustees on the proposed historic law changes. Mayor Welch addressed a section that used to be in the code in the past but was removed at some point, stating that the rear of the property does not need to seek approval from HPC for changes or renovations. Welch asked that be added back into the code. HPC Chairperson, Loretta Frankovitch, said HPC will review this at their next meeting.

A motion was made by Deputy Mayor Eydt seconded by Trustee Conde and passed unanimously to schedule a public hearing to approve the proposed historic law changes on Monday, November 20, 2023 at 6:00pm.

**NEW
BUSINESS****Lewiston Fire Co. No. 1 Conditional Membership**

A motion was made by Deputy Mayor Eydt seconded by Trustee Coppins and passed unanimously to approve the Lewiston Fire Co. No. 1 Conditional Memberships for Anthony Navaroli.

Lewiston Fire. Co. No. 1 Member Resignation

A motion was made by Trustee Conde seconded by Trustee Coppins and passed unanimously to approve the following Lewiston Fire Co. No. 1 member resignations:

Cody Alfieri

Timothy Glaser

Lease Renewal – Just Desserts by Aimee at 476 Center Street

A motion was made by Trustee Conde seconded by Deputy Mayor Eydt and passed unanimously to approve the 3-year lease renewal agreement from Aimee Loughran for Just Desserts by Aimee at 476 Center Street.

VOL Recreation Street Closing Request

A motion was made by Trustee Coppins seconded by Deputy Mayor Eydt and passed unanimously to close Onondaga Street from N. 2nd Street to N. 4th Street on Sunday, October 29th from 11:30am-3:00pm for the Village of Lewiston Recreation Department Halloween Spooktacular.

Boy Scout Troop 855 – Christmas Tree Sale at Academy Park

A motion was made by Deputy Mayor Eydt seconded by Trustee Coppins and passed unanimously to approve the request made by Boy Scout Troop 855 for use of Academy Park on the corner of Cayuga and 9th Street from November 18th, 2023 through approximately December 18, 2023 for their annual Christmas Tree sale, and to host a chowder sale on opening day, Saturday, November 25, 2023.

Executive Session

A motion was made by Deputy Mayor Eydt seconded by Trustee Conde and passed unanimously to enter into Executive Session immediately following the close of this meeting to discuss proposed litigation.

DISCUSSION Request for Greenway funds to build a pavilion at Academy Park

A motion was made by Mayor Welch seconded by Trustee Conde and passed unanimously to send a letter to the Town of Lewiston requesting their support in submitting for Greenway funding to build a pavilion at Academy Park.

REPORTS

Clerk Fundis thanked Modern Disposal and Derek Moriarty for their donations of two porta potties and a street sweeper for Trick or Treat on Center on Sunday, October 29, 2023.

Superintendent Wills said the DPW will begin picking up leaves, and this will take place through December 1, 2023.

Law Counsel Leone said he has been speaking with Engineer Marino about how to move forward with determining measurements for lot size and for the sale of plots in the Village of Lewiston Cemetery. The decision will need to be made by the Village Board Members on how to sell these, whether one can be purchased at a time, or will there be a minimum of lots that must be purchased. The deed for the lots will be very straightforward.

Engineer Marino gave progress updates on the DPW garage, Lewiston Landing and the fish cleaning station.

ADJOURN

A motion was made by Trustee Conde seconded by Trustee Coppins and passed unanimously to adjourn the meeting and enter into Executive Session at 7:44pm.

EXECUTIVE SESSION

PRESENT Mayor Welch, Deputy Mayor Eydt, Trustee Conde, Trustee Coppins, Law Counsel Leone, Superintendent Wills, Clerk Fundis, Treasurer Longwell, Deputy Clerk Vazquez

EXCUSED Trustee Gibson

CALL TO ORDER Mayor Welch called the Executive Session to order at 7:50pm

BUSINESS A discussion ensued on proposed litigation. No action was taken.

ADJOURN A motion was made by Trustee Coppins seconded by Trustee Conde and passed unanimously to adjourn the Executive Session at 8:21pm.

Shannon Fundis, Clerk